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Title 3—

The President

Presidential Determination No. 2017–06 of May 17, 2017

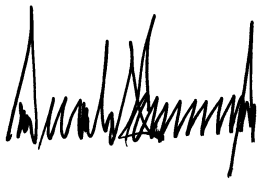
Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012

Memorandum for the Secretary of State[,] the Secretary of the Treasury[, and] the Secretary of Energy

By the authority vested in me as President by the Constitution and the laws of the United States, after carefully considering the reports submitted to the Congress by the Energy Information Administration, including the report submitted April 11, 2017, and other relevant factors such as global economic conditions, increased oil production by certain countries, the level of spare petroleum production capacity, and the availability of strategic reserves, I determine, pursuant to section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012, Public Law 112–81, and consistent with prior determinations, that there is a sufficient supply of petroleum and petroleum products from countries other than Iran to permit a significant reduction in the volume of petroleum and petroleum products purchased from Iran by or through foreign financial institutions. As my Administration conducts a review of its Iran policy, and consistent with United States commitments specified in the Joint Comprehensive Plan of Action, however, the United States is not pursuing efforts to reduce Iran's sales of crude oil at this time.

I will continue to monitor this situation closely.

The Secretary of State is authorized and directed to publish this determination in the *Federal Register*.



THE WHITE HOUSE,
Washington, May 17, 2017

[FR Doc. 2017–13199
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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–2016–9391; Directorate Identifier 2016–NM–129–AD; Amendment 39–18931; AD 2017–13–01]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all The Boeing Company Model 737–300, –400, and –500 series airplanes. This AD was prompted by a report of a crack in a certain body station (BS) frame inboard chord during supplemental structural inspection document (SSID) inspections. This AD requires repetitive detailed and high frequency eddy current (HFEC) inspections for any crack at the frame inboard chords, and repair if necessary. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective July 27, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of July 27, 2017.

ADDRESSES: For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740; telephone: 562–797–1717; Internet: *https://www.myboeingfleet.com*. You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9391.

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–2016–9391; 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 final rule, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Galib Abumeri, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5324; fax: 562–627–5210; email: *galib.abumeri@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 all The Boeing Company Model 737–300, –400, and –500 series airplanes. The NPRM published in the **Federal Register** on November 18, 2016 (81 FR 81707) (''the NPRM''). The NPRM was prompted by a report of a crack in a certain BS frame inboard chord during SSID inspections. The NPRM proposed to require repetitive detailed and HFEC inspections for any crack at the frame inboard chords, and repair if necessary. We are issuing this AD to detect and correct any crack in the inboard chord of the BS 578 (737–400 series airplanes) and BS 616 (737–300 and –500 series airplanes) frame below stringers S–11L or S–11R, which could result in structural failure of the frame and possible rapid decompression.

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.

Support for the NPRM

United Airlines expressed support for the NPRM.

Effect of Winglets on Accomplishment of the Proposed Actions

Aviation Partners Boeing stated that accomplishing the supplemental type certificate (STC) ST01219SE does not affect the actions specified in the NPRM.

We concur with the commenter. We have redesignated paragraph (c) of the NPRM as paragraph (c)(1) of this AD and added paragraph (c)(2) to this AD to state that installation of STC ST01219SE does not affect the ability to accomplish the actions required by this AD. Therefore, for airplanes on which STC ST01219SE is installed, a ''change in product'' alternative method of compliance (AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

Request for Clarification of Location

Boeing requested that we clarify the location of the body station for the inspection of the frame inboard chords. Boeing pointed out that the NPRM stated: ''in the inboard chord of the BS 616 frame.'' Boeing also pointed out that the service information specifies that for 737–300 and –500 airplanes the corresponding body station is BS 616, but for 737–400 airplanes, with two overwing exit doors, the corresponding body station is BS 578.

We agree that clarification of the body station for the corresponding airplane configuration is necessary. We have revised the Discussion section of this final rule and paragraph (e) of this AD to specify ''the inboard chord of the BS 578 (737–400 series airplanes) and BS 616 (737–300 and –500 series airplanes) frame.''

Request for Additional AMOC Delegation Authority

Boeing requested that we include ''Authorized Representative'' (AR) and ''Seattle ACO'' in paragraph (j)(3) of the proposed AD. Specifically, the commenter requested that ''Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Los Angeles ACO'' be revised to ''Authorized Representative for the

Boeing Commercial Airplanes ODA that has been authorized by the Manager, Los Angeles ACO or by the Manager, Seattle ACO.'' The commenter mentioned that AMOCs are approved by individual ARs of the Boeing Commercial Airplanes ODA but not all unit members of the ODA have the authority to provide AMOC approvals to the AD. The commenter also pointed out that Los Angeles ACO and Seattle ACO have both authorized specific ARs to make findings.

We disagree with including ARs and the Seattle ACO in paragraph (j)(3) of this final rule. The Los Angeles ACO is now responsible for the Continued Operational Safety of the affected Model 737 airplanes, and delegates AMOC authority to the Boeing Commercial Airplanes ODA based on individual ADs. As a result, AMOC delegation authority is limited to the Manager of the Los Angeles ACO and does not include the Manager of the Seattle ACO. Additionally, including ARs is unnecessary because both the Los Angeles ACO and Seattle ACO authorize only specific ARs to approve AMOCs. We have not changed this AD in this regard.

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 final rule.

Related Service Information Under 1 CFR Part 51

We reviewed Boeing Alert Service Bulletin 737–53A1366, dated May 17, 2016. The service information describes procedures for repetitive detailed and HFEC inspections for cracking at certain BS frame inboard chords, and repair. 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 400 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
Detailed and HFEC Inspections.	8 work-hours × $85 per hour = $680 per inspection cycle.	$0	$680 per inspection cycle.	$272,000 per inspection cycle.

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this AD.

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):

2017–13–01 The Boeing Company: Amendment 39–18931; Docket No. FAA–2016–9391; Directorate Identifier 2016–NM–129–AD.

(a) Effective Date

This AD is effective July 27, 2017.

(b) Affected ADs

None.

(c) Applicability

(1) This AD applies to all The Boeing Company Model 737–300, –400, and –500 series airplanes, certificated in any category.

(2) Installation of Supplemental Type Certificate (STC) ST01219SE (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/EBD1CEC7B301293E86257CB30045557A?OpenDocument&Highlight=st01219se*) does not affect the ability to accomplish the actions required by this AD. Therefore, for airplanes on which STC ST01219SE is installed, a ''change in product'' alternative method of compliance (AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by a report of a crack in the body station (BS) 616 frame inboard chord during supplemental structural inspection document (SSID) inspections; the crack was located at the lowest fastener hole of the inboard chord inboard strap below stringer S–11R. We are issuing this AD to detect and correct any crack in the inboard chord of the BS 578 (737–400 series airplanes) and BS 616 (737–300 and –500 series airplanes) frame below stringers S–11L or S–11R, which could result in structural failure of the frame and possible rapid decompression.

(f) Compliance

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

(g) Repetitive Detailed and High Frequency Eddy Current (HFEC) Inspections

Except as required by paragraph (i) of this AD, at the applicable times specified in table 1 of paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1366, dated May 17, 2016: Do detailed and HFEC inspections for any crack at the frame inboard chords, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1366, dated May 17, 2016. Repeat the inspections thereafter at the time specified in table 1 of paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1366, dated May 17, 2016.

(h) Repair

If any crack is found during any inspection required by paragraph (g) of this AD, repair before further flight using a method approved in accordance with the procedures specified in paragraph (j) of this AD. Although Boeing Alert Service Bulletin 737–53A1366, dated May 17, 2016, specifies to contact Boeing for repair instructions, and specifies that action as ''RC'' (Required for Compliance), this AD requires repair as specified in this paragraph.

(i) Service Information Exceptions

Where Boeing Alert Service Bulletin 737–53A1366, dated May 17, 2016, specifies a compliance time ''after the original issue date of this service bulletin,'' this AD requires compliance within the specified compliance time after the effective date of this AD.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to *9-ANM-LAACO-AMOC-Requests@faa.gov*.

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

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Los Angeles ACO, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) Except as required by paragraph (h) of this AD: For service information that contains steps that are labeled as RC, the provisions of paragraphs (j)(4)(i) and (j)(4)(ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or sub-step is labeled ''RC Exempt,'' then the RC requirement is removed from that step or sub-step. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(k) Related Information

For more information about this AD, contact Galib Abumeri, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles ACO, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5324; fax: 562–627–5210; email: *galib.abumeri@faa.gov*.

(l) Material Incorporated by Reference

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

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

(i) Boeing Alert Service Bulletin 737–53A1366, dated May 17, 2016.

(ii) Reserved.

(3) For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740; telephone: 562–797–1717; Internet: *https://www.myboeingfleet.com*.

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

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

Issued in Renton, Washington, on June 9, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–12631 Filed 6–21–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2016–9504; Directorate Identifier 2016–NM–107–AD; Amendment 39–18932; AD 2017–13–02]

RIN 2120–AA64

Airworthiness Directives; Dassault Aviation Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Dassault Aviation Model FALCON 7X airplanes. This AD was prompted by reports that during the assembly of structural elements on some airplanes, lack of established procedures and tools caused boring and torqueing defects to be present at some locations. This AD requires a detailed visual inspection of bore holes for defects, replacement of bolts, and repair if necessary. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective July 27, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of July 27, 2017.

ADDRESSES: For service information identified in this final rule, contact Dassault Falcon Jet Corporation, Teterboro Airport, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201–440–6700; Internet *http://www.dassaultfalcon.com*. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9504.

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–2016–9504; 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 (telephone 800–647–5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1137; fax 425–227–1149.

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 Dassault Aviation Model FALCON 7X airplanes. The NPRM published in the **Federal Register** on December 21, 2016 (81 FR 93645) (''the NPRM'').

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2016–0116, dated June 16, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Dassault Aviation Model FALCON 7X airplanes. The MCAI states:

> During the assembly of structural elements on some aeroplanes, lack of established procedures and tools caused boring and torqueing defects to be present at some locations on the foot of frame (FR) 36 and FR39. Dassault Aviation (DA) identified the individual aeroplanes that are potentially affected by this production deficiency. Quality control actions have been implemented to ensure that new aeroplanes, from s/n 183, cannot be affected by this defect.
>
> This condition, if not detected and corrected, would adversely affect the structural integrity of the aeroplane.
>
> For the reasons described above, this [EASA] AD requires [a detailed visual] inspection of bore holes [for defects] and replacement of bolts at FR36 and FR39 and, depending on findings, accomplishment of a repair.
>
> To address this potential unsafe condition, DA published Service Bulletin (SB) F7X–379 to provide corrective action instructions.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9504.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

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

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

Related Service Information Under 1 CFR Part 51

We reviewed Dassault Service Bulletin 7X–379, dated February 29, 2016. This service information describes procedures for a detailed visual inspection of bore holes at FR36 and FR39 for defects, replacement of bolts at FR36 and FR39, and repair. 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 41 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 replacement	6 work-hours × $85 per hour = $510	$26	$536	$21,976

We have received no definitive data that would enable us to provide cost estimates for the on-condition repair specified in this AD.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

1. Is not a ''significant regulatory action'' under Executive Order 12866;

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

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2017–13–02 Dassault Aviation: Amendment 39–18932; Docket No. FAA–2016–9504; Directorate Identifier 2016–NM–107–AD.

(a) Effective Date

This AD is effective July 27, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Dassault Aviation Model FALCON 7X airplanes, certificated in any category, serial numbers (S/Ns) 2, 5, and 8 through 182 inclusive; except S/Ns 141, 148, 149, 157, 159, 166, 170, 171, 174, 175, and 177 through 180 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Reason

This AD was prompted by reports that during the assembly of structural elements on some airplanes, lack of established procedures and tools caused boring and torqueing defects to be present at some locations on the foot of frame (FR) 36 and FR39. We are issuing this AD to detect and correct defects in the bore holes at FR36 and FR39 that could adversely affect the structural integrity of the airplane.

(f) Compliance

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

(g) Inspection of Bore Holes

At the applicable time identified in paragraphs (g)(1) or (g)(2) of this AD, remove the sheer bolts at FR36 and FR39, left hand and right hand, as identified in Dassault Service Bulletin 7X–379, dated February 29, 2016, and do a detailed visual inspection of the bore holes for defects, in accordance with Dassault Service Bulletin 7X–379, dated February 29, 2016.

(1) For airplanes with S/Ns 2 and 5: Before exceeding 4,100 flight cycles after the date of release to service after the first C-Check or within 3 months from the effective date of this AD, whichever occurs later.

(2) For airplanes other than those identified in paragraph (g)(1) of this AD: Before exceeding 4,100 flight cycles since the date of issuance of the original certificate of airworthiness or the original export certificate of airworthiness or within 3 months from the effective date of this AD, whichever occurs later.

(h) Repair of Bore Holes and Bolt Replacement

(1) If, during any inspection required by paragraph (g) of this AD, any defect is found, before further flight, repair the affected areas, and replace the bolts at FR36 and FR39, in accordance with Dassault Service Bulletin 7X–379, dated February 29, 2016; except where Dassault Service Bulletin 7X–379, dated February 29, 2016, specifies to contact Dassault Aviation for instructions, before further flight, repair using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Dassault Aviation's EASA Design Organization Approval (DOA).

(2) If, during any inspection required by paragraph (g) of this AD, no defect is found, before further flight, replace the bolts at FR36 and FR39, in accordance with Dassault Service Bulletin 7X–379, dated February 29, 2016.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1137; fax 425–227–1149. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

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

(j) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2016–0116, dated June 16, 2016, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9504.

(2) For more information about this AD, contact Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1137; fax 425–227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@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 this AD specifies otherwise.

(i) Dassault Service Bulletin 7X–379, dated February 29, 2016.

(ii) Reserved.

(3) For service information identified in this AD, contact Dassault Falcon Jet Corporation, Teterboro Airport, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201–440–6700; Internet *http://www.dassaultfalcon.com.*

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

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

Issued in Renton, Washington, on June 12, 2017.

Dionne Palermo,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–12808 Filed 6–21–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0078; Directorate Identifier 2015–SW–026–AD; Amendment 39–18933; AD 2017–13–03]

RIN 2120–AA64

Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Bell Helicopter Textron Canada Limited (Bell) Model 429 helicopters. This AD requires adding an identification number to life-limited rod ends that do not have a serial number (S/N). The actions of this AD are intended to address an unsafe condition on these products.

DATES: This AD is effective July 27, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain document listed in this AD as of July 27, 2017.

ADDRESSES: For service information identified in this final rule, contact Bell Helicopter Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437–2862 or (800) 363–8023; fax (450) 433–0272; or at *http://www.bellcustomer.com/files/*. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0078.

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–2017–0078; or in person at the Docket Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the Transport Canada AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800–647–5527) is U.S. Department of Transportation, Docket Operations Office, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5110; email *matthew.fuller@faa.gov*.

SUPPLEMENTARY INFORMATION:

Discussion

On February 17, 2017, at 82 FR 10976, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to Bell Model 429 helicopters, S/N 57001 through 57260, with a pylon restraint spring assembly (spring assembly) forward rod end (rod end) part number (P/N) 427–010–210–105 installed. The NPRM proposed to require cleaning and marking each rod end with the S/N of the spring assembly. The NPRM also proposed prohibiting the installation of rod end P/N 427–010–210–105 on any helicopter unless it has been marked in accordance with the proposed requirements. The proposed requirements were intended to prevent a rod end from remaining in service after reaching its life limit. This condition could result in failure of a rod end and subsequent loss of control of a helicopter.

Transport Canada, which is the aviation authority for Canada, has issued AD No. CF–2015–15, dated June 25, 2015, to correct an unsafe condition for Bell Model 429 helicopters, S/Ns 57001 through 57260. Transport Canada advises that, per its regulations, life-limited parts must be marked with their P/N and S/N. Transport Canada further states that the spring assembly rod end P/N 427–010–210–105 has a life limit of 5,000 hours; however, it is not serialized, causing difficulties in tracking its accumulated air time. According to Transport Canada, this condition could result in a rod end remaining in service beyond its life limit. Therefore, the Transport Canada AD requires adding identification markings on each spring assembly rod end.

Comments

We gave the public the opportunity to participate in developing this AD, but we did not receive any comments on the NPRM.

FAA's Determination

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

Related Service Information Under 1 CFR Part 51

Bell Helicopter has issued Alert Service Bulletin 429–15–19, dated February 26, 2015. This service information specifies procedures for permanently marking each forward and aft rod end with the S/N of the spring assembly. This service information applies to certain serial-numbered helicopters, as subsequent helicopters will have these actions performed during the manufacturing process.

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 also reviewed Bell Model 429 Maintenance Manual BHT–429–MM–1, Chapter 4, Airworthiness Limitations Schedule, Revision 24, approved June 12, 2015, which specifies airworthiness life limits and inspection intervals for parts installed on Model 429 helicopters.

Costs of Compliance

We estimate that this AD will affect 70 helicopters of U.S. Registry. We estimate that operators may incur the following costs in order to comply with this AD. Labor costs are estimated at $85 per work-hour. Marking the rod ends will take about 0.5 work-hour for a total estimated cost of $43 per helicopter and $3,010 for the U.S. fleet. Replacing a rod end that has exceeded its life limit will take about 3 work-hours and required parts will cost about $4,100 for an estimated replacement cost of $4,355 per rod end.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2017–13–03 Bell Helicopter Textron Canada Limited: Amendment 39–18933; Docket No. FAA–2017–0078; Directorate Identifier 2015–SW–026–AD.

(a) Applicability

This AD applies to Model 429 helicopters, serial number 57001 through 57260, with a pylon restraint spring assembly (spring assembly) forward rod end (rod end) part number (P/N) 427–010–210–105 installed, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as a rod end remaining in service after reaching its life limit. This condition could result in failure of a rod end and subsequent loss of control of a helicopter.

(c) Effective Date

This AD becomes effective July 27, 2017.

(d) Compliance

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

(e) Required Actions

(1) Within 140 hours time-in-service, clean and identify each forward rod end with the spring assembly serial number in accordance with the Accomplishment Instructions, paragraphs 3 through 5, and 7 through 8, of Bell Helicopter Alert Service Bulletin 429–15–19, dated February 26, 2015.

(2) Do not install a forward rod end P/N 427–010–210–105 on any helicopter unless it has been marked with a serial number in accordance with paragraph (e)(1) of this AD.

(f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 10101 Hillwood Pkwy, Fort Worth, TX 76177; telephone (817) 222–5110; email *9-ASW-FTW-AMOC-Requests@faa.gov*.

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

(g) Additional Information

(1) Bell Model 429 Maintenance Manual BHT–429–MM–1, Chapter 4, Airworthiness Limitations Schedule, Revision 24, approved June 12, 2015, which is not incorporated by reference, contains additional information about the subject of this AD. For service information identified in this AD, contact Bell Helicopter Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437–2862 or (800) 363–8023; fax (450) 433–0272; or at *http://www.bellcustomer.com/files/*. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177.

(2) The subject of this AD is addressed in Transport Canada AD No. CF–2015–15 dated June 25, 2015. You may view the Transport Canada AD on the Internet at *http://www.regulations.gov* in Docket No. FAA–2017–0078.

(h) Subject

Joint Aircraft Service Component (JASC) Code: 5101, Standard Practices/Structures.

(i) Material Incorporated by Reference

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

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

(i) Bell Helicopter Alert Service Bulletin 429–15–19, dated February 26, 2015.

(ii) Reserved.

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

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued in Fort Worth, Texas, on June 2, 2017.

Lance T. Gant,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2017–12799 Filed 6–21–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0061; Directorate Identifier 2016–SW–005–AD; Amendment 39–18934; AD 2017–13–04]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Airbus Helicopters Deutschland GmbH (Airbus Helicopters) Model MBB–BK 117 C–2 (including configuration C–2e) and MBB–BK 117 D–2 helicopters. This AD requires replacing the main rotor (M/R) blade vibration absorbers. This AD was prompted by a report of strong M/R blade vibrations on a Model MBB–BK 117 C–2 helicopter. The actions of this AD are intended to prevent an unsafe condition on these products.

DATES: This AD is effective July 27, 2017.

The Director of the Federal Register approved the incorporation by reference of certain documents listed in this AD as of July 27, 2017.

ADDRESSES: For service information identified in this final rule, contact Airbus Helicopters, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.airbushelicopters.com/website/en/ref/Technical-Support_73.html*. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321,

Fort Worth, TX 76177. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0061.

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–2017–0061; or in person at the Docket Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the European Aviation Safety Agency (EASA) ADs, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800–647–5527) is U.S. Department of Transportation, Docket Operations Office, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; email *matthew.fuller@faa.gov*.

SUPPLEMENTARY INFORMATION:

Discussion

On February 17, 2017, at 82 FR 10978, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to Airbus Helicopters Model MBB–BK 117 C–2 (including configuration C–2e) and Model MBB–BK 117 D–2 helicopters with an M/R blade vibration absorber spacer part number (P/N) 117–801841.11 installed. The NPRM proposed to require replacing the M/R blade vibration absorbers. The proposed requirements were intended to prevent damage to a bearing in an M/R blade vibration absorber. Such damage could result in failure of the bearing, possibly resulting in the loss of balls and damage to the helicopter and injury to persons on the ground.

The NPRM was prompted by AD No. 2016–0002, dated January 4, 2016, issued by EASA, which is the Technical Agent for the Member States of the European Union, to correct an unsafe condition for Airbus Helicopters Model MBB–BK 117 C–2, MBB–BK 117 C–2e, MBB–BK 117 D–2, and Model MBB–BK 117 D–2m helicopters. EASA advises of damaged bearings that if not corrected, could lead to the loss of balls from the ball bearing while the M/R blade is turning, possibly resulting in damage to the helicopter and injury to persons on the ground. To address this unsafe condition, EASA requires replacing the spacers with flanged spacers in the M/R blade vibration absorber and re-identifying the vibration absorber and M/R blade.

Comments

We gave the public the opportunity to participate in developing this AD, but we received no comments on the NPRM.

FAA's Determination

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

Interim Action

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

Differences Between This AD and the EASA AD

The EASA AD requires replacing the M/R blade vibration absorber spacers within 12 months after the effective date of the EASA AD. This AD requires the replacement within 200 hours TIS. The EASA AD applies to Airbus Helicopters Model MBB–BK 117 D–2m helicopters. This AD does not because Model MBB–BK 117 D–2m helicopters have no FAA type certificate.

Related Service Information Under 1 CFR Part 51

We reviewed Airbus Helicopters Alert Service Bulletin (ASB) MBB–BK117 C–2–62A–009 for Model MBB–BK 117 C–2 and C–2e helicopters and ASB MBB–BK117 D–2–62A–001 for Model MBB–BK 117 D–2 and D–2m helicopters. The ASBs, both Revision 1 and both dated October 28, 2015, specify replacing the vibration absorber spacers with flanged spacers to prevent the balls from escaping from the ball bearings. The ASBs also provide procedures for re-identifying the M/R blade and vibration absorber.

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 136 helicopters of U.S. Registry and that labor costs average $85 per work-hour. Based on these estimates, we expect that modifying the M/R blade vibration absorber spacers and re-identifying the parts require 4 work-hours and parts cost about $1,439, for a total cost of $1,779 per helicopter and $241,944 for the U.S. fleet. The cost of recording the new P/N is minimal.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act.

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2017–13–04 Airbus Helicopters Deutschland GmbH (Airbus Helicopters): Amendment 39–18934; Docket No. FAA–2017–0061; Directorate Identifier 2016–SW–005–AD.

(a) Applicability

This AD applies to Airbus Helicopters Model MBB–BK 117 C–2 (including configuration C–2e) and Model MBB–BK 117 D–2 helicopters with a main rotor (M/R) blade vibration absorber spacer part number (P/N) 117–801841.11 installed, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as damage to a bearing in an M/R blade vibration absorber. This condition could result in failure of the bearing, possibly resulting in the loss of the balls and damage to the helicopter and injury to persons on the ground.

(c) Effective Date

This AD becomes effective July 27, 2017.

(d) Compliance

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

(e) Required Actions

(1) Within 200 hours time-in-service:

(i) Replace each spacer on the vibration absorber with a flanged spacer.

(ii) Re-identify each vibration absorber and M/R blade in accordance with paragraphs 3.B.2.3. or 3.B.2.4, as applicable, of Airbus Helicopters Alert Service Bulletin (ASB) MBB–BK117 C–2–62A–009, Revision 1, dated October 28, 2015, or ASB MBB–BK117 D–2–62A–001, Revision 1, dated October 28, 2015, whichever applies to your model helicopter. Record the new P/Ns and serial numbers for each M/R blade on the component history card or equivalent record.

(2) After replacing the spacer in accordance with paragraph (e)(1) of this AD, do not install M/R blade P/N B621M1002103 or P/N D621M1002101, vibration absorber P/N B621M3001101, or spacer P/N 117–801841.11 on that helicopter. You may install M/R blade P/N B621M1002101 or P/N B621M1002102 provided you have complied with the requirements of paragraph (e)(1) of this AD.

(f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 10101 Hillwood Pkwy., Fort Worth, Texas 76177; telephone (817) 222–5110; email *9-ASW-FTW-AMOC-Requests@faa.gov*.

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

(g) Additional Information

The subject of this AD is addressed in European Aviation Safety Agency (EASA) AD No. 2015–0045, dated March 13, 2015, and corrected April 2, 2015, and in EASA AD No. 2016–0002, dated January 4, 2016. You may view the EASA ADs on the Internet at *http://www.regulations.gov* in Docket No. FAA–2017–0061.

(h) Subject

Joint Aircraft Service Component (JASC) Code: 6200, Main Rotor System.

(i) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference 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) Airbus Helicopters Alert Service Bulletin MBB–BK117 C–2–62A–009, Revision 1, dated October 28, 2015.

(ii) Airbus Helicopters Alert Service Bulletin MBB–BK117 D–2–62A–001, Revision 1, dated October 28, 2015.

(3) For Airbus Helicopters service information identified in this AD, contact Airbus Helicopters, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.airbushelicopters.com/website/en/ref/Technical-Support_73.html*.

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued in Fort Worth, Texas, on June 6, 2017.

Scott A. Horn,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2017–12800 Filed 6–21–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–9118; Airspace Docket No. 16–AGL–3]

Amendment of Class D and E Airspace for the Following North Dakota Towns; Wahpeton, ND; Hettinger, ND; Fargo, ND; Grand Fork, ND; Carrington, ND; Cooperstown, ND; Pembina, ND; Rugby, ND; Devils Lake, ND; Bottineau, ND; Valley City, ND and Gwinner, ND

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E airspace extending upward from 700 feet above the surface at Wahpeton/Harry Stern Airport, Wahpeton, ND; Hettinger Municipal Airport, Hettinger, ND; Gwinner-Roger Melroe Field, Gwinner, ND; and Rugby Municipal Airport, Rugby, ND. Decommissioning of non-directional radio beacons (NDBs), cancellation of NDB approaches, and implementation of area navigation (RNAV) procedures have made this action necessary for the safety and management of instrument flight rules (IFR) operations at these airports. This action also updates the geographic coordinates and airport names for certain airports listed in the associated Class D and E airspace areas.

DATES: Effective 0901 UTC, December 7, 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 7400.11, 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: Ron Laster, Contract Support, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5879.

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 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 Class D and E airspace to support IFR operations in standard instrument approach procedures at the following airports: Wahpeton/Harry Stern Airport, Wahpeton, ND; Hettinger Municipal Airport, Hettinger, ND; Gwinner-Roger Melroe Field, Gwinner, ND; Rugby Municipal Airport, Rugby, ND; Hector International Airport, Fargo, ND; Grand Forks Air Force Base, Grand Forks, ND; Carrington Municipal Airport, Carrington, ND; Pembina Municipal Airport, Pembina, ND; Bottineau Municipal Airport, Bottineau, ND; Cooperstown Municipal Airport, ND; Devils Lake Regional Airport, Devils Lake, ND, and Barnes County Municipal Airport, Valley City, ND.

History

On January 13, 2017, the FAA published in the **Federal Register** (82 FR 4222) Docket No. FAA–2016–9118 a notice of proposed rulemaking (NPRM) to modify Class D and Class E airspace at Wahpeton/Harry Stern Airport, Wahpeton, ND; Hettinger Municipal Airport, Hettinger, ND; Gwinner-Roger Melroe Field, Gwinner, ND; Rugby Municipal Airport, Rugby, ND; Hector International Airport, Fargo, ND; Grand Forks Air Force Base, Grand Forks, ND; Carrington Municipal Airport, Carrington, ND; Pembina Municipal Airport, Pembina, ND; Bottineau Municipal Airport, Bottineau, ND; Cooperstown Municipal Airport, ND; Devils Lake Regional Airport, Devils Lake, ND, and Barnes County Municipal Airport, Valley City, ND. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One commenter noted that two of the proposed legal descriptions contained inconsistent longitude for Grand Forks Air Force Base. The FAA has corrected this inconsistency in the final rule. The other stated no comment.

Also, a minor correction is made in the proposal for Hettinger Municipal Airport, Hettinger, ND, listed in Class E airspace extending upward from 700 feet above the surface. The airspace description should read ''Within a 6.5-mile radius (increased from a 6.4-mile) radius . . .'', instead of ''Within a 6.4-mile radius (previously a 7-mile radius)''.

Class D and Class E airspace designations are published in paragraphs 5000, 6002, 6004, and 6005, respectively, 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 Class D and Class E airspace designation listed in this document will be published subsequently 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 amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by:

Modifying geographic coordinates in Class D airspace for Hector International Airport, Fargo, ND; and

Modifying Class E airspace extending upward from 700 feet above the surface:

Within a 6.4-mile radius (reduced from a 7-mile radius) of Harry Stern Airport, Wahpeton, ND, and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Within a 6.5-mile radius (increased from a 6.4-mile radius) of Hettinger Municipal Airport, Hettinger, ND, and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Within a 6.5-mile radius (reduced from a 7-mile radius) of Gwinner-Roger Melroe Field, Gwinner, ND, and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database; and

Within a 6.3-mile radius (reduced from a 7-mile radius) of Rugby Municipal Airport, Rugby, ND, and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database.

The geographic coordinates will be adjusted for Hector International Airport, Fargo, ND; Grand Forks Air Force Base, Grand Forks, ND; Barnes County Municipal Airport, Valley City, ND; Pembina Municipal Airport, Pembina, ND; Devils Lake VOR/DME; Devils Lake Regional Airport, Devils Lake, ND; Carrington Municipal Airport, Carrington, ND; Bottineau Municipal Airport, Bottineau, ND; Cooperstown Municipal Airport, ND, as well as the airport names for Barnes County Municipal Airport (formerly Valley City/Barnes County Municipal), Valley City, ND, and Devils Lake Regional Airport (formerly Devils Lake Municipal Airport), Devils Lake, ND, to coincide with the FAA's aeronautical database.

Airspace reconfiguration is necessary due to the decommissioning of NDBs, cancellation of NDB approaches, and implementation of RNAV procedures at these airports. Controlled airspace is necessary for the safety and management of the standard instrument approach procedures for IFR operations at the airports.

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, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated

impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would 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 qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and 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).

Adoption of 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 14 CFR 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 5000 Class D Airspace.

* * * * *

AGL ND D Fargo, ND [Amended]

Hector International Airport, ND
(Lat. 46°55′14″ N., long. 96°48′57″ W.)

That airspace extending upward from the surface to and including 3,400 feet MSL within a 4.5-mile radius of Hector International Airport.

* * * * *

Paragraph 6002 Class E Airspace Designated as Surface Areas.

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AGL ND E2 Devils Lake, ND [Amended]

Devils Lake Regional Airport, ND
(Lat. 48°07′00″ N., long. 98°54′36″ W.)
Devils Lake VOR/DME
(Lat. 48°06′55″ N., long. 98°54′45″ W.)

Within a 4-mile radius of Devils Lake Regional Airport, and within 3 miles each side of the Devils Lake VOR/DME 134° radial extending from the 4-mile radius to 8.7 miles southeast of the VOR/DME and within 2.3 miles each side of the Devils Lake VOR/DME 324° radial extending from the 4-mile radius to 8.7 miles northwest of the VOR/DME. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D or Class E Surface Area.

* * * * *

AGL ND E4 Fargo, ND [Amended]

Fargo, Hector International Airport, ND
(Lat. 46°55′14″ N., long. 96°48′57″ W.)
Fargo VOR/DME
(Lat. 46°45′12″ N., long. 96°51′05″ W.)

That airspace extending upward from the surface within 1.7 miles each side of the Fargo VOR/DME 009° radial, extending from the 4.5-mile radius of Hector International Airport to 7.8 miles south of the airport.

* * * * *

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AGL ND E5 Bottineau, ND [Amended]

Bottineau Municipal Airport, ND
(Lat. 48°49′50″ N., long. 100°25′02″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Bottineau Municipal Airport, and that airspace extending upward from 1,200 feet above the surface within an area bounded on the north by lat. 49°00′00″ N., on the east by long. 99°49′00″ W., on the south by the 10.5-mile radius of Rugby, ND, Class E airspace area, and on the west by the 47-mile radius of the Minot, ND, Class E airspace area.

* * * * *

AGL ND E5 Carrington, ND [Amended]

Carrington Municipal Airport, ND
(Lat. 47°27′04″ N., long. 99°09′05″ W.)
Devils Lake VOR/DME
(Lat. 48°06′55″ N., long. 98°54′45″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Carrington Municipal Airport; and that airspace extending upward from 1,200 feet above the surface beginning at lat. 47°50′32″ N., long. 99°16′35″ W.; along the 22-mile arc south of Devils Lake VOR/DME, to lat. 47°45′07″ N. long., 98°50′22″ W.; to lat. 47°17′46″ N., long 98°44′58″ W.; to lat. 47°05′35″ N. long., 99°30′00″ W.; to lat. 47°40′20″ N., long. 99°30′00″ W. to the point of the beginning.

* * * * *

AGL ND E5 Cooperstown, ND [Amended]

Cooperstown Municipal Airport, ND
(Lat. 47°25′22″ N., long. 98°06′21″ W.)
Devils Lake VOR/DME
(Lat. 48°06′55″ N., long. 98°54′45″ W.)
Fargo, Hector International Airport, ND
(Lat. 46°55′14″ N., long. 96°48′57″ W.)
Grand Forks AFB, ND
(Lat. 47°57′41″ N., long. 97°24′03″ W.)
Jamestown VOR/DME
(Lat. 46°55′58″ N., long. 98°40′44″ W.)
Valley City, Barnes County Municipal Airport, ND
(Lat. 46°56′28″ N., long. 98°01′05″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Cooperstown Municipal Airport, and that airspace extending upward from 1,200 feet above the surface beginning at lat. 48°04′04″ N., long. 98°22′13″ W.; to lat. 48°03′19″ N. long. 98°13′ 59″ W.; thence counterclockwise via the 34-mile radius of Grand Forks AFB ; thence counterclockwise via the 40-mile radius of Fargo, Hector International Airport; to lat. 46°50′55″ N., long. 97°46′55″ W.; to lat. 46°51′26″ N., long. 97°52′13″ W. ; thence counterclockwise via the 7.9 mile radius of Barnes County Municipal Airport; to lat. 46°53′17″ N., long. 98°11′38″ W. to lat. 46°53′43″ N., long. 98°16′53″ W.; thence counterclockwise via the 16.5-mile radius of Jamestown VOR/DME; to lat. 47°12′19″ N., long. 98°43′54″ W.; to lat. 47°45′07″ N., long. 98°50′22″ W.; thence counterclockwise via the 22-mile radius of Devils Lake VOR/DME to the point of the beginning.

* * * * *

AGL ND E5 Devils Lake, ND [Amended]

Devils Lake Regional Airport, ND
(Lat. 48°07′00″ N., long. 98°54′36″ W.)
Devils Lake VOR/DME
(Lat. 48°06′55″ N., long. 98°54′45′ W.)

That airspace extending upward from 700 feet above the surface within an 8.7-mile radius of Devils Lake Regional Airport and that airspace extending upward from 1,200 feet above the surface within a 22-mile radius of Devils Lake VOR/DME.

* * * * *

AGL ND E5 Gwinner, ND [Amended]

Gwinner-Roger Melroe Field, ND
(Lat. 46°13′06″ N., long. 97°38′36″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Gwinner-Roger Melroe Field Airport.

* * * * *

AGL ND E5 Hettinger, ND [Amended]

Hettinger Municipal Airport, ND
(Lat. 46°00′54″ N., long. 102°39′22″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Hettinger Municipal Airport; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 46°20′00″ N., long. 102°58′00″ W., to lat. 46°20′00″ N., long. 102°44′00″ W., to lat. 45°45′00″ N., long. 102°09′00″ W., to lat. 45°45′00″ N., long. 102°58′00″ W., to the point of beginning.

* * * * *

AGL ND E5 Pembina, ND [Amended]

Pembina Municipal Airport, ND
(Lat. 48°56′33″ N., long. 97°14′27″ W.)
Humboldt VORTAC
(Lat. 48°52′09″ N., long. 97°07′02″ W.)
Grand Forks AFB, ND
(Lat. 47°57′41″ N., long. 97°24′03″ W.)
Devils Lake VOR/DME
(Lat. 48°06′55″ N., long. 98°54′45″ W.)

That airspace extending upward from 700 feet above the surface within a 6.2-mile radius of Pembina Municipal Airport, and within 1.8 miles each side of Humboldt VORTAC 132/312° radials extending from the 6.2-mile radius to 7 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface beginning at lat. 49°00′00″ N., long. 97°30′01″ W.; to lat. 48°48′00″ N., long. 97°30′01″ W.; to lat. 48°18′33″ N., long. 98°39′55″ W.; thence clockwise around a 15.3-mile radius of Devils Lake VOR/DME to lat. 48°04′57″ N., long. 98°32′ 07″ W.; to lat. 48°03′19″ N., long. 98°13′59″ W.; thence clockwise along the 34-mile radius of Grand Forks AFB to the North Dakota/Minnesota state boundary; thence north along the state boundary to the United States/Canada border; thence west along the United States/Canada border to the point of beginning.

* * * * *

AGL ND E5 Rugby, ND [Amended]

Rugby Municipal Airport, ND
(Lat. 48°23′25″ N., long. 100°01′27″ W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Rugby Municipal Airport; and that airspace extending upward from 1,200 feet above the surface within a 13-mile radius of Rugby Municipal Airport, and within 8.1 miles north and 4.2 miles south of the 115° bearing from the airport extending from the 13-mile radius to 16.1 miles east of the airport, and within 8.5 miles south and 3.8 miles north of the 314° bearing from the airport extending from the 13-mile radius to 16.1 miles northwest of the airport, excluding that airspace within Minot, ND, and Rolla, ND, Class E airspace areas.

* * * * *

AGL ND E5 Valley City, ND [Amended]

Barnes County Municipal Airport, ND
(Lat. 46°56′28″ N., long. 98°01′05″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4 mile radius of Barnes County Municipal Airport; and that airspace extending upward from 1,200 feet above the surface within a 7.9-mile radius of the airport, and within 4 miles southwest and 8.3 miles northeast of the 133° bearing from the airport extending from the 7.9-mile radius to 21.8 miles southeast of the airport.

* * * * *

AGL ND E5 Wahpeton, ND [Amended]

Harry Stern Airport, ND
(Lat. 46°14′39″ N., long. 96°36′26″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Harry Stern Airport; and that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of Harry Stern Airport bounded on the east by the Minnesota border and on the west by a line from lat. 45°55′26″ N., long. 96°59′22″ W., to lat. 46°37′04″ N., long. 96°52′27″ W.

Issued in Fort Worth, Texas, on June 13, 2017.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2017–12994 Filed 6–21–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2017–0222; Airspace Docket No. 17–AWP–8]

Amendment of Class E Airspace; Hilo, HI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, technical amendment.

SUMMARY: This action removes the Notice to Airmen (NOTAM) part-time status from the legal description of the Class E airspace area designated as an extension at Hilo International, General Lyman Field, Hilo, HI. This action does not affect the charted boundaries or operating requirements of the airspace.

DATES: Effective 0901 UTC, 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 on line 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 this material 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: Robert LaPlante, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203–4566.

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 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 removes NOTAM part-time information for Class E surface area airspace at Hilo, HI, for the safety and management of aircraft within the National Airspace System.

History

The FAA Aeronautical Information Services branch found that Class E airspace designated as an extension at Hilo International/General Lyman Field, Hilo, HI, as published in FAA Order 7400.11A, Airspace Designations and Reporting Points, does not require part-time status. This action makes the correction.

Class D airspace designations are published in paragraph 6004 of FAA Order 7400.11A dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11A dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This action amends Title 14, Code of Federal Regulations (14 CFR) part 71 by deleting the following language from the legal description of Class E airspace designated as an extension at Hilo International/General Lyman Field,

Hilo, HI: ''This Class E airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory, Pacific Chart Supplement.'' This action brings the airspace description in Order 7400.11A in line with the airspace hours listed in the applicable Pacific Chart Supplement.

This is an administrative change and does not affect the boundaries, altitudes, or operating requirements of the airspace, therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

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, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, 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 qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of 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, effective September 15, 2016, is amended as follows:

Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area.

* * * * *

AWP HI E4 Hilo, HI

Hilo International, General Lyman Field, HI
(Lat. 19°43′13″ N., long. 155°02′55″ W.)
Hilo VORTAC
(Lat. 19°43′17″ N., long. 155°00′39″ W.)

That airspace extending upward from the surface within 3 miles each side of the Hilo VORTAC 090° radial, extending from the 4.3-mile radius of General Lyman Field to 8.7 miles east of the VORTAC.

Issued in Seattle, Washington, on June 15, 2017.

Sam S.L. Shrimpton,

Acting Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2017–13048 Filed 6–21–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 170411380–7380–01]

RIN 0694–AH39

Russian Sanctions: Addition of Certain Entities to the Entity List

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) by adding ten entities to the Entity List. The ten entities that are added to the Entity List have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. BIS is taking this action to ensure the efficacy of existing sanctions on the Russian Federation (Russia) for violating international law and fueling the conflict in eastern Ukraine. These entities will be listed on the Entity List under the destinations of the Crimea region of Ukraine and Russia.

DATES: This rule is effective June 22, 2017.

FOR FURTHER INFORMATION CONTACT: Chair, End-User Review Committee, Office of the Assistant Secretary, Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–5991, Email: *ERC@bis.doc.gov*.

SUPPLEMENTARY INFORMATION:

Background

The Entity List (Supplement No. 4 to Part 744 of the EAR) identifies entities and other persons reasonably believed to be involved in, or that pose a significant risk of being or becoming involved in, activities that are contrary to the national security or foreign policy of the United States. The EAR imposes additional licensing requirements on, and limits the availability of most license exceptions for, exports, reexports, and transfers (in-country) to those persons or entities listed on the Entity List. The license review policy for each listed entity is identified in the License Review Policy column on the Entity List and the impact on the availability of license exceptions is described in the **Federal Register** notice adding entities or other persons to the Entity List. BIS places entities on the Entity List based on certain sections of part 744 (Control Policy: End-User and End-Use Based) and part 746 (Embargoes and Other Special Controls) of the EAR.

The End-user Review Committee (ERC) is composed of representatives of the Departments of Commerce (Chair), State, Defense, Energy, and where appropriate, the Treasury. The ERC makes decisions to add an entry to the Entity List by majority vote and to remove or modify an entry by unanimous vote. The Departments represented on the ERC have approved these changes to the Entity List.

Entity List Additions

Additions to the Entity List

This rule adds ten entities to the Entity List. These ten entities are being added on the basis of § 744.11 (License requirements that apply to entities acting contrary to the national security or foreign policy interests of the United States) of the EAR. The ten entries being added to the Entity List consist of two entries in the Crimea region of Ukraine and eight entries in Russia.

Under § 744.11(b) (Criteria for revising the Entity List) of the EAR, persons for whom there is reasonable cause to believe, based on specific and articulable facts, have been involved, are involved, or pose a significant risk of being or becoming involved in, activities that are contrary to the national security or foreign policy interests of the United States and those acting on behalf of such persons may be added to the Entity List. The entities being added to the Entity List have been determined to be involved in activities that are contrary to the national security or foreign policy interests of the United States. Specifically, in this rule, BIS adds entities to the Entity List for violating international law and fueling the conflict in eastern Ukraine. These additions ensure the efficacy of existing sanctions on Russia. The particular additions to the Entity List and related authorities are described below.

A. Entity Additions Consistent With Executive Order 13660

Three entities are added based on activities that are described in Executive Order 13660 (79 FR 13493), *Blocking Property of Certain Persons Contributing to the Situation in Ukraine,* issued by President Barack Obama on March 6, 2014. As described in the Executive Order, President Obama found that the actions and policies of persons who have asserted governmental authority in Crimea without the authorization of the Government of Ukraine undermine democratic processes and institutions in Ukraine; threaten its peace, security, stability, sovereignty, and territorial integrity; and contribute to the misappropriation of its assets, and thereby constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. President Obama also declared a national emergency to deal with that threat.

Executive Order 13660 blocks all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person (including any foreign branch) of any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be responsible for or complicit in, or to have engaged in, directly or indirectly, misappropriation of state assets of Ukraine or of an economically significant entity in Ukraine, among other activities. Under Section 8 of the Order, all agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the Order.

The Department of the Treasury's Office of Foreign Assets Control (OFAC), pursuant to Executive Order 13660, has designated the following three entities as being within the scope of the Order: Bike Center, Private Military Company 'Wagner' and 'Wolf' Holding of Security Services. In conjunction with that designation, the Department of Commerce adds all three entities to the Entity List under this rule and imposes a license requirement for exports, reexports, or transfers (in-country) of all items subject to the EAR to these blocked persons. This license requirement implements an appropriate measure within the authority of the EAR to carry out the provisions of Executive Order 13660.

B. Entity Additions Consistent With Executive Order 13661

Three entities are added based on activities that are described in Executive Order 13661 (79 FR 15533), *Blocking Property of Additional Persons Contributing to the Situation in Ukraine,* issued by President Barack Obama on March 16, 2014. This Order expanded the scope of the national emergency declared in Executive Order 13660 of March 6, 2014 (79 FR 13493). As described in Executive Order 13661, President Obama found that the actions and policies of the Government of the Russian Federation with respect to Ukraine—including the deployment of Russian military forces in the Crimea region of Ukraine—undermine democratic processes and institutions in Ukraine; threaten its peace, security, stability, sovereignty, and territorial integrity; and contribute to the misappropriation of its assets, and thereby constitute an unusual and extraordinary threat to the national security and foreign policy of the United States.

Executive Order 13661 includes a directive that all property and interests in property that are in the United States, that hereafter come within the United States, or that are or thereafter come within the possession or control of any United States person (including any foreign branch) of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: Persons determined by the Secretary of the Treasury, in consultation with the Secretary of State to have either materially assisted, sponsored or provided financial, material or technological support for, or goods and services to or in support of a senior official of the government of the Russian Federation or operate in the defense or related materiel sector in Russia. Under Section 8 of the Order, all agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the Order.

The Department of the Treasury's Office of Foreign Assets Control, pursuant to Executive Order 13661, on behalf of the Secretary of Treasury, and in consultation with the Secretary of State, has designated the following three entities as being within the scope of the Order: Concord Catering, Limited Liability Company Concord Management Consulting and Molot-Oruzhie, OOO. BIS is also adding these entities to the Entity List pursuant to Executive Order 13661.

The three entities added to the Entity List under Executive Order 13661 meet the criteria of Section 1, subparagraph B of the Executive Order 13661 because they operate in Russia's arms or related materiel sector. With respect to these three entities, BIS imposes a license requirement for exports, reexports, or transfers (in-country) of all items subject to the EAR to these entities. This license requirement implements an appropriate measure within the authority of the EAR to carry out the provisions of Executive Order 13661.

C. Entity Additions Consistent With Executive Order 13685

Four entities are added based on activities that are described in Executive Order 13685 (79 FR 77357), *Blocking Property of Certain Persons and Prohibiting Certain Transactions with Respect to the Crimea Region of Ukraine,* issued on December 19, 2014. In order to take additional steps to address the Russian occupation of the Crimea region of Ukraine with respect to the national emergency declared in Executive Order 13660 of March 6, 2014, and expanded in Executive Order 13661 of March 16, 2014, and Executive Order 13662 of March 20, 2014, President Obama ordered certain additional prohibitions with respect to the Crimea region of Ukraine. In particular, Executive Order 13685 prohibits the export, reexport, sale or supply, directly or indirectly, from the United States or by a U.S. person, wherever located, of any goods, services, or technology to the Crimea region of Ukraine. Under Section 10 of the Order, all agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the Order.

The Department of the Treasury's Office of Foreign Assets Control,

pursuant to Executive Order 13685, on behalf of the Secretary of the Treasury and in consultation with the Secretary of State, has designated the following four entities as operating in the Crimea region of Ukraine: IFDK, ZAO; KPSK, OOO; Oboronlogistika; and Riviera Sunrise Resort & Spa.

In conjunction with these designations, BIS adds all four of these entities to the Entity List under this rule and imposes a license requirement for exports, reexports, or transfers (in-country) of all items subject to the EAR to these blocked persons. This license requirement implements an appropriate measure within the authority of the EAR to carry out the provisions of Executive Order 13685.

For the ten entities added to the Entity List based on activities that are described in Executive Order 13660, 13661 or 13685, BIS imposes a license requirement for all items subject to the EAR and a license review policy of presumption of denial. The license requirements apply to any transaction in which items subject to the EAR are to be exported, reexported, or transferred (in-country) to any of the entities or in which such entities act as purchaser, intermediate consignee, ultimate consignee, or end-user. In addition, no license exceptions are available for exports, reexports, or transfers (in-country) to the entities being added to the Entity List in this rule.

The acronyms ''a.k.a.'' (also known as) and ''f.k.a.'' (formerly known as) are used in entries on the Entity List to help exporters, reexporters and transferors to better identify listed persons on the Entity List.

This final rule adds the following ten entities to the Entity List:

Crimea Region of Ukraine

(1) *Riviera Sunrise Resort & Spa,* a.k.a., the following one alias:

—Riviera Sunrise Resort and Spa.

Lenin St. 2, Alushta, Crimea 29850, Ukraine; *and*

(2) *KPSK, OOO,* a.k.a., the following two aliases:

—Obshchestvo S Ogranichennoi Otvetstvennostyu 'Krymskaya Pervaya Strakhovaya Kompaniya'; *and*
—OOO 'Krymskaya Pervaya Strakhovaya Kompaniya'.

29 ul. Karla Marksa, Simferopol, Crimea 295006, Ukraine.

Russia

(1) *Bike Center,* a.k.a., the following three aliases:

—Baik. V. Tsentr;
—Baik. V. Tsentr, OOO; *and*
—Bike V. Center.

Nizhnije Mnevniki, 110, Moscow, Russia; *and* UL. Nikitskaya B. D.1¼, Korp .3, Moscow 103009, Russia; *and* 1¼, str.3 ul. Nikitskaya B., Moscow 103009, Russia;

(2) *Concord Catering,*

Nab. Lieutenant Schmidt D. 7, von Keyserling Mansion, St. Petersburg 119034, Russia; *and* Ulitsa Volkhonka Dom 9, Moscow 119019, Russia;

(3) *IFDK, ZAO,* a.k.a., the following six aliases:

—Closed Joint Stock Company 'IFD Kapital';
—IFD Kapital;
—IFD Kapital Group;
—IFD-Capital;
—IFD-Kapital; *and*
—Zakrytoe Aktsionernoe Obshchestvo 'IFD Kapital' (f.k.a., Zakrytoe Aktsionernoe Obshchestvo IFD Karital).

6 naberezhnaya, Krasnopresnenskaya, Moscow 123100, Russia;

(4) *Limited Liability Company Concord Management and Consulting,* a.k.a. the following three aliases:

—Konkord Menedzhment I Konsalting, OOO;
—LLC Concord Management and Consulting; *and*
—Obshchestvo S Ogrannichennoi Otvetstvennostyu Konkord Menedzhment I Konsalting.

d. 13 Litera A, Pom. 2–N N4, Naberezhnaya Reki Fontanki, St. Petersburg 191011, Russia;

(5) *Molot-Oruzhie, OOO,* a.k.a., the following one alias:

— Obshchestvo S Ogranichennoi Otvetstvennostyu 'Molot-Oruzhie' (f.k.a., Obshchestvo S Ogranichennoi Otvetstvennostyu Proizvodstvenno Instrument Kachestvo).

135 ul. Lenina, Vyatskie Polyany, Kirov Obl. 612960, Russia;

(6) *Oboronlogistika, OOO,* a.k.a., the following four aliases:

—Oboronlogistics Limited Liability Company;
—Oboronlogistics LLC;
—Oboronlogistika LLC; *and*
—Obshchestvo S Ogranichennoi Otvetstvennostyu 'Oboronlogistika'.

d. 18 str. 3 prospekt Komsomolski, Moscow 119021, Russia; *and* ul. Goncharnaya, house 28, building 2, Moscow 115172, Russia;

(7) Private Military Company 'Wagner', a.k.a., the following three aliases:

—Chastnaya Voennaya Kompaniya 'Vagner';
—Chvk Vagner; *and*
—PMC Wagner).

Russia; *and*

(8) 'Wolf' Holding of Security Structures, a.k.a., the following four aliases:

—Defense Holding Structure ''Wolf'';
—Holding Security Structure Wolf;
—Kholding Okhrannykh Struktur Volk; *and*
—Wolf Holding Company.

ul. Panferova d. 18, Moscow 119261, Russia; *and* Nizhniye Mnevniki, 110, Moscow, Russia.

Export Administration Act of 1979

Although the Export Administration Act of 1979 expired on August 20, 2001, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013) and as extended by the Notice of August 4, 2016, 81 FR 52587 (August 8, 2016), has continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act. BIS continues to carry out the provisions of the Export Administration Act of 1979, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222, as amended by Executive Order 13637.

Rulemaking Requirements

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

2. Notwithstanding any other provision of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves collections previously approved by OMB under control number 0694–0088, Simplified Network Application Processing System, which includes, among other things, license applications and carries a burden

estimate of 43.8 minutes for a manual or electronic submission.

Total burden hours associated with the PRA and OMB control number 0694–0088 are not expected to increase as a result of this rule. You may send comments regarding the collection of information associated with this rule, including suggestions for reducing the burden, to Jasmeet K. Seehra, Office of Management and Budget (OMB), by email to *Jasmeet_K._Seehra@omb.eop.gov,* or by fax to (202) 395–7285.

3. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public comment and a delay in effective date are inapplicable because this regulation involves a military or foreign affairs function of the United States. (*See* 5 U.S.C. 553(a)(1)). BIS implementation of this rule is necessary to protect U.S. national security or foreign policy interests by preventing items from being exported, reexported, or transferred (in country) to the entities being added to the Entity List. If this rule were delayed to allow for notice and comment and a delay in effective date, the ten entities being added to the Entity List by this action would continue to be able to receive items without a license and to conduct activities contrary to the national security or foreign policy interests of the United States. In addition, publishing a proposed rule would give these parties notice of the U.S. Government's intention to place them on the Entity List and would create an incentive for these persons to either accelerate receiving items subject to the EAR to conduct activities that are contrary to the national security or foreign policy interests of the United States, and/or to take steps to set up additional aliases, change addresses, and other measures to try to limit the impact of the listing on the Entity List once a final rule was published. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule.

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

List of Subjects in 15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

For the reasons stated in the preamble, the Bureau of Industry and Security amends part 744 of the Export Administration Regulations (15 CFR parts 730–774) as follows:

PART 744—[AMENDED]

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

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

■ 2. Supplement No. 4 to part 744 is amended:

■ a. By adding under the destination of Crimea region of Ukraine, in alphabetical order, two entities; and

■ b. By adding under the destination of Russia, in alphabetical order, eight Russian entities.

The additions read as follows:

Supplement No. 4 to Part 744—Entity List

* * * * *

Country	Entity	License requirement	License review policy	**Federal Register** Citation
*	*	*	*	*
CRIMEA REGION OF UKRAINE.	*	*	*	*
	KPSK, OOO, a.k.a., the following two aliases: —Obshchestvo S Ogranichennoi Otvetstvennostyu 'Krymskaya Pervaya Strakhovaya Kompaniya'; *and* —OOO 'Krymskaya Pervaya Strakhovaya Kompaniya' 29 ul. Karla Marksa, Simferopol, Crimea 295006, Ukraine	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
	*	*	*	*
	Riviera Sunrise Resort & Spa, a.k.a. the following one alias: Riviera Sunrise Resort and Spa Lenin St. 2, Alushta, Crimea 29850, Ukraine	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
	*	*	*	*
*	*	*	*	*
RUSSIA	*	*	*	*

Country	Entity	License requirement	License review policy	Federal Register Citation
	Bike Center, a.k.a., the following three aliases: —Baik. V. Tsentr; —Baik. V. Tsentr, OOO; *and* —Bike V. Center. Nizhnije Mnevniki, 110, Moscow, Russia; *and* Ul. Nikitskaya B. D.11/4, Korp .3, Moscow 103009, Russia; *and* 1 ¼, str.3 ul. Nikitskaya B., Moscow 103009, Russia	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
	* *	*	* *	*
	Concord Catering, Nab. Lieutenant Schmidt D. 7, von Keyserling Mansion, St. Petersburg 119034, Russia; *and* Ulitsa Volkhonka Dom 9, Moscow 119019, Russia	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
	* *	*	* *	*
	IFDK, ZAO, a.k.a., the following six aliases: —Closed Joint Stock Company 'IFD Kapital'; —IFD Kapital; —IFD Kapital Group; —IFD-Capital; —IFD-Kapital; *and* —Zakrytoe Aktsionernoe Obshchestvo 'IFD Kapital' (f.k.a., Zakrytoe Aktsionernoe Obshchestvo IFD Karital) 6 naberezhnaya, Krasnopresnenskaya, Moscow 123100, Russia	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
	* *	*	* *	*
	Limited Liability Company Concord Management and Consulting, a.k.a. the following three aliases: —Konkord Menedzhment I Konsalting, OOO; —LLC Concord Management and Consulting; *and* —Obshchestvo S Ogrannichennoi Otvetstvennostyu Konkord Menedzhment I Konsalting d. 13 Litera A, Pom. 2–N N4, Naberezhnaya Reki Fontanki, St. Petersburg 191011, Russia			
	* *	*	* *	*
	Molot-Oruzhie, OOO, a.k.a., the following one alias: —Obshchestvo S Ogranichennoi Otvetstvennostyu 'Molot-Oruzhie' (f.k.a., Obshchestvo S Ogranichennoi Otvetstvennostyu Proizvodstvenno Instrument Kachestvo) 135 ul. Lenina, Vyatskie Polyany, Kirov Obl. 612960, Russia	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
	* *	*	* *	*
	Oboronlogistika, OOO, a.k.a., the following four aliases: —Oboronlogistics Limited Liability Company; —Oboronlogistics LLC; —Oboronlogistika LLC; *and* —Obshchestvo S Ogranichennoi Otvetstvennostyu 'Oboronlogistika' d. 18 str. 3 prospekt Komsomolski, Moscow 119021, Russia; *and* ul. Goncharnaya, house 28, building 2, Moscow 115172, Russia.	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
	* *	*	* *	*

Country	Entity	License requirement	License review policy	**Federal Register** Citation
	Private Military Company 'Wagner', a.k.a., the following three aliases: —Chastnaya Voennaya Kompaniya 'Vagner'; —Chvk Vagner; *and* —PMC Wagner) Russia	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
	* *	*	* *	*
	'Wolf' Holding of Security Structures, a.k.a., the following four aliases: —Defense Holding Structure "Wolf"; —Holding Security Structure Wolf; —Kholding Okhrannykh Struktur Volk; *and* —Wolf Holding Company ul. Panferova d. 18, Moscow 119261, Russia; *and* Nizhniye Mnevniki, 110, Moscow, Russia.	For all items subject to the EAR. (See § 744.11 of the EAR)	Presumption of denial	82 FR [INSERT FR PAGE NUMBER 06/22/17.
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Dated: June 20, 2017.

Matthew S. Borman,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 2017–13167 Filed 6–20–17; 4:15 pm]

BILLING CODE –P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 4

[PS Docket Nos. 15–80, 11–82, ET Docket No. 04–35, FCC 16–63]

Disruptions to Communications

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective dates.

SUMMARY: In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's Report and Order and Order on Reconsideration (*Order*)'s rules. This document is consistent with the *Order,* which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules.

DATES:

Effective dates: The amendments to 47 CFR 4.7(d) and (e)(2), and 4.9 (a)(2), the second sentence in paragraph (a)(4), the second and sixth sentence in paragraph (b), (e), (f)(2), and the second sentence in paragraph (f)(4) published at 81 FR 45055, July 12, 2016, are effective August 1, 2017. The amendments to 47 CFR 4.5(b) published at 81 FR 45055, July 12, 2016, are effective June 22, 2017. The amendments to 47 CFR 4.5(c) published at 81 FR 45055, July 12, 2016, are effective July 24, 2017.

Compliance dates:

- For reporting of critical communications outages potentially affecting airports, July 24, 2017.
- For use of OC3-based metric for reporting major transport facility outages, with a corresponding threshold of 667 OC3 minutes for 30 minutes, February 1, 2018.
- For reporting of simplex outages that persist for at least 96 hours, December 22, 2017.
- For use of revised methodology to calculate the number of potentially affected users for wireless network outages, and use of adopted methodology to estimate the number of potentially affected wireless users for wireless outages affecting a PSAP, May 1, 2018.
- For adherence to the clarified standard for outages that significantly degrade communications to PSAPs, June 22, 2018.
- For reporting of events impacting special offices and facilities enrolled in the TSP Program as Level 1 or Level 2, and disruptions impacting airports listed as current primary (PR) airports in the FAA's National Plan of Integrated Airports Systems, December 22, 2018.

FOR FURTHER INFORMATION CONTACT: Brenda Villanueva, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, at (202) 418–7005, or email: *brenda.villanueva@fcc.gov*.

SUPPLEMENTARY INFORMATION: This document announces that, on January 17, 2017, OMB approved, for a period of three years, the information collection requirements relating to the outage reporting rules contained in the Commission's *Order,* FCC 16–63, published at 81 FR 45055, July 12, 2016. The OMB Control Number is 3060–0484. The Commission publishes this document as an announcement of the effective dates of the rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1–C823, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number, 3060–0484, in your correspondence. The Commission will also accept your comments via email at *PRA@fcc.gov*.

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).

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on January 17, 2017, for the information collection requirements contained in the modifications to the Commission's rules in 47 CFR part 4.

Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number. No person

shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–0484. The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

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

OMB Control Number: 3060–0484.

OMB Approval Date: January 17, 2017.

OMB Expiration Date: January 31, 2020.

Title: Part 4 of the Commission's Rules Concerning Disruptions to Communications.

Form Number: Not applicable.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; not-for-profit institutions.

Number of Respondents and Responses: 798 respondents; 13,012 responses.

Estimated Time per Response: 2 hours.

Frequency of Response: On occasion and annual reporting requirements, recordkeeping requirement and third party disclosure.

Obligation to Respond: Mandatory. Statutory authority for this information collection is contained in 47 U.S.C. 151, 154(i)–(j) & (o), 201(b), 214(d), 218, 251(e)(3), 301, 303(b), 303(g), 303(r), 307, 309(a), 316, 332, 403, 615a–1, and 615c. Total Annual Burden: 25,006 hours.

Total Annual Cost: No cost.

Nature and Extent of Confidentiality: In accordance with 47 CFR 4.2, reports and information contained therein are presumed confidential. The filings are shared with the Department of Homeland Security through a password-protected real time access to NORS. Other persons seeking disclosure must follow the procedures delineated in 47 CFR 0.457 and 0.459 of the Commission's rules for requests for and disclosure of information. The revisions noted in this information collection do not affect the confidential treatment of information provided to the Commission through outage reports filed in NORS.

Privacy Act: No impact(s).

Needs and Uses: On May 26, 2016, the Commission adopted a Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, PS Docket Nos. 15–80, 11–60, and ET Docket No. 04–35; FCC 16–63 (The Report and Order and Order on Reconsideration) adopting final and proposed rules. The information to be collected pertains to final rules summarized and published in the **Federal Register** on July 12, 2016, 81 FR 45055. The general purpose of the Commission's Part 4 rules is to gather sufficient information regarding disruptions to telecommunications to facilitate FCC monitoring, analysis, and investigation of the reliability and security of voice, paging, and interconnected VoIP communications services, and to identify and act on potential threats to our Nation's telecommunications infrastructure. The Commission uses this information collection to identify the duration, magnitude, root causes, and contributing factors with respect to significant outages, and to identify outage trends; support service restoration efforts; and help coordinate with public safety officials during times of crisis. The Commission also maintains an ongoing dialogue with reporting entities, as well as with the communications industry at large, generally regarding lessons learned from the information collection in order to foster a better understanding of the root causes of significant outages, and to explore preventive measures in the future so as to mitigate the potential scale and impact of such outages.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2017–12877 Filed 6–21–17; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 82, No. 119
Thursday, June 22, 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 ENERGY

10 CFR Part 712

RIN 1992–AA44

Human Reliability Program

AGENCY: Department of Energy.

ACTION: Notice of proposed rulemaking.

SUMMARY: DOE proposes to amend its regulation concerning the Human Reliability Program (HRP). This regulation provides the policies and procedures to ensure that individuals who occupy positions affording unescorted access to certain nuclear materials, nuclear explosive devices, facilities and programs meet the highest standards of reliability and physical and mental suitability. The proposed revisions include some clarification of the procedures and burden of proof applicable in certification review hearings, the addition and modification of certain definitions, and a clear statement that a security concern can be reviewed pursuant to DOE regulations for determining eligibility for access to classified matter or special nuclear material and/or the HRP regulation. These proposed revisions are intended to provide better guidance to HRP-certified individuals and to ensure consistency in HRP decision making.

DATES: Written comments must be postmarked on or before July 24, 2017 to ensure consideration.

ADDRESSES: You may submit comments, identified by RIN 1992–AA44, by any of the following methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the Instructions for submitting comments.
2. *Email: HRPComments@HQ.DOE.GOV*. Include RIN 1992–AA44 in the subject line of the message.
3. *Mail:* U.S. Department of Energy, Office of Corporate Security Strategy, Analysis and Special Operations, AU–1.2, 1000 Independence Avenue SW., Washington, DC 20585.

Due to potential delays in DOE's receipt and processing of mail sent through the U.S. Postal Service, DOE encourages responders to submit comments electronically to ensure timely receipt.

All submissions must include the RIN for this rulemaking, RIN 1992–AA44. For detailed instructions on submitting comments and additional information on the rulemaking process, see the ''Public Comment Procedures'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Gina Cano, Office of Corporate Security Strategy, Analysis and Special Operations, (202) 586–7079, *regina.cano@hq.doe.gov;* Pamela Arias-Ortega, National Nuclear Security Administration, Office of the General Counsel, (505) 845–4441, *pamela.arias-ortega@nnsa.doe.gov;* or Christina Pak or Matt Rotman, Office of the General Counsel, (202) 586–4114, *christina.pak@hq.doe.gov* (Ms. Pak) or (202) 586–4753, *matthew.rotman@hq.doe.gov* (Mr. Rotman).

SUPPLEMENTARY INFORMATION:

I. Background
II. Description of Proposed Changes
III. Regulatory Review and Procedural Requirements
A. Review Under Executive Order 12866
B. Review Under the National Environmental Policy Act
C. Review Under the Regulatory Flexibility Act
D. Review Under the Paperwork Reduction Act
E. Review Under the Unfunded Mandates Reform Act of 1995
F. Review Under the Treasury and Government Appropriations Act, 1995
G. Review Under Executive Order 13132
H. Review Under Executive Order 12988
I. Review Under the Treasury and General Government Appropriations Act, 2001
J. Review Under Executive Order 13211
IV. Approval by the Office of the Secretary

I. Background

Pursuant to the Atomic Energy Act of 1954, as amended, (the AEA), the DOE owns and leases defense nuclear and other facilities in various locations in the United States. These facilities are operated by contractors with DOE oversight or are operated by DOE. These facilities are involved in (among other activities) researching, testing, producing, disassembling, or transporting nuclear materials. Compromise of these DOE facilities could severely damage national security. To guard against such compromise, DOE established the Human Reliability Program (HRP). The HRP is designed to ensure that individuals who occupy positions affording unescorted access to certain nuclear materials, facilities and programs meet the highest standards of reliability as well as physical and mental suitability, through a system of continuous evaluation of those individuals. The purpose of this continuous evaluation is to identify in a timely manner individuals whose judgment may be impaired by physical or mental/personality disorders; the use of illegal drugs or the abuse of legal drugs or other substances; the abuse of alcohol; or any other condition or circumstance that may represent a reliability, safety or security concern. If any of these conditions or circumstances is identified, the HRP provides for an administrative process, including the opportunity for a certification review hearing that results in either the revocation or reinstatement of the individual's HRP certification.

The part 712 regulation has not been comprehensively updated since it was promulgated in 2004. Two technical amendments to the regulation were made in 2011 and 2013. In 2011, the part 712 regulation was amended to designate the appropriate Undersecretary as the person with the authority to issue a final written decision to recertify or revoke the certification of an individual in the HRP. 76 FR 12271 (Mar. 7, 2011). In 2013, the part 712 regulation was amended to eliminate references to obsolete provisions and to reflect organizational changes within the DOE. 78 FR 56132 (Sep. 12, 2013).

In the 12 years since the HRP regulation was first promulgated, it has become apparent that certain additional updates are necessary in the sections pertaining to security concerns and the process related to certification review hearings.

A. Security Concerns

The paramount intent of the HRP is to protect national security via the identification of individuals whose judgment and reliability may be impaired by any condition or circumstance that raises safety and/or security concerns. The existing regulation contains language that could be erroneously interpreted to mean that

security concerns fall solely under the purview of 10 CFR part 710, which is the DOE regulation pertaining to personnel security clearances. The part 710 regulations contain procedures that are intended to identify and mitigate security concerns as they pertain to individuals who hold security clearances. However, compliance with the part 710 does not equate to being certified in the HRP, and in fact, the parts 710 and 712 regulations represent two distinct programs. While an employee can have a security clearance without being certified in the HRP, no employee can participate in the HRP without a security clearance. A general requirement in the existing HRP regulation, which remains in the proposed revision, is that an employee must maintain a security clearance and specifically a ''Q'' clearance. *See* 10 CFR 712.11(a)(1).

Because the HRP-certified individuals must meet the highest standards of reliability and physical and mental suitability, the procedures for considering security concerns under part 710 are not adequate to address all security and safety concerns in the context of the HRP. For example, under part 710, the DOE personnel who adjudicate security clearances are not permitted to review the requirements of the individual's job when considering whether to grant, suspend, and/or revoke his security clearance. However, in determining whether to grant HRP certification under part 712, the individual's job and duties are important factors to be considered. In addition, the denial or revocation of HRP certification under part 712 may be based on safety issues that are not relevant to adjudication under 10 CFR part 710, even if the same underlying facts raised security concerns that were fully resolved and/or mitigated for security clearance purposes. As such, we are proposing to revise the part 712 regulation to clarify that security concerns are not to be reviewed solely under the part 710 regulations, but rather can also be reviewed under part 712, utilizing the predictive judgments of the HRP personnel with specific expertise in assessing both safety and security risks.

B. Certification Review Hearings

The proposed part 712 revisions fill a void in the existing regulation by setting forth the evidentiary burden that an individual must meet at a certification review hearing. In addition, in order to provide greater structure to the hearing process, the proposed regulation adopts some of the procedures that are currently applied in the context of administrative review hearings under part 710. Although the content of part 710 hearings is somewhat different from that of part 712 hearings, the process for conducting both types of hearings is similar, which is reflected in the procedures we propose to adopt. Finally, the proposed revisions provide that the Administrative Judge who presides over the certification review hearing must prepare a written decision, rather than a written recommendation, to be provided to the individual and the Manager and which may be appealed by either party.

II. Description of Proposed Changes

DOE is publishing this notice of proposed rulemaking (NOPR) to update and clarify the policies and procedures, to include the definition of terms used, that apply to HRP certification. The proposed revisions would update and add to some of the definitions. Additionally, the proposed rule would: (1) Identify the evidentiary burden applicable to an individual requesting a certification review hearing; (2) clarify that a security concern is reviewable under HRP separate from a review pursuant to 10 CFR part 710; (3) eliminate obsolete references; and (4) clarify the processes and procedures during the removal, revocation, hearing, and appeal stages.

The proposed changes to part 712 are summarized below in the order in which they appear:

1. The proposed changes to § 712.2 ''Applicability'' would add the National Nuclear Security Administration (NNSA) to clarify that part 712 applies to both the DOE and the NNSA and delete the last sentence regarding the grandfathering of positions. The last sentence of this section is obsolete because it is no longer necessary to grandfather individuals in from the Personnel Assurance Program (PAP) or the Personnel Security Assurance Program (PSAP). When part 712 was enacted in 2004, it was necessary to include such language since the HRP combined both the PAP and PSAP.

2. In proposed § 712.3 ''Definitions,'' three new definitions are proposed, a number of current definitions are modified, and one definition is deleted. The proposed rule would add the new definitions: ''Case Chronology,'' ''Evaluative Report,'' and ''Restoration.'' The proposed new definitions ''Case Chronology'' and ''Evaluative Report'' relate to new provisions in proposed § 712.19 that are intended to provide clarity and consistency among the programmatic elements administering the HRP. The proposed new definition ''Restoration'' would provide clarity as to the specific actions that must be taken to return an individual to HRP duties after a cognizant Under Secretary or his/her designee restores an individual's HRP certification. The proposed rule would modify the definitions: ''Contractors,'' ''Designated Physician,'' ''Designated Psychologist,'' ''Recertification,'' ''Reinstatement,'' ''Safety concern,'' ''Security concern,'' and ''Site Occupational Medical Director (SOMD).'' The title ''Director, Office of Health and Safety'' is changed to ''Associate Under Secretary for Environment, Health, Safety and Security.''

3. In proposed § 712.10 ''Designation of HRP positions,'' current § 712.10(b) is modified to replace the title ''Chief Health, Safety and Security Officer'' with ''Associate Under Secretary for Environment, Health, Safety and Security.''

4. In proposed § 712.11 ''General requirements for HRP certification,'' current § 712.11(a) is modified to delete the word ''certification'' since it is clear that the requirements set forth in this section relate to requirements for HRP certification or recertification. Current § 712.11(a)(1) is modified to delete the language ''based on a background investigation'' because it is unnecessary to specify the basis for an access authorization and may preclude other authorized means for DOE to grant an access authorization. Current § 712.11(a)(2) is deleted, as the requirement for an annual security review is already set forth in proposed § 712.11(a)(4), current § 712.11(a)(5). Current § 712.11(a)(5)(i), (ii), and (iii) are deleted and relocated, in substance, to proposed § 712.16(e) and (b), because they fall more logically under the section that describes the personnel security review. Current § 712.11(a)(7) is deleted in the entirety because the requirement for a psychological examination is already captured by the requirement for a medical assessment described in proposed § 712.11(a)(4), current § 712.11(a)(5). The psychological examination is a necessary part of the medical assessment, as is described in proposed § 712.14(f). Proposed § 712.11(a)(6), currently § 712.11(a)(8), deletes the language ''in accordance with DOE policies implementing Executive Order 12564 or the relevant provisions of 10 CFR part 707 for DOE contractors, and DOE Order 3792.3, 'Drug-Free Federal Workplace Testing Implementation Program,' for DOE employees,'' as this is already addressed in proposed § 712.15(b), the subsection that deals with drug testing. Proposed § 712.11(a)(7), currently § 712.11(a)(9),

deletes the language ''using an evidential-grade breath alcohol device, as listed without asterisks on the Conforming Products List of Evidential Breath Measurement Devices published by the NHTSA (49 CFR part 40),'' as this is already addressed in proposed § 712.15(c), the subsection that deals with alcohol testing. Current § 712.11(b)(1) and (2) are merged and redesignated as proposed § 712.11(c), as these paragraphs both concern the requirements applicable to an individual whose position becomes an HRP position after he or she has already begun employment. Current § 712.11(c) and (d) are redesignated as proposed § 712.11(d) and (e), respectively. Current § 712.11(e) is deleted in the entirety as its content concerning drug and alcohol testing is already addressed in proposed § 712.15. Proposed § 712.11(f) is added to emphasize that national security and safety are the paramount concerns of the HRP. This mirrors a similar provision under DOE's security clearance regulations at 10 CFR part 710.

5. In proposed § 712.12 ''HRP implementation,'' the deadlines for HRP implementation specified in § 712.12(a) and (b)(1) are deleted, since they occurred over a decade ago and are now obsolete. Current § 712.12(b)(2) is deleted in the entirety, as the HRP management official's responsibilities with respect to temporary removal and reinstatement are already addressed in proposed § 712.19. Current § 712.12(c)(1) is modified to replace the title ''Chief Health, Safety and Security Officer'' with ''Associate Under Secretary for Environment, Health, Safety and Security.'' Current § 712.12(d) is deleted in the entirety as the role of the cognizant Under Secretary with respect to final decisions is already addressed in proposed § 712.24. Current § 712.12(e), (f), (g), and (h) are redesignated as proposed § 712.12(d), (e), (f), and (g), respectively. Current § 712.12(e), and proposed as § 712.12(d), is modified to replace the title ''Director, Office of Security'' with ''Associate Under Secretary for Environment, Health, Safety and Security.'' Current § 712.12(f)(1), and proposed as § 712.12(e)(1), is modified to replace the title ''Director, Office of Security'' with ''Director, Office of Corporate Security, Strategy Analysis and Special Operations.'' Current § 712.12(h)(3) is relocated to proposed § 712.25(a), as it fits more logically under the section that describes the individual's responsibility to cooperate.

6. In proposed § 712.13 ''Supervisory review,'' proposed § 712.13(b) is modified to clarify that the annual reviews and evaluations by supervisors of HRP-certified individuals are based on any and all information within the supervisor's personal knowledge related to the individual that he or she supervises. Current § 712.13(c) is modified to include an additional type of behavior and/or concern that would indicate a concern for HRP certification. The new proposed language would cover any unusual conduct or circumstance that would tend to show the individual is not reliable. The provisions in current § 712.13(d) that deal with temporary removal are deleted, as those procedures are already addressed in proposed §§ 712.14 and 712.19. The provisions of current § 712.13(d) concerning immediate removal are replaced with the substance of current § 712.19(a) and § 712.13(e), which identify the circumstances under which immediate removal is required. The provisions of current § 712.13(e) that identifies the circumstance under which immediate removal is required are relocated to proposed § 712.13(d), with the clarification that the requirement to immediately remove applies to all individuals and not just Federal employees. Additionally, proposed § 712.13(e) deletes language mandating a certain personnel action, such as a temporary reassignment, when an individual is immediately removed. Current § 712.13(f) is deleted in its entirety and its substance is relocated and merged with current § 712.15(c), the paragraph that deals with alcohol testing. Proposed § 712.13(f) is added to specify the actions to be taken in connection with an immediate removal. This language, which can be found at current § 712.19(a), fits more logically in § 712.13, which addresses the role of the supervisor. Proposed § 712.13(f) is modified from the language in current § 712.19(a) to eliminate the requirement by the supervisor to notify the individual of the immediate removal. Instead, notification to the individual is to be provided by the management official upon temporary removal consistent with proposed § 712.19.

7. In proposed § 712.14 ''Medical assessment,'' the last sentence of current § 712.14(c) describing the responsibilities of the Designated Physician or SOMD when a security concern is identified is deleted, as these responsibilities are already addressed in proposed § 712.19. Current § 712.14(f)(1) and (f)(3) are modified to replace the titles ''Director, Office of Health and Safety'' with ''Associate Under Secretary for Environment, Health, Safety and Security.'' Current § 712.14(h) is modified to delete ''for concurrence'' in the second to last sentence as the responsibilities of the Designated Physician, Designated Psychologist, and the SOMD to make a written recommendation as to reinstating or removing a medical restriction are already set forth clearly and the terms ''for concurrence'' is not necessary. Additionally, current § 712.14(j) would delete ''required'' and add in its place ''recommended'' to clarify that the determination to temporarily remove an individual from HRP duties would be made by the management official upon the recommendation of the Designated Physician, Designated Psychologist, or the SOMD.

8. In proposed § 712.15 ''Management evaluation,'' proposed § 712.15(a) is modified to clarify that the HRP management official must act in accordance with the procedures for temporary removal, set forth in proposed § 712.19, upon the identification of a safety or a security concern with respect to an HRP-certified individual. Additionally, proposed § 712.15(a) is modified to delete any requirement that the supervisor temporarily reassign an individual to non-HRP duties upon immediate removal. Proposed § 712.15(b) is modified to clarify that if an HRP-certified individual refuses to submit to a drug test, or if the individual submits to the test but the results are not favorable, the supervisor must immediately remove the individual from HRP and take the actions specified in proposed § 712.13(f). Proposed § 712.15(c) is modified to incorporate the substance of current § 712.13(f), which deals with alcohol testing, as discussed in this preamble and to clarify that if an HRP-certified individual's test result is at or above a certain level, then the supervisor should take actions consistent with § 712.13(f).

9. The title of proposed § 712.16 is changed from ''DOE security review'' to ''Security review.'' Proposed § 712.16(a) is modified to eliminate the requirement that the security review be initiated only after the medical assessment and management evaluations are completed. Proposed § 712.16(b) is modified to incorporate the content of current § 712.11(a)(5)(ii) and (iii), with the exception of the last clause of paragraph (a)(5)(iii) which is deleted. Additionally proposed § 712.16(b) is modified to delete the reference to the 10 CFR part 710 criteria since the criteria were eliminated in a recent proposed amendment to 10 CFR part 710. The last sentence of current § 712.16(b) is deleted to clarify that security concerns may be addressed by HRP officials in accordance with HRP reliability

standards, in addition to security clearance adjudicators under 10 CFR part 710. Proposed § 712.16(c) is added to clarify that HRP determinations are to be made independently of security clearance determinations under 10 CFR part 710. Current § 712.16(c) is redesignated as proposed § 712.16(d) and modified to clarify that medical personnel may share information from the personnel security file only as permitted by the Privacy Act of 1974. Proposed § 712.16(e) incorporates the content of current § 712.11(a)(5)(i), as described in this preamble, and is modified to clarify that when the DOE personnel security review is not completed within the required 12-month time period for recertification, the HRP certifying official's decision to recertify or temporarily remove an individual in the HRP is an interim decision pending the completion of the security review.

10. In proposed § 712.17 ''Instructional requirements,'' proposed § 712.17(b)(1) is modified to clarify the type of medical conditions that need to be reported by each individual in the HRP.

11. The title of proposed § 712.19 is modified to ''Actions related to Removal, Revocation and/or Reinstatement.'' Current § 712.19(a) is relocated to proposed § 712.13(f), as described in this preamble, under the section that describes the roles and responsibilities of the supervisor. Proposed § 712.19(a) incorporates the substance of current § 712.19(c)(1) and sets forth additional circumstances under which the HRP management official must temporarily remove an individual from HRP. These circumstances include when the HRP management official has identified a concern during the management evaluation (as set forth in proposed § 712.15), when the individual has been immediately removed by the supervisor (in accordance with proposed § 712.13), or when temporary removal has been recommended by a medical professional associated with the HRP (under proposed § 712.14). Language is added to current § 712.19(b) which requires the HRP management official to notify the individual, in writing, that s/he is temporarily removed. Current § 712.19(c)(2) is redesignated as proposed § 712.19(c) and is modified with the deletion of the last sentence. Current § 712.19(c)(3) is redesignated as proposed § 712.19(d) and is modified to require that the HRP management official obtain a recommendation from an HRP medical professional if temporary removal was based on a concern that is medical-related, and to delete the requirement that the management official prepare a written report of the evaluation. Current § 712.19(c)(4) is redesignated as proposed § 712.19(e) and is modified to clarify the actions to be taken by the HRP management official upon determining that an individual who was temporarily removed continues to meet the requirements for HRP certification. Current § 712.19(c)(5) is redesignated as proposed § 712.19(f) and is modified to state that if the HRP management official makes a determination that an individual does not meet HRP certification requirements, then a case chronology that explains why the individual does not meet the requirement for certification must be prepared for the HRP certifying official and, further, that the HRP management official's determination must be based on one or more of the types of behaviors and conditions identified in proposed § 712.13(c). Proposed § 712.19(f)(1) is modified to clarify that the individual must be notified if his or her HRP certification is reinstated by the HRP certifying official. Proposed § 712.19(f)(3) is modified to clarify the process to be followed should an HRP certifying official recommend revocation of an individual's certification in the HRP, including the preparation of an evaluative report and a role for the appropriate DOE or NNSA counsel, as well as a course of action to be followed if the HRP certifying official is the same person as the Manager. Current § 712.19(d) is redesignated as proposed § 712.19(g) and is modified to replace the phrase ''written report'' with the proposed concepts ''case chronology'' and ''evaluative report'' and to clarify the requirement that the individual be notified if his or her HRP certification is reinstated by the Manager. Current § 712.19(e) is merged with current § 712.19(g), as both paragraphs deal with actions to be taken upon a decision to revoke, and is redesignated as proposed § 712.19(h). Current § 712.19(f) is redesignated as proposed § 712.19(i) and is modified to reflect that the HRP certifying official, in addition to the Manager, can direct that an individual take certain actions to attempt to resolve HRP concerns and to clarify the process to be followed once those actions have been completed.

12. In proposed § 712.20, ''Request for reconsideration or certification review hearing,'' proposed § 712.20 is modified to delete paragraph (a)(1) and relocate the substance to proposed new paragraph (d) and to further clarify that a failure to take action in response to the Manager's decision to revoke HRP certification means that the Manager's decision becomes a final agency decision. Proposed § 712.20(b) is modified to clarify that a ''final decision'' refers to a ''final agency decision'' and to delete the final sentence, so as not to unreasonably limit the information relied upon by the Manager in issuing a final decision.

13. Proposed § 712.21 clarifies the process for appointing DOE counsel when an individual requests a certification review hearing. This requirement and language is consistent with the procedures that pertain to administrative review hearings under 10 CFR part 710. Proposed § 712.21(a) is modified to replace the reference to the local Chief Counsel and the General Counsel with a general description requiring appointment of counsel so that this regulation will not be outdated if there is a change to titles and organizations in DOE.

14. Current § 712.21 is redesignated as proposed § 712.22 in accordance with the addition of proposed § 712.21. The term ''hearing officer'' is replaced throughout this section, and wherever it appears in this part, with ''Administrative Judge'' for the reasons set forth in 78 FR 52389 (Aug. 23, 2013). Proposed § 712.22(a) is modified to specify who is responsible for appointing an Administrative Judge. Proposed § 712.22(d) is added to establish the individual's burden at a certification review hearing. For purposes of due process, it is critical that the individual whose HRP certification has been revoked fully understand the nature and scope of evidence that he or she must present. ''Specifically, the individual must present evidence to show that the revocation decision was either clearly erroneous or that extraordinary circumstances warrant recertification into HRP. The individual cannot satisfy this burden upon a showing that DOE's security or safety concerns have been mitigated during the time since the decision was made to revoke. Rather, the individual must point to a clear factual error underlying that decision or to some circumstance that is so extraordinary that it warrants reversal of the decision. This is a more burdensome standard to meet than the standard applicable to security clearance hearings under 10 CFR part 710, but it is consistent with the objective that HRP-certified individuals meet the highest standards of reliability as well as physical and mental suitability. Proposed § 712.22(e) is added to clarify the DOE counsel's role at the certification review hearing, which is consistent with the DOE counsel's role

in administrative review hearings under 10 CFR part 710.

Current § 712.22(e) is redesignated as proposed § 712.22(f) in accordance with the addition of proposed § 712.22(e). Proposed § 712.22(f)(1), (2) and (7) and § 712.22(g) and (h) are added to clarify the responsibilities and authority of the Administrative Judges who perform certification review hearings. The added language is consistent with the responsibilities and authorities of the Administrative Judges who perform administrative review hearings under 10 CFR part 710. Proposed § 712.22(i) is added to clarify the Administrative Judge's responsibility to prepare a decision, and what the decision must contain. Proposed § 712.22(i) also directs the Administrative Judge to ensure that any doubt as to an individual's certification shall be resolved against the individual in favor of national security and/or safety. This direction to err on the side of security and safety is consistent with a similar provision in 10 CFR part 710 and Executive Order 12968 (Aug. 4, 1995).

15. Current § 712.22 is redesignated as proposed § 712.23 in accordance with the addition of proposed § 712.21. The title is modified to reflect that a decision, not a recommendation, is issued by the Administrative Judge at the conclusion of the hearing. The position of ''Chief Health Safety and Security Officer'' is replaced through this section, and wherever it appears in this part, with ''Associate Under Secretary for Environment, Health, Safety, and Security'' to reflect organizational changes within the Department. The first sentence of proposed § 712.23(a) is modified to state simply that the Administrative Judge's decision be forwarded to the Associate Under Secretary for Environment, Health, Safety and Security, as the contents of this decision are already described in proposed § 712.22(i). Further, the term ''must'' is replaced with ''should'' in order to clarify that issuance of the decision within 30 calendar days is an aspiration rather than a requirement. In addition, the proposed § 712.23 would no longer require the Associate Under Secretary for Environment, Health, Safety, and Security to make a recommendation to recertify or revoke the certification of an individual in the HRP. Instead, a new proposed paragraph (b) requires the Associate Under Secretary for Environment, Health, Safety, and Security to notify the individual and the Manager of the Administrative Judge's decision and the appeal procedures available, and to provide them a copy of the Administrative Judge's decision and the administrative record. A new proposed paragraph (c) provides the individual and the Manager the right to file a written request for further review of the Administrative Judge's decision with the cognizant Under Secretary. A new proposed paragraph (d) requires the Manager to provide the individual with a copy of any request for further review filed by the Manager. A new proposed paragraph (e) requires the request for review to include a statement identifying the issues on which the cognizant Under Secretary should focus. A new proposed paragraph (f) clarifies that the Administrative Judge's decisions become final if neither the individual nor the Manager files a written request for review of the decision. The provisions of proposed § 712.23 are generally consistent with the procedures for notification and appeal of an Administrative Judge's decision in a security clearance hearing under 10 CFR part 710.

16. Current § 712.23 is redesignated as proposed § 712.24 in accordance with the addition of proposed § 712.21. A new proposed paragraph (a) would require the Associate Under Secretary for Environment, Health, Safety, and Security to forward the request for review, the Administrative Judge's decision and the administrative record to the cognizant Under Secretary. Proposed paragraph (b) would delete the 20-working day requirement in order to ensure that the cognizant Under Secretary has sufficient time to render a final decision. Proposed paragraph (b) is further modified to allow the cognizant Under Secretary to delegate the authority to issue a final decision, and to require that final decisions expressly state whether the individual's certification is revoked or restored, in order to avoid any possible confusion. A new proposed paragraph (c) would clarify that the cognizant Under Secretary's decision shall be based only on evidence and information in the administrative record at the time of the Administrative Judge's decision.

17. Proposed § 712.25 is added to require HRP candidates and HRP-certified individuals to cooperate in all aspects of the HRP process. Proposed § 712.25(a), in addition to incorporating current § 712.12(h)(3), as described above, specifies that failure to cooperate may result in a determination not to grant HRP certification, for candidates, or revocation, for HRP-certified individuals. Proposed § 712.25(b) establishes a process by which an HRP-certified individual whose certification was revoked for failure to cooperate may request that the Manager reconsider this decision. This reconsideration process is modelled after a similar process set forth in DOE's security clearance regulations at 10 CFR part 710.

III. Regulatory Review

A. Review Under Executive Order 12866 and 13563

The regulatory action proposed today has been determined not to be a ''significant regulatory action'' under Executive Order 12866, ''Regulatory Planning and Review,'' 58 FR 51735 (October 4, 1993). Accordingly, this proposed rule is not subject to review under the Executive Order by the Office of Information and Regulatory Affairs within the Office of Management and Budget.

DOE has also reviewed the proposed regulation pursuant to Executive Order 13563, issued on January 18, 2011 (76 FR 3281 (Jan. 21, 2011)). Executive Order 13563 is supplemental to and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, agencies are required by Executive Order 13563 to: (1) Propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs (recognizing that some benefits and costs are difficult to quantify); (2) tailor regulations to impose the least burden on society, consistent with obtaining regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations; (3) select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity); (4) to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt; and (5) identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public.

DOE emphasizes as well that Executive Order 13563 requires agencies to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible. In its guidance, the Office of Information and Regulatory Affairs has emphasized that such techniques may include identifying changing future compliance costs that might result from

technological innovation or anticipated behavioral changes. DOE believes that this NOPR is consistent with these principles, including the requirement that, to the extent permitted by law, agencies adopt a regulation only upon a reasoned determination that its benefits justify its costs and, in choosing among alternative regulatory approaches, those approaches maximize net benefits.

B. Review Under the National Environmental Policy Act

DOE has concluded that promulgation of this proposed rule falls into a class of actions which would not individually or cumulatively have significant impact on the human environment, as determined by DOE's regulations (10 CFR part 1021, subpart D) implementing the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*). Specifically, this proposed rule is categorically excluded from NEPA review because the amendments to the existing rule are strictly procedural (categorical exclusion A6). Therefore, this proposed rule does not require an environmental impact statement or environmental assessment pursuant to NEPA.

C. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.)* requires preparation of an initial regulatory flexibility analysis for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by Executive Order 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' (67 FR 53461, August 16, 2002), DOE published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the rulemaking process (68 FR 7990). DOE has made its procedures and policies available on the Office of the General Counsel's Web site at *http://www.energy.gov/gc/office-general-counsel*.

This proposed rule would amend procedures that apply to the certification of individuals in the HRP. The proposed rule applies to individuals, and would not apply to ''small entities,'' as that term is defined in the Regulatory Flexibility Act. As a result, if adopted, the proposed rule would not have a significant economic impact on a substantial number of small entities.

Accordingly, DOE certifies that the proposed rule would not have a significant economic impact on a substantial number of small entities, and, therefore, no regulatory flexibility analysis is required.

D. Review Under the Paperwork Reduction Act

This proposed rule does not impose a collection of information requirement subject to the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

E. Review Under the Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) generally requires a Federal agency to perform a detailed assessment of costs and benefits of any rule imposing a Federal Mandate with costs to State, local or tribal governments, or to the private sector, of $100 million or more. This rulemaking does not impose a Federal mandate on State, local or tribal governments or on the private sector.

F. Review Under the Treasury and Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277), requires Federal agencies to issue a Family Policymaking Assessment for any rule or policy that may affect family well-being. The proposed rule, if adopted, will have no impact on family well-being. Accordingly, DOE has concluded that it is not necessary to prepare a Family Policymaking Assessment.

G. Review Under Executive Order 13132

Executive Order 13132, 64 FR 43255 (August 4, 1999), imposes certain requirements on agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. Agencies are required to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and carefully assess the necessity for such actions. DOE has examined this proposed rule and has determined that it does not preempt State law and, if adopted, would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. No further action is required by Executive Order 13132.

H. Review Under Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of Executive Order 12988, ''Civil Justice Reform,'' 61 FR 4729 (February 7, 1996), imposes on Executive agencies the general duty to adhere to the following requirements: (1) Eliminate drafting errors and ambiguity; (2) write regulations to minimize litigation; and (3) provide a clear legal standard for affected conduct rather than a general standard and promote simplification and burden reduction.

With regard to the review required by section 3(a), section 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation: (1) Clearly specifies the preemptive effect, if any; (2) clearly specifies any effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of Executive Order 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, this proposed regulation meet the relevant standards of Executive Order 12988.

I. Review Under the Treasury and General Government Appropriations Act, 2001

The Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516, note) provides for agencies to review most disseminations of information to the public under implementing guidelines established by each agency pursuant to general guidelines issued by OMB. OMB's guidelines were published at 67 FR 8452 (February 22, 2002), and DOE's guidelines were published at 67 FR 62446 (October 7, 2002). DOE has reviewed this proposed rule under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

J. Review Under Executive Order 13211

Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to the Office of Information and Regulatory Affairs

(OIRA), Office of Management and Budget, a Statement of Energy Effects for any significant energy action. A ''significant energy action'' is defined as any action by an agency that promulgates or is expected to lead to promulgation of a final rule, and that: (1) Is a significant regulatory action under Executive Order 12866, or any successor order; and (2) is likely to have a significant adverse effect on the supply, distribution, or use of energy, or (3) is designated by the Administrator of OIRA as a significant energy action. For any proposed significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution or use should the proposal be implemented, and of reasonable alternatives to the action and their expected benefits on energy supply, distribution and use. This proposed rule is not a significant energy action. Accordingly, DOE has not prepared a Statement of Energy Effects.

IV. Approval by the Office of the Secretary

The Office of the Secretary of Energy has approved the publication of this proposed rule.

List of Subjects in 10 CFR Part 712

Administrative practice and procedure, Alcohol abuse, Classified information, Drug abuse, Government contracts, Government employees, Health, Occupational safety and health, Radiation protection, and Security measures.

Issued in Washington, DC, on June 12, 2017.

Rick Perry,

Secretary of Energy.

For the reasons stated in the preamble, DOE proposes to amend part 712 of title 10 of the Code of Federal Regulations to read as follows:

PART 712—HUMAN RELIABILITY PROGRAM

■ 1. The authority citation for part 712 continues to read as follows:

Authority: 42 U.S.C. 2165; 42 U.S.C. 2201; 42 U.S.C. 5814–5815; 42 U.S.C. 7101 *et seq.;* 50 U.S.C. 2401 *et seq.;* E.O. 10450, 3 CFR 1949–1953 Comp., p. 936, as amended; E.O. 10865, 3 CFR 1959–1963 Comp., p. 398, as amended; 3 CFR Chap. IV.

■ 2. Revise subpart A to read as follows:

Subpart A—Establishment of and Procedures for the Human Reliability Program

General Provisions

Sec.
712.1 Purpose.
712.2 Applicability.
712.3 Definitions.

Procedures

Sec.
712.10 Designation of HRP positions.
712.11 General requirements for HRP certification.
712.12 HRP implementation.
712.13 Supervisory review.
712.14 Medical assessment.
712.15 Management evaluation.
712.16 Security review.
712.17 Instructional requirements.
712.18 Transferring HRP certification.
712.19 Actions related to Removal, Revocation and/or Reinstatement.
712.20 Request for reconsideration or certification review hearing.
712.21 Appointment of DOE Counsel.
712.22 Office of Hearings and Appeals.
712.23 Administrative Judge's decision.
712.24 Final decision by DOE Under Secretary.
712.25 Cooperation by the individual.

Subpart A—Establishment of and Procedures for the Human Reliability Program

General Provisions

§ 712.1 Purpose.

This part establishes the policies and procedures for a Human Reliability Program (HRP) in the Department of Energy (DOE), including the National Nuclear Security Administration (NNSA). The HRP is a security and safety reliability program designed to ensure that individuals who occupy positions affording access to certain materials, nuclear explosive devices, facilities, and programs meet the highest standards of reliability and physical and mental suitability. This objective is accomplished under this part through a system of continuous evaluation that identifies individuals whose judgment and reliability may be impaired by physical or mental/personality disorders, alcohol abuse, use of illegal drugs or the abuse of legal drugs or other substances, or any other condition or circumstance that may be of a security or safety concern.

§ 712.2 Applicability.

The HRP applies to all applicants for, or current employees of DOE or NNSA or a DOE or NNSA contractor or subcontractor in a position defined or designated under § 712.10 of this subpart as an HRP position.

§ 712.3 Definitions.

The following definitions are used in this part:

Access means:

(1) A situation that may provide an individual proximity to or control over Category I special nuclear material (SNM); or

(2) The proximity to a nuclear explosive and/or Category I SNM that allows the opportunity to divert, steal, tamper with, and/or damage the nuclear explosive or material in spite of any controls that have been established to prevent such unauthorized actions.

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol.

Alcohol abuse means consumption of any beverage, mixture, or preparation, including any medication containing alcohol that results in impaired social or occupational functioning.

Alcohol concentration means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test.

Alcohol use disorder means a maladaptive pattern in which a person's intake of alcohol is great enough to damage or adversely affect physical or mental health or personal, social, or occupational function; or when alcohol has become a prerequisite to normal function.

Associate Under Secretary for Environment, Health, Safety and Security means the DOE individual with responsibility for policy and quality assurance for DOE occupational medical programs.

Case chronology means a written recitation of all actions that support a recommendation to revoke an individual's HRP certification under § 712.19.

Certification means the formal action the HRP certifying official takes that permits an individual to perform HRP duties after it is determined that the individual meets the requirements for certification under this part.

Contractor means contractors and subcontractors at all tiers and any industrial, educational, commercial, or other entity, grantee, or licensee, including an employee that has executed an agreement with the Federal government for the purpose of performing under a contract, license, or other arrangement.

Designated Physician means a licensed doctor of medicine or osteopathy who has been nominated by the Site Occupational Medical Director (SOMD) and approved by the Manager or designee, with the concurrence of the Associate Under Secretary for Environment, Health, Safety and Security or his or her designee to provide professional expertise in occupational medicine for the HRP.

Designated Psychologist means a licensed Ph.D., or Psy.D., in clinical psychology who has been nominated by the SOMD and approved by the Manager or designee, with the concurrence of the Associate Under Secretary for Environment, Health, Safety and Security or his or her designee to provide professional expertise in the area of psychological assessment for the HRP.

Diagnostic and Statistical Manual of Mental Disorders means the current version of the American Psychiatric Association's manual containing definitions of psychiatric terms and diagnostic criteria of mental disorders.

Drug abuse means use of an illegal drug or misuse of legal drugs.

Evaluative report means the document that sets forth the bases supporting the revocation of an individual's certification.

Evidential-grade breath alcohol device means a device that conforms to the model standards for an evidential breath-testing device as listed on the Conforming Products List of Evidential Breath Measurement Devices published by the National Highway Traffic Safety Administration (NHTSA).

Flashback means an involuntary, spontaneous recurrence of some aspect of a hallucinatory experience or perceptual distortion that occurs long after taking the hallucinogen that produced the original effect; also referred to as hallucinogen persisting perception disorder.

Hallucinogen means a drug or substance that produces hallucinations, distortions in perception of sights and sounds, and disturbances in emotion, judgment, and memory.

HRP candidate means an individual being considered for assignment to an HRP position.

HRP-certified individual means an individual who has successfully completed the HRP requirements.

HRP certifying official means the Manager or the Manager's designee who certifies, recertifies, temporarily removes, reviews the circumstances of an individual's removal from an HRP position, and directs reinstatement.

HRP management official means an individual designated by the DOE or a DOE contractor, as appropriate, who has programmatic responsibility for HRP positions.

Illegal drug means a controlled substance, as specified in Schedules I through V of the Controlled Substances Act, 21 U.S.C. 811 and 812; the term does not apply to the use of a controlled substance in accordance with the terms of a valid prescription, or other uses authorized by Federal law.

Impaired or impairment means a decrease in functional capacity of a person that is caused by a physical, mental, emotional, substance abuse, or behavioral disorder.

Incident means an unplanned, undesired event that interrupts the completion of an activity and that may include property damage or injury.

Job task analysis means the formal process of defining the requirements of a position and identifying the knowledge, skills, and abilities necessary to effectively perform the duties of the position.

Manager means the senior Federal line manager at a departmental site or Federal office with HRP-designated positions.

Material access area means a type of Security Area that is authorized to contain a Category I quantity of special nuclear material and that has specifically defined physical barriers, is located within a Protected Area, and is subject to specific access controls.

Medical assessment means an evaluation of an HRP candidate and HRP-certified individual's present health status and health risk factors by means of:

(1) Medical history review;

(2) Job task analysis;

(3) Physical examination;

(4) Appropriate laboratory tests and measurements; and

(5) Appropriate psychological and psychiatric evaluations.

Nuclear explosive means an assembly of fissionable and/or fusionable materials and main charge high explosive parts or propellants that is capable of producing a nuclear detonation.

Nuclear explosive duties means work assignments that allow custody of a nuclear explosive or access to a nuclear explosive device or area.

Occurrence means any event or incident that is a deviation from the planned or expected behavior or course of events in connection with any DOE or DOE-controlled operation if the deviation has environmental, public health and safety, or national security protection significance, including (but not limited to) incidents involving:

(1) Injury or fatality to any person involving actions of a DOE employee or contractor employee;

(2) An explosion, fire, spread of radioactive material, personal injury or death, or damage to property that involves nuclear explosives under DOE jurisdiction;

(3) Accidental release of pollutants that results from, or could result in, a significant effect on the public or environment; or

(4) Accidental release of radioactive material above regulatory limits.

Psychological assessment or test means a scientifically validated instrument designed to detect psychiatric, personality, and behavioral tendencies that would indicate problems with reliability and judgment.

Random alcohol testing means the unscheduled, unannounced alcohol testing of randomly selected employees by a process designed to ensure that selections are made in a nondiscriminatory manner.

Random drug testing means the unscheduled, unannounced drug testing of randomly selected employees by a process designed to ensure that selections are made in a nondiscriminatory manner.

Reasonable suspicion means a suspicion based on an articulable belief that an individual uses illegal drugs or is under the influence of alcohol, drawn from reasonable inferences from particular facts, as detailed further in part 707 of this title.

Recertification means the action the HRP certifying official takes annually, not to exceed 12 months, that permits an employee to remain in the HRP and perform HRP duties.

Reinstatement means the action taken after it has been determined that an employee who has been temporarily removed from the HRP meets the certification requirements of this part and can be returned to HRP duties.

Restoration means the actions necessary to restore an individual's HRP duties after a final decision has been made by the cognizant Under Secretary or his/her designee to overturn the revocation decision. The restoration of HRP duties is contingent on the individual completing any and all components of the annual recertification process under § 712.11 and any other specific requirements that must be completed in order to return to full HRP duties.

Reliability means an individual's ability to adhere to security and safety rules and regulations.

Safety concern means any condition, practice, or violation that causes a reasonable probability of physical harm, property loss, and/or environmental impact.

Security concern means the presence of information regarding an individual that raises a question as to whether HRP certification and recertification would endanger the common defense and security and would be clearly consistent with the national interest.

Semi-structured interview means an interview by a Designated Psychologist, or a psychologist under his or her supervision, who has the latitude to vary the focus and content of the questions depending on the interviewee's responses.

Site Occupational Medical Director (SOMD) means the physician responsible for the overall direction and operation of the occupational medical program at a particular site or program.

Supervisor means the individual who has oversight and organizational responsibility for a person holding an HRP position, and whose duties include evaluating the behavior and performance of the HRP-certified individual.

Transfer means an HRP-certified individual moving from one site to another site.

Unacceptable damage means an incident that could result in a nuclear detonation; high-explosive detonation or deflagration from a nuclear explosive; the diversion, misuse, or removal of Category I special nuclear material; or an interruption of nuclear explosive operations with a significant impact on national security.

Unsafe practice means either a human action departing from prescribed hazard controls or job procedures or practices, or an action causing a person unnecessary exposure to a hazard.

Procedures

§ 712.10 Designation of HRP positions.

(a) HRP certification is required for each individual assigned to, or applying for, a position that:

(1) Affords access to Category I SNM or has responsibility for transportation or protection of Category I quantities of SNM;

(2) Involves nuclear explosive duties or has responsibility for working with, protecting, or transporting nuclear explosives, nuclear devices, or selected components;

(3) Affords access to information concerning vulnerabilities in protective systems when transporting nuclear explosives, nuclear devices, selected components, or Category I quantities of SNM; or

(4) Is not included in paragraphs (a)(1) through (3) of this section but affords the potential to significantly impact national security or cause unacceptable damage and is approved pursuant to paragraph (b) of this section.

(b) The Manager or the HRP management official may nominate positions for the HRP that are not specified in paragraphs (a)(1) through

(3) of this section or that have not previously been designated HRP positions. All such nominations must be submitted to and approved by either the NNSA Administrator, his or her designee, the Associate Under Secretary for Environment, Health, Safety and Security or the appropriate Lead Program Secretarial Officer, or his or her designee.

(c) Before nominating a position for designation as an HRP position, the Manager or the HRP management official must analyze the risks the position poses for the particular operational program. If the analysis shows that more restrictive physical, administrative, or other controls could be implemented that would prevent the position from being designated an HRP position, those controls will be implemented, if practicable.

(d) Nothing in this part prohibits contractors from establishing stricter employment standards for individuals who are nominated to DOE for certification or recertification in the HRP.

§ 712.11 General requirements for HRP certification.

(a) The following requirements apply to each individual applying for or in an HRP position:

(1) A DOE ''Q'' access authorization;

(2) Signed releases, acknowledgments, and waivers to participate in the HRP on forms provided by DOE;

(3) Completion of initial and annual HRP instruction as provided in § 712.17;

(4) Successful completion of an initial and annual supervisory review, medical assessment, management evaluation, and a DOE personnel security review;

(5) No use of any hallucinogen in the preceding 5 years and no experience of flashback resulting from the use of any hallucinogen more than 5 years before applying for certification or recertification;

(6) An initial drug test and random drug tests for the use of illegal drugs at least once each 12 months;

(7) An initial alcohol test and random alcohol tests at least once each 12 months; and

(8) Successful completion of a counterintelligence evaluation, which may include a counterintelligence-scope polygraph examination in accordance with DOE's Polygraph Examination Regulation, 10 CFR part 709, and any subsequent revisions to that regulation.

(b) Each HRP candidate must be certified in the HRP before being assigned to HRP duties and must be recertified annually, not to exceed 12 months between recertifications.

(c) Individuals in newly identified HRP positions must immediately sign the releases, acknowledgments, and waivers to participate in the HRP and complete initial instruction on the importance of security, safety, reliability, and suitability. If these requirements are not met, the individual must be removed from the HRP position. All remaining HRP requirements listed in paragraph (a) of this section must be completed in an expedited manner.

(d) Alcohol consumption is prohibited within an eight-hour period preceding scheduled work for individuals performing nuclear explosive duties and for individuals in specific positions designated by either the Manager, the NNSA Administrator, his or her designee, or the appropriate Lead Program Secretarial Officer, or his or her designee.

(e) Individuals reporting for unscheduled nuclear explosive duties and those specific positions designated by either the Manager, the NNSA Administrator or his or her designee, or the appropriate Lead Program Secretarial Officer, or his or her designee, will be asked prior to performing any type of work if they have consumed alcohol within the preceding eight-hour period. If they answer ''no,'' they may perform their assigned duties but still may be tested.

(f) Any doubt as to an HRP candidate's or HRP certified individual's eligibility for certification shall be resolved against the candidate or individual in favor of national security and/or safety.

§ 712.12 HRP implementation.

(a) The implementation of the HRP is the responsibility of the appropriate Manager or his or her designee.

(b) The HRP Management Official must prepare an HRP implementation plan and submit it to the applicable Manager for review and approval. The implementation plan must:

(1) Be reviewed and updated every 2 years;

(2) Include the four annual components of the HRP process: Supervisory review, medical assessment, management evaluation (which includes random drug and alcohol testing), and a DOE personnel security determination; and

(3) Include the HRP instruction and education component described in § 712.17 of this part.

(c) The Deputy Administrator for Defense Programs, NNSA must:

(1) Provide advice and assistance to the Associate Under Secretary for Environment, Health, Safety and Security regarding policies, standards, and guidance for all nuclear explosive duty requirements; and

(2) Be responsible for implementation of all nuclear explosive duty safety requirements.

(d) The Associate Under Secretary for Environment, Health, Safety and Security, or designee, is responsible for HRP policy and must:

(1) Ensure consistency of the HRP throughout the DOE and NNSA;

(2) Review and comment on all HRP implementation plans to ensure consistency with policy; and

(3) Provide policies and guidance, including instructional materials, to NNSA and non-NNSA field elements concerning the HRP, as appropriate.

(e) The Manager must:

(1) Review and approve the HRP implementation plan for sites/facilities under their cognizance and forward the plan to the Director, Office of Corporate Security Strategy, Analysis and Special Operations, or designee; and

(2) Ensure that the HRP is implemented at the sites/facilities under their cognizance.

(f) The HRP certifying official must:

(1) Approve placement, certification, reinstatement, and recertification of individuals into HRP positions; for unresolved temporary removals, follow the process in § 712.19(f);

(2) Ensure that instructional requirements are implemented;

(3) Immediately notify (for the purpose of limiting access) the appropriate HRP management official of a personnel security action that results in the suspension of access authorization; and

(4) Ensure that the supervisory review, medical assessment, and management evaluation, including drug and alcohol testing, are conducted on an annual basis (not to exceed 12 months).

(g) Individuals assigned to HRP duties must:

(1) Execute HRP releases, acknowledgments, and waivers to facilitate the collection and dissemination of information, the performance of drug and alcohol testing, and medical examinations;

(2) Notify the Designated Physician, the Designated Psychologist, or the SOMD immediately of a physical or mental condition requiring medication or treatment;

(3) Report any observed or reported behavior or condition of another HRP-certified individual that could indicate a reliability concern, including those behaviors and conditions listed in § 712.13(c), to a supervisor, the Designated Physician, the Designated Psychologist, the SOMD, or the HRP management official; and

(4) Report to a supervisor, the Designated Physician, the Designated Psychologist, the SOMD, or the HRP management official, any behavior or condition, including those listed in § 712.13(c), that may affect his or her ability to perform HRP duties.

§ 712.13 Supervisory review.

(a) The supervisor must ensure that each HRP candidate and each individual occupying an HRP position but not yet HRP certified executes the appropriate HRP releases, acknowledgments, and waivers. If these documents are not executed:

(1) The request for HRP certification may not be further processed until these requirements are completed; and

(2) The individual is immediately removed from the position.

(b) Each supervisor of HRP-certified personnel must conduct an annual review of each HRP-certified individual during which the supervisor must evaluate information, based on his or her personal knowledge that is relevant to the individual's suitability to perform HRP tasks in a reliable and safe manner.

(c) The supervisor must report any concerns resulting from his or her review to the appropriate HRP management official. Types of behavior and conditions that would indicate a concern include, but are not limited to:

(1) Psychological or physical disorders that impair performance of assigned duties;

(2) Conduct that warrants referral for a criminal investigation or results in arrest or conviction;

(3) Indications of deceitful or delinquent behavior;

(4) Attempted or threatened destruction of property or life;

(5) Suicidal tendencies or attempted suicide;

(6) Use of illegal drugs or the abuse of legal drugs or other substances;

(7) Alcohol use disorders;

(8) Recurring financial irresponsibility;

(9) Irresponsibility in performing assigned duties;

(10) Inability to deal with stress, or the appearance of being under unusual stress;

(11) Failure to comply with work directives, hostility or aggression toward fellow workers or authority, uncontrolled anger, violation of safety or security procedures, or repeated absenteeism;

(12) Significant behavioral changes, moodiness, depression, or other evidence of loss of emotional control; and

(13) Any unusual conduct or being subject to any circumstances which tend to show that the individual is not reliable.

(d) A supervisor must immediately remove an individual from HRP duties:

(1) When the supervisor has a reasonable belief that the individual is not reliable, based on either a safety or security concern;

(2) When the individual does not obtain HRP recertification; or

(3) When requested to do so by the HRP certifying official.

(e) The supervisor must contact the appropriate personnel office for guidance as to any actions that should occur as a result of the immediate removal.

(f) *Immediate Removal.* If the supervisor immediately removes an HRP-certified individual for any reason specified in this part, he or she must, at a minimum:

(1) Require the individual to stop performing HRP duties;

(2) Take action to ensure the individual is denied both escorted and unescorted access to the material access areas; and

(3) Notify, within 24 hours, the HRP management official of the immediate removal. The HRP management official shall take actions consistent with § 712.19.

§ 712.14 Medical assessment.

(a) *Purpose.* The HRP medical assessment is performed to evaluate whether an HRP candidate or an HRP-certified individual:

(1) Represents a security concern; or

(2) Has a condition that may prevent the individual from performing HRP duties in a reliable and safe manner.

(b) *When performed.* (1) The medical assessment is performed initially on HRP candidates and individuals occupying HRP positions who have not yet received HRP certification. The medical assessment is performed annually for HRP-certified individuals, or more often as required by the SOMD.

(2) The Designated Physician and other examiners working under the direction of the Designated Physician also will conduct an evaluation:

(i) If an HRP-certified individual requests an evaluation (*i.e.,* self-referral); or

(ii) If an HRP-certified individual is referred by management for an evaluation.

(c) *Process.* The Designated Physician, under the supervision of the SOMD, is responsible for the medical assessment of HRP candidates and HRP-certified individuals. In performing this responsibility, the Designated Physician or the SOMD must integrate the medical evaluations, available testing results, psychological evaluations, any psychiatric evaluations, a review of current legal drug use, and any other relevant information. This information is used to determine if a reliability, safety, or security concern exists and if the individual is medically qualified for his or her assigned duties.

(d) *Evaluation.* The Designated Physician, with the assistance of the Designated Psychologist, must determine the existence or nature of any of the following:

(1) Physical or medical disabilities, such as a lack of visual acuity, defective color vision, impaired hearing, musculoskeletal deformities, and neuromuscular impairment;

(2) Mental/personality disorders or behavioral problems, including alcohol and other substance use disorders, as described in the *Diagnostic and Statistical Manual of Mental Disorders;*

(3) Use of illegal drugs or the abuse of legal drugs or other substances, as identified by self-reporting or by medical or psychological evaluation or testing;

(4) Threat of suicide, homicide, or physical harm; or

(5) Medical conditions such as cardiovascular disease, endocrine disease, cerebrovascular or other neurologic disease, or the use of drugs for the treatment of conditions that may adversely affect the judgment or ability of an individual to perform assigned duties in a reliable and safe manner.

(e) *Job task analysis.* Before the initial or annual medical assessment and psychological evaluation, employers must provide, to both the Designated Physician and Designated Psychologist, a job task analysis for each HRP candidate or HRP-certified individual. Medical assessments and psychological evaluations may not be performed if a job task analysis has not been provided.

(f) *Psychological evaluations.* Psychological evaluations must be conducted:

(1) For initial HRP certification. This psychological evaluation consists of a psychological assessment (test), approved by the Associate Under Secretary for Environment, Health, Safety and Security or his or her designee, and a semi-structured interview.

(2) For recertification. This psychological evaluation consists of a semi-structured interview. A psychological assessment (test) may also be conducted as warranted.

(3) Every third year. The medical assessment for recertification must include a psychological assessment (test) approved by the Associate Under Secretary for Environment, Health,

Safety and Security or his or her designee. This requirement can be implemented over a 3-year period for individuals who are currently in an HRP position.

(4) When additional psychological or psychiatric evaluations are required by the SOMD to resolve any concerns.

(g) *Return to work after sick leave.* HRP-certified individuals who have been on sick leave for five or more consecutive days, or an equivalent time period for those individuals on an alternative work schedule, must report in person to the Designated Physician, the Designated Psychologist, or the SOMD before being allowed to return to normal duties. The Designated Physician, the Designated Psychologist, or the SOMD must provide a written recommendation to the appropriate HRP supervisor regarding the individual's return to work. An HRP-certified individual also may be required to report to the Designated Physician, the Designated Psychologist, or the SOMD for written recommendation to return to normal duties after any period of sick leave.

(h) *Temporary removal or restrictions.* The Designated Physician, the Designated Psychologist, or the SOMD may recommend temporary removal of an individual from an HRP position or restrictions on an individual's work in an HRP position if a medical condition or circumstance develops that affects the individual's ability to perform assigned job duties. The Designated Physician, the Designated Psychologist, or the SOMD must immediately recommend medical removal or medical restrictions in writing to the appropriate HRP management official. If the HRP management official concurs, he or she will then notify the appropriate HRP certifying official. To reinstate or remove such restrictions, the Designated Physician, the Designated Psychologist, or the SOMD must make written recommendation to the HRP management official. The HRP management official will then notify the appropriate HRP certifying official.

(i) *Medical evaluation after rehabilitation.* (1) Individuals who request reinstatement in the HRP following rehabilitative treatment for alcohol use disorder, use of illegal drugs, or the abuse of legal drugs or other substances, must undergo an evaluation, as prescribed by the SOMD, to ensure continued rehabilitation and adequate capability to perform their job duties.

(2) The HRP certifying official may reinstate HRP certification of an individual who successfully completes an SOMD-approved drug or alcohol rehabilitation program. Recertification is based on the SOMD's follow-up evaluation and recommendation. The individual is also subject to unannounced follow-up tests for illegal drugs or alcohol and relevant counseling for 3 years.

(j) *Medication and treatment.* HRP-certified individuals are required to immediately report to the Designated Physician, the Designated Psychologist, or the SOMD any physical or mental condition requiring medication or treatment. The Designated Physician, the Designated Psychologist, or the SOMD determines if temporary removal of the individual from HRP duties is recommended and follows the procedures pursuant to § 712.14(h).

§ 712.15 Management evaluation.

(a) *Evaluation components.* An evaluation by the HRP management official is required before an individual can be considered for initial certification or recertification in the HRP. This evaluation must be based on a careful review of the results of the supervisory review, medical assessment, and drug and alcohol testing. If a safety or security concern is identified with respect to an HRP-certified individual, the HRP management official must take actions consistent with § 712.19(a).

(b) *Drug testing.* All HRP candidates and HRP-certified individuals are subject to testing for the use of illegal drugs, as required by this part. Testing must be conducted in accordance with 10 CFR part 707, the workplace substance abuse program for DOE contractor employees, and DOE Order 3792.3, ''Drug-Free Federal Workplace Testing Implementation Program,'' for DOE employees. The program must include an initial drug test, random drug tests at least once every 12 months from the previous test, and tests of HRP-certified individuals if they are involved in an incident, unsafe practice, occurrence, or based on reasonable suspicion. Failure to appear for unannounced testing within 2 hours of notification constitutes a refusal to submit to a test. Sites may establish a shorter time period between notification and testing but may not exceed the two-hour requirement. If an HRP-certified individual refuses to submit to a drug test or, based on a drug test, is determined to use illegal drugs, the supervisor must immediately remove the individual from HRP duties and take actions consistent with § 712.13(f).

(c) *Alcohol testing.* All HRP candidates and HRP-certified individuals are subject to testing for the use of alcohol, as required by this part. The alcohol testing program must include, as a minimum, an initial alcohol test prior to performing HRP duties and random alcohol tests at least once every 12 months from the previous test, and tests of HRP-certified individuals if they are involved in an incident, unsafe practice, occurrence, or based on reasonable suspicion. The supervisor who has been informed that an HRP-certified individual's confirmatory breath alcohol test result is at or above an alcohol concentration of 0.02 percent shall send that individual home and not allow that individual to perform HRP duties for 24 hours, and take all appropriate administrative action consistent with § 712.13(f).

(1) Breath alcohol testing must be conducted by a certified breath alcohol technician and conform to the DOT procedures (49 CFR part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs, subparts J through N) for use of an evidential-grade breath analysis device approved for 0.02/0.04 cutoff levels, which conforms to the DOT model specifications and the most recent ''Conforming Products List'' issued by NHTSA.

(2) An individual required to undergo DOT alcohol testing is subject to the regulations of the DOT. If such an individual's blood alcohol level exceeds DOT standards, the individual's employer may take appropriate disciplinary action.

(3) The following constitutes a refusal to submit to a test and shall be considered as a positive alcohol concentration test of 0.02 percent, which requires the individual be sent home and not allowed to perform HRP duties for 24 hours:

(i) Failure to appear for unannounced testing within 2 hours of notification (or established shorter time for the specific site);

(ii) Failure to provide an adequate volume of breath in 2 attempts without a valid medical excuse; and

(iii) Engaging in conduct that clearly obstructs the testing process, including failure to cooperate with reasonable instructions provided by the testing technician.

(d) *Occurrence testing.* (1) When an HRP-certified individual is involved in, or associated with, an occurrence requiring immediate reporting to the DOE, the following procedures must be implemented:

(i) Testing for the use of illegal drugs in accordance with the provisions of the DOE policies implementing Executive Order 12564, and 10 CFR part 707 or DOE Order 3792.3, which establish workplace substance abuse programs for contractor and DOE employees, respectively.

(ii) Testing for use of alcohol in accordance with this section.

(2) Testing must be performed as soon as possible after an occurrence that requires immediate notification or reporting.

(3) The supervisor must immediately remove an HRP-certified individual from HRP duties if the individual refuses to undergo the testing required by this subsection.

(e) *Testing for reasonable suspicion.* (1) If the behavior of an individual in an HRP position creates the basis for reasonable suspicion of the use of an illegal drug or alcohol, that individual must be tested if two or more supervisory or management officials, at least one of whom is in the direct chain of supervision of the individual or is the Designated Physician, the Designated Psychologist, or the SOMD, agree that such testing is appropriate.

(2) Reasonable suspicion must be based on an articulable belief, drawn from facts and reasonable inferences from those particular facts that an HRP-certified individual is in possession of, or under the influence of, an illegal drug or alcohol. Such a belief may be based on, among other things:

(i) Observable phenomena, such as direct observation of the use or possession of illegal drugs or alcohol, or the physical symptoms of being under the influence of drugs or alcohol;

(ii) A pattern of abnormal conduct or erratic behavior;

(iii) Information provided by a reliable and credible source that is independently corroborated; or

(iv) Detection of alcohol odor on the breath.

(f) *Counterintelligence Evaluation.* HRP candidates and, when selected, HRP-certified individuals, must submit to and successfully complete a counterintelligence evaluation, which may include a polygraph examination in accordance with 10 CFR part 709, Polygraph Examination Regulations and any subsequent revisions to that regulation.

§ 712.16 Security review.

(a) A personnel security specialist must review the personnel security file of every HRP candidate and every HRP-certified individual up for certification or recertification.

(b) If the personnel security file review is favorable, this information must be forwarded to the HRP certifying official and so noted on the certification form. If the review reveals a security concern, or if a security concern is identified during another component of the HRP process, the HRP certifying official must be notified, and the personnel security specialist must evaluate the concern in accordance with 10 CFR part 710. If a final determination is made by DOE personnel security to suspend access authorization, the HRP management official must be notified, the individual shall be immediately removed from the HRP position, the HRP certifying official notified, and the information noted on the certification form.

(c) A favorable adjudication of security concerns under 10 CFR part 710 does not require granting or continuing HRP certification. Security concerns can be reviewed and evaluated for purposes of granting or continuing HRP certification even if the concerns have been favorably resolved under part 710.

(d) Any mental/personality disorder or behavioral issues found in a personnel security file, which could impact an HRP candidate or HRP-certified individual's ability to perform HRP duties, may be provided in writing to the SOMD, Designated Physician, and Designated Psychologist previously identified for receipt of this information. Medical personnel may not share any information obtained from the personnel security file with anyone who is not an HRP certifying official, except as consistent with the Privacy Act of 1974.

(e) If the DOE personnel security review is not completed within the 12-month time period for recertification and the individual's access authorization is not suspended, the HRP certification form shall be forwarded to the HRP certifying official for recertification or temporary removal, pending completion of the personnel security review.

§ 712.17 Instructional requirements.

(a) HRP management officials at each DOE site or facility with HRP positions must establish an initial and annual HRP instruction and education program. The program must provide:

(1) HRP candidates, HRP-certified individuals, supervisors, and managers, and supervisors and managers responsible for HRP positions with the knowledge described in paragraph (b)(1) of this section; and

(2) For all HRP medical personnel, a detailed explanation of HRP duties and responsibilities.

(b) The following program elements must be included in initial and annual instruction. The elements may be tailored to accommodate group differences and refresher training needs:

(1) The objectives of the HRP and the role and responsibilities of each individual in the HRP to include recognizing and responding to behavioral change and aberrant or unusual behavior that may result in a risk to national security or nuclear explosive safety; recognizing and reporting safety and/or security concerns, physical, mental, or emotional conditions that could adversely affect the performance of HRP duties or that require treatment by a doctor, physician's assistant or other health care professional; and prescription drug use; and an explanation of return-to-work requirements and continuous evaluation of HRP participants; and

(2) For those who have nuclear explosive responsibilities, a detailed explanation of duties and safety requirements.

§ 712.18 Transferring HRP certification.

(a) For HRP certification to be transferred, the individual must currently be certified in the HRP.

(b) Transferring the HRP certification from one site to another requires the following before the individual is allowed to perform HRP duties at the new site:

(1) Verify that the individual is currently certified in the HRP and is transferring into a designated HRP position;

(2) Incorporate the individual into the new site's alcohol and drug-testing program;

(3) Ensure that the 12-month time period for HRP requirements that was established at the prior site is not exceeded; and

(4) Provide site-specific instruction.

(c) Temporary assignment to HRP positions at other sites requires verification that the individual is currently enrolled in the HRP and has completed all site-specific instruction. The individual is required to return to the site that maintains his or her HRP certification for recertification.

§ 712.19 Actions related to Removal, Revocation and/or Reinstatement.

(a) *Temporary removal.* The HRP management official shall direct the temporary removal of an HRP-certified individual when the management official:

(1) Identifies, during the course of the management evaluation, a safety or security concern that warrants such removal;

(2) Receives a supervisor's written notice of the immediate removal of an HRP-certified individual; or

(3) Receives a recommendation from the Designated Physician, the Designated Psychologist, or the SOMD to medically remove an HRP-certified individual consistent with § 712.14(h).

(b) The temporary removal of an HRP-certified individual from HRP duties pending a determination of the individual's reliability is an interim, precautionary action and does not constitute a determination that the individual is not fit to perform his or her required duties. Removal is not, in itself, cause for loss of pay, benefits, or other changes in employment status. Within five (5) business days of placing the individual on a temporary removal, the HRP management official must notify the individual in writing that s/he is temporarily removed.

(c) If temporary removal is based on derogatory information that is a security concern, the HRP management official must notify the HRP certifying official and the applicable DOE personnel security office.

(d) If temporary removal is based on a medical concern, the HRP management official must obtain a recommendation from the Designated Physician, Designated Psychologist, or the SOMD consistent with § 712.14(h).

(e) If the HRP management official determines, after conducting an evaluation of the circumstances or information that led to the temporary removal, that an individual who has been temporarily removed continues to meet the requirements for certification, the HRP management official must:

(1) Direct that the supervisor reinstate the individual and provide written explanation of the reasons and factual bases for the action;

(2) Notify the individual; and

(3) Notify the HRP certifying official.

(f) If the HRP management official determines that an individual who has been temporarily removed does not meet the HRP requirements for certification, the HRP management official must prepare a case chronology that explains why the individual does not meet the requirement for certification and forward it to the HRP certifying official. The HRP management official's determination that an individual does not meet certification requirement must be based on one or more of types of behaviors and conditions identified in § 712.13(c). The HRP certifying official must review the case chronology from the HRP management official and take one of the following actions:

(1) Direct that the supervisor reinstate the individual, with any applicable medical restrictions, provide written explanation of the reasons and factual bases for the action, and notify the individual;

(2) Direct continuation of the temporary removal pending completion of specified actions (*e.g.,* medical assessment, treatment) to resolve the concerns about the individual's reliability; or

(3) Recommend to the Manager the revocation of the individual's certification, direct the HRP management official to prepare an evaluative report, and provide the case chronology and the evaluative report, when completed, to the Manager. If the HRP certifying official is the Manager, he or she should direct the HRP management official to prepare the evaluative report and then take actions consistent with paragraph (h)(2) of this section. The appropriate DOE or NNSA counsel must review the evaluative report for legal sufficiency.

(g) The Manager, on receiving the HRP management official's case chronology and evaluative report, and the HRP certifying official's recommendation (if any), must take one of the following actions:

(1) Direct that the supervisor reinstate the individual, provide written explanation of the reasons and factual bases for the action, and notify the individual;

(2) Direct revocation of the individual's HRP certification; or

(3) Direct continuation of the temporary removal pending completion of specified actions (*e.g.,* medical assessment, treatment) to resolve the concerns about the individual's reliability.

(h) *Notification of Manager's initial decision.* If the action is revocation, the Manager must send a letter by certified mail (return receipt requested) or hand deliver it with record of delivery to the individual whose certification is revoked notifying him or her of the reasons for the revocation and the options for review. The evaluative report must be appended to the letter. The Manager may withhold such a report, or portions thereof, to the extent that he or she determines that the report, or portions thereof, may be exempt from access by the employee under the Privacy Act or the Freedom of Information Act.

(i) If an individual is directed by the Manager or HRP certifying official to take specified actions to resolve HRP concerns pursuant to § 712.19(f)(2) or (g)(3) he or she must be reevaluated after those actions have been completed, and the Manager must direct either:

(1) Reinstatement of the individual; or

(2) Revocation of the individual's HRP certification. In the case of revocation, the HRP management official will be directed to make any appropriate revisions to the evaluative report.

§ 712.20 Request for reconsideration or certification review hearing.

(a) An individual who receives notification of the Manager's decision to revoke his or her HRP certification may choose one of the following options:

(1) Submit a written request to the Manager for reconsideration of the decision to revoke certification. The request must include the individual's response to the information that gave rise to the concern. The request must be sent by certified mail to the Manager within 20 working days after the individual received notice of the Manager's decision; or

(2) Submit a written request to the Manager for a certification review hearing. The request for a hearing must be sent by certified mail to the Manager within 20 working days after the individual receives notice of the Manager's decision.

(b) If an individual requests reconsideration by the Manager but not a certification review hearing, the Manager must, within 20 working days after receipt of the individual's request, send by certified mail (return receipt requested) a final agency decision to the individual.

(c) If an individual requests a certification review hearing, the Manager must forward the request to the Office of Hearings and Appeals.

(d) If an individual takes no action within 20 working days after receipt of the Manager's decision, the Manager's decision will become a final agency decision.

§ 712.21 Appointment of DOE Counsel.

(a) Upon receipt from the individual of a written request for a certification review hearing, the Manager shall request appointment of DOE counsel as soon as possible.

(b) DOE Counsel is authorized to consult directly with the individual if he is not represented by counsel, or with the individual's counsel or representative if so represented, to clarify issues and reach stipulations with respect to testimony and contents of documents and other physical evidence. Such stipulations shall be binding upon the individual and the DOE Counsel for the purposes of this subpart.

§ 712.22 Office of Hearings and Appeals.

(a) Upon receipt of the hearing request from the Manager, the Director, DOE Office of Hearings and Appeals, shall appoint, as soon as practicable, an Administrative Judge.

(b) The Administrative Judge must have a DOE ''Q'' access authorization.

(c) An individual who requests a certification review hearing has the right

to appear personally before the Administrative Judge; to present evidence in his or her own behalf, through witnesses or by documents, or by both; and to be accompanied and represented at the hearing by counsel or any other person of the individual's choosing and at the individual's own expense.

(d) An individual must come forward with evidence to demonstrate that the decision to revoke his or her HRP certification was clearly erroneous or that extraordinary circumstances warrant recertification into HRP. Evidence that the individual has rehabilitated or reformed since the time of the Manager's decision will not be considered by the Administrative Judge.

(e) DOE Counsel shall assist the Administrative Judge in establishing a complete administrative hearing record in the proceeding and bringing out a full and true disclosure of all facts, both favorable and unfavorable, having bearing on the issues before the Administrative Judge.

(f) In conducting the proceedings, the Administrative Judge will:

(1) Determine the date, time, and location of the hearing, including whether the hearing will be conducted by video teleconference;

(2) At least 7 calendar days prior to date scheduled for the hearing, convene a prehearing conference for the purpose of discussing stipulations and exhibits, identifying witnesses, and disposing of other appropriate matters. The conference will usually be conducted by telephone;

(3) Receive all relevant and material information relating to the individual's fitness for HRP duties through witnesses or documentation;

(4) Ensure that the individual is permitted to offer information in his or her behalf; to call, examine, and cross-examine witnesses and other persons who have made written or oral statements, and to present and examine documentary evidence to the extent permitted by national security;

(5) Require the testimony of the individual and all witnesses be given under oath or affirmation;

(6) Ensure that a transcript of the certification review proceedings is made; and

(7) Not engage in ex parte communications with either party.

(g) The Administrative Judge shall have all powers necessary to regulate the conduct of proceedings, including, but not limited to, establishing a list of persons to receive service of papers, issuing subpoenas for witnesses to attend the hearing or for the production of specific documents or other physical evidence, administering oaths and affirmations, ruling upon motions, receiving evidence, regulating the course of the hearing, disposing of procedural requests or similar matters, and taking other actions consistent with the regulations in this part. Requests for subpoenas shall be granted except where the Administrative Judge finds that the grant of subpoenas would clearly result in evidence or testimony that is repetitious, incompetent, irrelevant, or immaterial to the issues in the case.

(h) The Administrative Judge may return a case to the HRP Manager for a final agency decision consistent with § 712.20(b) if—

(1) The individual or his or her attorney fails to heed the instructions of the Administrative Judge;

(2) The individual fails to appear at the appointed time, date and location for the certification review hearing;

(3) The individual otherwise fails to cooperate at the hearing phase of the process; or

(4) The individual withdraws his/her request for a certification review hearing.

(i) Based on a review of the administrative hearing record, the Administrative Judge shall prepare a decision regarding the individual's eligibility for recertification in the HRP, which shall consist of written findings and a supporting statement of reasons. In making a decision, the Administrative Judge shall ensure that any doubt as to an individual's certification shall be resolved against the individual in favor of national security and/or safety.

§ 712.23 Administrative Judge's decision.

(a) Within 30 calendar days of the receipt of the hearing transcript by the Administrative Judge or the closing of the record, whichever is later, the Administrative Judge should forward his or her decision to the Associate Under Secretary for Environment, Health, Safety, and Security. The Administrative Judge's decision must be accompanied by a copy of the record.

(b) Within 10 calendar days of receipt of the decision and the administrative record, the Associate Under Secretary for Environment, Health, Safety, and Security should:

(1) Notify the individual and Manager in writing of the Administrative Judge's decision;

(2) Advise the individual in writing of the appeal procedures available to the individual in paragraph (c) of this section if the decision is unfavorable to the individual;

(3) Advise the Manager in writing of the appeal procedures available to the Manager in paragraph (c) of this section if the decision is favorable to the individual; and

(4) Provide the individual and/or counsel or representative, and the Manager a copy of the Administrative Judge's decision and the administrative record.

(c) The individual or the Manager may file with the Associate Under Secretary for Environment, Health, Safety, and Security a written request for further review of the decision by the cognizant Under Secretary along with a statement required by paragraph (e) of this section within 20 working days of the individual's receipt of the Administrative Judge's decision;

(d) The copy of any request for further review of the individual's case by the cognizant Under Secretary filed by the Manager shall be provided to the individual by the Manager.

(e) The party filing a request for review of the individual's case by the cognizant Under Secretary shall include with the request a statement identifying the issues on which it wishes the cognizant Under Secretary to focus.

(f) The Administrative Judge's decision shall be considered final if a written request for review is not filed in accordance with paragraph (c) of this section.

§ 712.24 Final decision by DOE Under Secretary.

(a) Within 10 calendar days of receipt of the written request for review, the Associate Under Secretary for Environment, Health, Safety and Security should forward to the cognizant Under Secretary the written request for review, the Administrative Judge's decision, and the administrative record.

(b) Upon receipt of the written request for review, the Administrative Judge's decision, and the administrative record, the cognizant Under Secretary, in consultation with the DOE General Counsel, will issue a final written decision. The cognizant Under Secretary may delegate this authority. In issuing a final decision, the cognizant Under Secretary shall expressly state that he or she is either revoking or restoring an individual's HRP certification. A copy of this decision must be sent by certified mail (return receipt requested) to the Manager and to the individual.

(c) The cognizant Under Secretary shall consider only that evidence and information in the administrative record at the time of the Administrative Judge's decision.

§ 712.25 Cooperation by the individual.

(a) It is the responsibility of the HRP candidate or HRP certified individual to provide full, frank, and truthful answers to relevant and material questions, and when requested, furnish, or authorize others to furnish, information that DOE deems pertinent to reach a decision regarding HRP certification or recertification. This obligation to cooperate applies at any stage, including but not limited to initial certification, recertification, temporary removal, revocation, and/or hearing. The individual or candidate may elect not to cooperate; however, such refusal may prevent DOE from reaching an affirmative finding required for granting or continuing HRP certification. In this event, any HRP certification then in effect may be revoked, or, for HRP candidates, may not be granted.

(b) An HRP certified individual who receives notification of the Manager's decision to revoke his or her certification due to failure to cooperate may choose one of the following options:

(1) Take no action; or

(2) Within 20 working days after the individual received notice of the Manager's revocation decision, submit a written request by certified mail to the Manager for reconsideration. The request must include the individual's response to the information that gave rise to the revocation decision.

(c) Upon receipt of the request for reconsideration, the Manager shall notify the individual, in writing, within 20 calendar days of receipt of the written appeal, as to whether the action to revoke certification was appropriate. If the Manager determines that the action was inappropriate, he or she shall direct that the individual be reinstated.

§ 712.34 [Amended]

■ 3. Section 712.34 is amended by removing the language, ''Director, Office of Health and Safety'' in paragraphs (a), (b), (c) and (d) and adding in its place ''Associate Under Secretary for Environment, Health, Safety and Security''.

§ 712.35 [Amended]

■ 4. Section 712.35 is amended by removing the language, ''Director, Office of Health and Safety'' and adding in its place ''Associate Under Secretary for Environment, Health, Safety and Security''.

§ 712.36 [Amended]

■ 5. Section 712.36 is amended by:

■ a. Removing the language, ''Director, Office of Health and Safety'' in paragraphs (d)(1) and (d)(3) and adding in its place ''Associate Under Secretary for Environment, Health, Safety and Security''.

■ b. Removing paragraph (i).

[FR Doc. 2017–12810 Filed 6–21–17; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–9559; Airspace Docket No. 16–ACE–11]

Proposed Amendment of Class D and E Airspace for the Following Missouri Towns; Cape Girardeau, MO; St. Louis, MO; and Macon, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify Class D airspace at Spirit of St. Louis Airport, St. Louis, MO; Class E airspace designated as a surface area at Cape Girardeau Regional Airport, Cape Girardeau, MO, and Spirit of St. Louis Airport; Class E airspace designated as an extension at Cape Girardeau Regional Airport; and Class E airspace extending upward from 700 feet above the surface at Cape Girardeau Regional Airport, Spirit of St. Louis Airport, and Macon-Fower Memorial Airport, Macon, MO. Cancellation of standard instrument approach procedures at these airports prompted the FAA to conduct a review of the airspace. Additionally, the name of Cape Girardeau Regional Airport (formerly Cape Girardeau Municipal Airport) and the geographic coordinates of St. Louis Regional Airport, Alton/St. Louis, MO; the OBLIO Locator Outer Marker (LOM), and the Macon-Fower Memorial Airport would be adjusted to coincide with the FAA's aeronautical database. The airspace designation for Macon-Fower, MO, in Class E airspace extending upward from 700 feet above the surface would be removed as it is a duplicate entry of the Macon, MO, airspace designation.

DATES: Comments must be received on or before August 7, 2017.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–9826, or 1–800–647–5527. You must identify FAA Docket No. FAA–2016–9559; Airspace Docket No. 16–ACE–11, at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov*. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

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: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

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 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 would amend Class D airspace at Spirit of St. Louis Airport, St. Louis, MO; Class E airspace designated as a surface area at Cape Girardeau Regional Airport and Spirit of St. Louis Airport; Class E airspace designated as an extension at Cape Girardeau Regional Airport; and Class E airspace extending upward from 700 feet above the surface at Cape

Girardeau Regional Airport, Spirit of St. Louis Airport, and Macon-Fower Memorial Airport, Macon, MO.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2016–9559/Airspace Docket No. 16–ACE–11.'' The postcard will be date/time stamped and returned to the commenter.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov*. Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/*.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents Proposed for Incorporation by Reference

This document proposes to amend 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 Proposal

Cancellation of standard instrument approach procedures prompted the FAA to conduct a review of the airspace at the Spirit of St. Louis Airport, Cape Girardeau Regional Airport, and Macon-Fower Memorial Airport. Controlled airspace is necessary for the safety and management of the standard instrument approach procedures for IFR operations at these airports.

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying:

Class D airspace at Cape Girardeau Regional Airport (formerly Cape Girardeau Municipal Airport) by updating the name of the airport to coincide with the FAA's aeronautical database;

Class D airspace to within a 4.4-mile radius (increased from a 4.3-mile radius) at Spirit of St. Louis Airport, St. Louis, MO, and adding an extension within 1 mile each side of the 079° bearing from the airport extending from the 4.4-mile radius to 4.6 miles east of the airport, and adjusting the extension west of the airport to within 1 mile each side of the 259° bearing (previously 258°) from the airport extending from the 4.4-mile radius to 4.6 miles west of the airport;

Class E airspace designated as a surface area at Cape Girardeau Regional Airport (formerly Cape Girardeau Municipal Airport) by adding the vertical limits from the surface to and including 2,800 feet, adding the part time language to the description, and updating the name of the airport to coincide with the FAA's aeronautical database;

Class E airspace designated as a surface area to within a 4.4-mile radius (increased from a 4.3-mile radius) at Spirit of St. Louis Airport, St. Louis, MO, adding an extension to within 1 mile each side of the 079° bearing from the airport extending from the 4.4-mile radius to 4.6 miles east of the airport, and adding an extension within 1 mile each side of the 259° bearing from the airport extending from the 4.4-mile radius to 4.6 miles west of the airport;

Class E airspace designated as an extension to Class E surface are at Cape Girardeau Regional Airport (formerly Cape Girardeau Municipal Airport), Cape Girardeau, MO, by adding an extension 1 mile each side of the 023° bearing from the airport from the 4.1-mile radius of the airport to 4.4 miles to the north of the airport, adjusting the extension to the east of the airport to within 1 mile (decreased from 2.6 miles) each side of the 108° bearing from the Cape Girardeau Regional Localizer (previously the Cape Girardeau VOR/DME) from the 4.1-mile radius to 4.4 miles east of the airport, adjusting the extension to the south of the airport to within 2.4 miles (previously 2.6 miles) each side of the 196° (previously 194°) radial of the Cape Girardeau VOR/DME from the 4.1-mile radius of the airport extending to 7.2 miles (increased from 5.7 miles), adjusting the extension west of the airport to within 1 mile (decreased from 2.6 miles) each side of the 287° (previously 279°) radial from the Cape Girardeau VOR/DME from the 4.1-mile radius to 4.4 miles (decreased from 7.4 miles) west of the airport, and updating the name of the airport to coincide with the FAA's aeronautical database;

Class E airspace areas extending upward from 700 feet above the surface:

At Cape Girardeau Regional Airport, Cape Girardeau, MO, by adding an extension to the north of the airport within 2 miles each side of the 203° bearing from the airport from the 6.6-mile radius of the airport to 7.3 miles, adjusting the extension to the east to within 3.8 miles (increased from 2.5 miles) each side of the 108° bearing from the Cape Girardeau Localizer (previously from the Cape Girardeau VOR/DME) extending from the 6.6-mile radius to 14 miles (increased from 8.7 miles), adjusting the extension to the south of the airport to within 2.4 miles (reduced from 3 miles) each sided of the 196° radial (previously 194°) from the Cape Girardeau VOR/DME from the 6.6-mile radius to 7.2 miles (decreased from 10 miles) south of the airport, adding an extension within 1.9 miles each side of the 023° bearing from the airport from the 6.6-mile radius of the airport to 7.5 miles south of the airport, adjusting the extension to the west of the airport to within 2 miles (decreased from 3 miles) each side of the 280° (previously 279°) bearing from the airport (previously the Cape Girardeau VOR/DME) extending from the 6.6-mile radius to 7.4 miles (decreased from 8.7 miles) west of the airport, and updating the name of the airport to coincide with the FAA's aeronautical database;

Within a 6.9-mile radius (increased from a 6.8-mile radius) of the Spirit of St. Louis Airport, St. Louis, MO, adding an extension 4.2 miles north and 6.4 miles south of the 259° bearing from the Spirit of St. Louis Localizer extending from the 6.6-mile radius of the airport to 11.3 miles east of the Spirit of St. Louis Localizer, adding an extension within 2.5 miles each side of the 079° bearing from the airport from the 6.9-mile radius to 8.1 miles east of the airport, adjusting the extension to the

west of the airport to within 3.9 miles each side of the 259° (from 258°) bearing from the airport extending from the 6.9 mile radius to 10.6 miles west of the airport, removing an extension west of the airport referencing the Foristell VORTAC, removing the Foristell VORTAC from the description, and updating the geographic coordinates for St. Louis Regional Airport, Alton/St. Louis, MO, and the OBLIO LOM to coincide with the FAA's aeronautical database;

And within a 6.7-mile radius (increased from a 6.5-mile radius) of Macon-Fower Memorial Airport, Macon, MO, and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database. The duplicate airspace designation listed as Macon-Fower, MO, in FAA Order 7400.11A, would be removed.

This action also would make an editorial change in the airspace description for Class D, Class E surface area, and Class E extension airspace, replacing Airport/Facility Directory with the current term Chart Supplement.

Class D and E airspace designations are published in paragraph 5000, 6002, 6004, and 6005, respectively, 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 Class D and E airspace designations listed in this document will be published subsequently in the Order.

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, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 14 CFR 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 5000 Class D Airspace.

* * * * *

ACE MO D Cape Girardeau, MO [Amended]

Cape Girardeau Regional Airport, MO
(Lat. 37°13′31″ N., long. 89°34′15″ W.)

That airspace extending upward from the surface to and including 2,800 feet within a 4.1-mile radius of Cape Girardeau Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

ACE MO D St. Louis, Spirit of St. Louis Airport, MO [Amended]

St. Louis, Spirit of St. Louis Airport, MO
(Lat. 38°39′44″ N., long. 90°39′07″ W.)

That airspace extending upward from the surface to and including 3,000 feet within a 4.4-mile radius of Spirit of St. Louis Airport, and within 1 mile each side of the 079° bearing from the airport extending from the 4.4-mile radius to 4.6 miles east of the airport, and within 1 mile each side of the 259° bearing from the airport extending from the 4.4-mile radius to 4.6 miles west of the airport, excluding that airspace within the St. Louis, MO Class B airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

Paragraph 6002 Class E Surface Airspace.

* * * * *

ACE MO E2 Cape Girardeau, MO [Amended]

Cape Girardeau Regional Airport, MO
(Lat. 37°13′31″ N., long. 89°34′15″ W.)

That airspace extending upward from the surface to and including 2,800 feet within a 4.1-mile radius of the Cape Girardeau Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

ACE MO E2 St. Louis, Spirit of St. Louis Airport, MO [Amended]

St. Louis, Spirit of St. Louis Airport, MO
(Lat. 38°39′44″ N., long. 90°39′07″ W.)

That airspace extending upward from the surface to and including 3,000 feet within a 4.4-mile radius of Spirit of St. Louis Airport, and within 1 mile each side of the 079° bearing from the airport extending from the 4.4-mile radius to 4.6 miles east of the airport, and within 1 mile each side of the 259° bearing from the airport extending from the 4.4-mile radius to 4.6 miles west of the airport, excluding that airspace within the St. Louis, MO Class B airspace area. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

Paragraph 6004 Class E Airspace Designated as an Extension to Class E Surface Area.

* * * * *

ACE MO E4 Cape Girardeau, MO [Amended]

Cape Girardeau Regional Airport, MO
(Lat. 37°13′31″ N., long. 89°34′15″ W.)
Cape Girardeau Regional Localizer
(Lat. 37°13′18″ N., long. 89°33′25″ W.)
Cape Girardeau VOR/DME
(Lat. 37°13′39″ N., long. 89°34′21″ W.)

That airspace extending upward from the surface within 1 mile each side of the 023° bearing from the airport extending from the 4.1-mile radius to 4.4 miles north of the airport, and within 1 mile each side of the 108° bearing from the Cape Girardeau Localizer extending from the 4.1-mile radius to 4.4 miles east of the airport, and within 2.4 miles each side of the 196° radial of the Cape Girardeau VOR/DME extending from the 4.1-mile radius of the airport to 7.2 miles south of the airport, and within 1 mile each side of the 287° radial of the Cape Girardeau VOR/DME extending from the 4.1-mile radius of the airport to 4.4 miles west of the airport.

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ACE MO E5 Cape Girardeau, MO [Amended]

Cape Girardeau Regional Airport, MO
(Lat. 37°13′31″ N., long. 89°34′15″ W.)
Cape Girardeau Regional Localizer
(Lat. 37°13′18″ N., long. 89°33′25″ W.)
Cape Girardeau VOR/DME
(Lat. 37°13′39″ N., long. 89°34′21″ W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the airport, and within 1.9 miles each side of the 023° bearing from the airport extending from the 6.6-mile radius to 7.3 miles north of the airport, and within 3.8 miles each side of the 108° bearing from the Cape Girardeau Localizer extending from the 6.6-mile radius to 14 miles east of the airport, and within 2.4 miles each side of the 196° radial of the Cape Girardeau VOR/DME extending from the 6.6-mile radius to 7.2 miles south of the airport, and within 2 miles each side of the 203° bearing from the airport from the 6.6-mile radius to 7.5 miles south of the airport, and within 2 miles each side of the 280° bearing from the airport extending from the 6.6-mile radius to 7.4 miles west of the airport.

* * * * *

ACE MO E5 St. Louis, MO [Amended]

St. Louis, Lambert-St. Louis International Airport, MO
(Lat. 38°44′55″ N., long. 90°22′12″ W.)
St. Louis, Spirit of St. Louis Airport, MO
(Lat. 38°39′44″ N., long. 90°39′07″ W.)
Alton/St. Louis, St. Louis Regional Airport, MO
(Lat. 38°53′24″ N., long. 90°02′46″ W.)
St. Charles, St. Charles County Smartt Airport, MO
(Lat. 38°55′47″ N., long. 90°25′48″ W.)
St. Louis VORTAC
(Lat. 38°51′38″ N., long. 90°28′57″ W.)
ZUMAY LOM
(Lat. 38°47′17″ N., long. 90°16′44″ W.)
OBLIO LOM
(Lat. 38°48′01″ N., long. 90°28′29″ W.)
Spirt of St. Louis Localizer
(Lat. 38°39′26″ N., long. 90°39′48″ W.)
Civic Memorial NDB
(Lat. 38°53′32″ N., long. 90°03′23″ W.)

That airspace extending upward from 700 feet above the surface within a 7.1-mile radius of Lambert-St. Louis International Airport, and within 4 miles southeast and 7 miles northwest of the Lambert-St. Louis International Airport Runway 24 ILS localizer course extending from the airport to 10.5 miles northeast of the ZUMAY LOM, and within 4 miles southwest and 7.9 miles northeast of the Lambert-St. Louis International Airport Runway 12R ILS localizer course extending from the airport to 10.5 miles northwest of the OBLIO LOM, and within 4 miles southwest and 7.9 miles northeast of the Lambert-St. Louis International Airport Runway 30L ILS localizer course extending from the airport to 8.7 miles southeast of the airport, and within a 6.9-mile radius of Spirit of St. Louis Airport, and within 2.5 miles each side of the 079° bearing from the Spirit of St. Louis Airport extending from the 6.9-mile radius of the airport to 8.1 miles east of the airport, and within 4.2 miles north and 6.4 miles south of the 259° bearing from the Spirit of St. Louis Localizer extending from the 6.9-mile radius of the Spirit of St. Louis Airport to 11.3 miles east of the Spirit of St. Louis Localizer, and within 3.9 miles each side of the 259° bearing from the Spirit of St. Louis Airport extending from the 6.9-mile radius of the airport to 10.6 miles west of the airport, and within a 6.4-mile radius of St. Charles County Smartt Airport, and within a 6.9-mile radius of St. Louis Regional Airport, and within 4 miles each side of the 014° bearing from the Civic Memorial NDB extending from the 6.9-mile radius of St. Louis Regional Airport to 7 miles north of the airport, and within 4.4 miles each side of the 190° radial of the St. Louis VORTAC extending from 2 miles south of the VORTAC to 22.1 miles south of the VORTAC.

* * * * *

ACE MO E5 Macon-Fower, MO [Removed]

* * * * *

ACE MO E5 Macon, MO [Amended]

Macon-Fower Memorial Airport, MO
(Lat. 39°43′47″ N., long. 92°27′24″ W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Macon-Fower Memorial Airport.

Issued in Fort Worth, Texas, on June 14, 2017.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2017–12993 Filed 6–21–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

25 CFR Chapters I–VII

30 CFR Chapters II, IV, V, VII, XII

36 CFR Chapter I

43 CFR Subtitles A, B Chapter I, II

50 CFR Chapter I

[133D5670LC DS10100000 DLCAP0000.000000 WBS DX.10120]

Regulatory Reform

AGENCY: Office of the Secretary, Interior.

ACTION: Request for comments.

SUMMARY: This document requests public input on how the Department of the Interior (Interior) can improve implementation of regulatory reform initiatives and policies and identify regulations for repeal, replacement, or modification. This document also provides an overview of Interior's approach for implementing the regulatory reform initiative to alleviate unnecessary burdens placed on the American people, which was established by President Trump in Executive Order (E.O.) 13777, ''Enforcing the Regulatory Reform Agenda.''

DATES: No deadline for the receipt of comments on this effort has been established at this time; Interior will review comments on an ongoing basis.

ADDRESSES: *Electronically:* Go to the Federal eRulemaking Portal: *www.regulations.gov.* In the Search box, enter the appropriate document number from the table below. Please comment on the document number that correlates to the agency most relevant to your comments:

Agency(ies)	Document No.
Office of the Assistant Secretary—Indian Affairs, Bureau of Indian Affairs, Bureau of Indian Education	DOI–2017–0003–0002.
Bureau of Land Management	DOI–2017–0003–0003.
Bureau of Ocean Energy Management	DOI–2017–0003–0004.
Bureau of Reclamation	DOI–2017–0003–0005.
Bureau of Safety and Environmental Enforcement	DOI–2017–0003–0006.
National Park Service	DOI–2017–0003–0007.
Office of Surface Mining Reclamation and Enforcement	DOI–2017–0003–0008.
U.S. Fish and Wildlife Service	DOI–2017–0003–0009.
U.S. Geological Survey	DOI–2017–0003–00010.
Other Interior agencies and offices	DOI–2017–0003–00011.

You may then submit information by clicking on ''Comment Now!'' If your information will fit in the provided comment box, please use this feature of *www.regulations.gov,* as it is most compatible with our information review

procedures. If you attach your information as a separate document, our preferred file format is Microsoft Word. If you attach multiple comments (such as form letters), our preferred format is a spreadsheet in Microsoft Excel.

Alternatively, you may submit comments by mail to: Office of the Executive Secretariat—ATTN: Reg. Reform, U.S. Department of the Interior, 1859 C Street NW., Mail Stop 7328, Washington, DC 20240. Additional information on this effort can be found at *www.doi.gov/regulatory-reform/implement*.

FOR FURTHER INFORMATION CONTACT: Mark Lawyer, Office of the Executive Secretariat, (202) 208–5257, email: *regulatoryreform@ios.doi.gov*.

SUPPLEMENTARY INFORMATION:

Goals of the Regulatory Reform Initiative

E.O. 13777 establishes two main goals [1] for Federal agencies in furtherance of alleviating unnecessary burdens placed on the American people:

(1) Improve implementation of the regulatory reform initiatives and policies specified in section 2 of E.O. 13771 [E.O. 13771 (Reducing Regulation and Controlling Regulatory Costs); E.O. 12866 (Regulatory Planning and Review), as amended; Section 6 of E.O. 13563 (Improving Regulation and Regulatory Review) regarding retrospective review; and termination, consistent with applicable law, of programs and activities that derive from or implement E.O.s, guidance documents, policy memoranda, rule interpretations, and similar documents, or relevant portions thereof, that have been rescinded]; and

(2) Identify regulations for repeal, replacement, or modification considering, at a minimum, those regulations that:

- Eliminate jobs, or inhibit job creation;
- Are outdated, unnecessary, or ineffective;
- Impose costs that exceed benefits;
- Create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;
- Rely, in part or in whole, on data or methods that are not publicly available or insufficiently transparent to meet the standard for reproducibility; or
- Derive from or implement E.O.s or other Presidential directives that have been subsequently rescinded or substantially modified.[2]

[1] *See* Sec. 3(g) of E.O. 13777.

[2] *See* Sec. 3(d) of E.O. 13777.

Interior's Progress and Plan for Regulatory Reform

To lead regulatory reform efforts at Interior, the Acting Chief of Staff established Interior's Regulatory Reform Task Force on March 15, 2017, pursuant to E.O. 13777. The Task Force is closely examining all regulatory actions that are currently in process and identifying potential deregulatory actions to ensure compliance with regulatory reform goals. Interior and the Task Force welcome public input on regulatory and deregulatory actions that could quantifiably lessen the burden on the American public.

A cornerstone of the Task Force's review of Interior's regulatory burden on the American public has been its thoughtful approach to Interior's regulatory portfolio. The regulatory portfolio includes significant regulations subject to retrospective review under Section 6 of E.O. 13563, meaning that they are periodically reviewed to determine whether they may be outmoded, ineffective, insufficient, or excessively burdensome. The Task Force is rolling these efforts into the larger regulatory reform effort to change or repeal unduly burdensome rules, as appropriate. The Task Force is also taking a holistic approach to ensure that each individual regulatory action it pursues and Interior's future regulatory portfolio as a whole advance the goal of alleviating unnecessary regulatory burdens placed on the American people, consistent with the law. The Task Force is accomplishing this by examining each regulatory action for alignment with the priorities of the Administration, the goals and requirements of applicable Executive Orders issued by the President, and Secretary's Orders issued by the Secretary of the Interior. This deliberate approach ensures that each semi-annual regulatory agenda published under E.O. 12866 will list only those regulations that the Department has a relatively high degree of confidence will move forward within the coming 12 months. With the publication of each semi-annual regulatory agenda, the public will have the opportunity to provide feedback, which the Task Force will consider as part of the regulatory reform effort. For individual regulations, the Task Force also intends to make greater use of advance notices of proposed rulemaking (ANPRMs), where possible, to solicit input on the front end as to how any given regulatory action could be tailored to reduce or eliminate burden.

Part of the regulatory reform effort underway in Interior includes implementing the requirement known colloquially as the ''two-for-one'' requirement. This requirement was established by President Trump in E.O. 13771, and detailed in Office of Management and Budget (OMB) Interim Guidance issued February 2, 2017, and OMB Guidance of April 5, 2017. These documents require Federal agencies to: (1) Issue two ''deregulatory'' actions for each new significant regulatory action that imposes costs; and (2) fully offset the total incremental cost of such new significant regulatory action. Interior is in the process of reviewing existing regulations (significant and non-significant) to identify actions that can be repealed. The cost savings associated with to-be-repealed actions will offset the costs of any new significant regulations that are necessary for promulgation; to account for these offsets, bureaus are working to quantify undue burden, where possible.

The Task Force has also taken initial steps toward deregulatory actions, using specific rule rescissions already identified through various means as a starting point for a more widespread reduction in regulatory actions. For example, the Task Force's review will encompass actions that were initiated by the previous Administration and subject to repeal under the Congressional Review Act (CRA). The President approved a joint resolution of disapproval for the following regulations under the CRA:

- The Bureau of Land Management's (BLM) Resource Management Planning; 43 CFR part 1600;
- The U.S. Fish and Wildlife Services' Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska; 50 CFR parts 32 and 36; and
- The Office of Surface Mining, Reclamation and Enforcement's (OSMRE) Stream Protection Rule; 30 CFR parts 700, 701, 773, 774, 777, 779, 780, 783, 784, 785, 800, 816, 817, 824, and 827.

Through Secretary's Order No. 3349, American Energy Independence (Mar. 29, 2017), Interior announced its intention to review all existing actions that potentially burden the development or utilization of domestically produced energy resources and suspend, revise, or rescind such agency actions as soon as practicable. Interior's review will also give particular attention to the four Interior rules related to United States oil and gas development that are identified in section 7 of E.O. 13783 (Promoting Energy Independence and Economic Growth). Specifically, Secretary's Order 3349 provides that:

• BLM will proceed expeditiously with a proposed rule to rescind the final rule entitled ''Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands,'' 80 FR 16128 (March 26, 2015).

• The National Park Service will review the final rule entitled ''General Provisions and Non-Federal Oil and Gas Rights,'' 81 FR 77972 (November 4, 2016);

• The U.S. Fish and Wildlife Service will review the final rule entitled ''Management of Non Federal Oil and Gas Rights,'' 81 FR 79948 (November 14, 2016); and

• The BLM will review the final rule entitled ''Waste Prevention, Production Subject to Royalties, and Resource Conservation,'' 81 FR 83008 (November 18, 2016).

The Office of Natural Resources Revenue has already taken the following actions in accordance with this objective:

• Published a proposed rule to repeal the ''Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Rule'' published on July 1, 2016 (81 FR 43338). See 82 FR 16323 (April 4, 2017).

• Published an Advance Notice of Proposed Rulemaking (ANPRM) on April 4, 2017 (82 FR 16325) seeking comments on whether revisions are needed to the regulations governing valuation, for royalty purposes, of oil and gas produced from Federal onshore and offshore leases and coal produced from Federal and Indian lands, and if revisions are appropriate, what specific revisions merit consideration.

Interior is also reviewing regulations to determine whether any require revision or rescission based on the mitigation policy review, climate change policy review, and review of other actions affecting energy development required by E.O. 13783.

Interior's review also gives particular attention to the three Interior rules related to offshore energy that are identified in sections 7, 8, and 11 of E.O. 13795 (Implementing an America-First Offshore Energy Strategy). To implement E.O. 13795, Interior issued Secretary's Order 3350, America-First Offshore Energy, which provides deadlines for review of the rules identified in the E.O. Specifically, the Secretary's Order directs the Bureau of Safety and Environmental Enforcement and the Bureau of Ocean Energy Management to review:

• The proposed rule ''Offshore Air Quality Control, Reporting, and Compliance'' published on April 5, 2016. See 81 FR 19717;

• The final rule ''Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control,'' published on April 29, 2016. See 81 FR 25887.

• The final rule ''Oil and Gas and Sulfur Operations on the Outer Continental Shelf—Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf,'' published on July 15, 2016. See 81 FR 46478.

Secretary's Order 3350 also requires identifying other rules that have been adopted or are in the process of being developed that relate to the above rules.

As it identifies any other potential deregulatory actions and their cost savings, the Task Force will consider input from the public as guidance for prioritizing its efforts. In the coming months, the Task Force will be working with the affected bureaus to calculate the cost savings from any repeal, replacement, or modification.

Request for Public Input

Interior is seeking public input on how it can best meet the above goals and, specifically, where redundancies and inefficient processes can be eliminated, while ensuring that Interior continues to fulfill our legal obligations, resource stewardship, and Tribal trust responsibilities and minimizes the risk of lengthy and costly appeals and litigation. E.O. 13777 requires the Regulatory Reform Task Force, in performing the evaluation of regulations to seek input and other assistance, as permitted by law, from entities significantly affected by Federal regulations, including State, local, and Tribal governments, small businesses, consumers, non-governmental organizations, and trade associations. *See* § 3(e), E.O. 13777. To comply with this requirement and promote transparency in regulatory reform efforts, Interior has established a *Regulations.gov* docket to provide the public with the ability to provide comments on regulatory reform on an ongoing basis. Interior encourages the public, and particularly anyone significantly affected by regulations, to provide input and assistance in identifying regulations for repeal, replacement, or modification that:

• Eliminate jobs, or inhibit job creation;

• Are outdated, unnecessary, or ineffective;

• Impose costs that exceed benefits;

• Create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;

• Rely, in part or in whole, on data or methods that are not publicly available or insufficiently transparent to meet the standard for reproducibility; or

• Derive from or implement E.O.s or other Presidential directives that have been subsequently rescinded or substantially modified.

Periodically, Interior will review the written input to determine whether additional regulations should be targeted for review and considered for suspension, revision, or rescission.

Measuring Future Progress

To measure future progress, Interior will incorporate performance indicators for the regulatory reform initiative into Interior's annual performance plan under the Government Performance and Results Act. OMB has issued guidance regarding the appropriate performance indicators and established deadlines for setting targets for each of those indicators in the Fiscal Year (FY) 2018 and FY 2019 annual performance plans.

Authority

This notice is published pursuant to E.O. 13777, 82 FR 12285 (February 24, 2017).

Dated: June 15, 2017.

James Cason,

Associate Deputy Secretary and Regulatory Reform Officer.

[FR Doc. 2017–13062 Filed 6–21–17; 8:45 am]

BILLING CODE 4334–64–P

DEPARTMENT OF EDUCATION

34 CFR Subtitles A and B

[Docket ID: ED–2017–OS–0074]

Evaluation of Existing Regulations

AGENCY: Office of the Secretary, Department of Education.

ACTION: Request for comments.

SUMMARY: In accordance with Executive Order 13777, ''Enforcing the Regulatory Reform Agenda,'' the Department of Education (Department) is seeking input on regulations that may be appropriate for repeal, replacement, or modification.

DATES: We must receive your comments no later than August 21, 2017.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments by fax or email. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

Federal eRulemaking Portal: Go to *www.regulations.gov* to submit your comments electronically. Information on using *Regulations.gov,* including instructions for accessing agency documents, submitting comments, and viewing the docket is available on the site under the ''Help'' tab.

Postal Mail, Commercial Delivery, or Hand Delivery: The Department strongly encourages commenters to submit their comments electronically. However, if you mail or deliver your comments in response to this request, address them to Hilary Malawer, 400 Maryland Avenue SW., Room 6E231, Washington, DC 20202.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov*. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: For further information on this document, please contact Hilary Malawer, Assistant General Counsel, Office of the General Counsel, U.S. Department of Education, 400 Maryland Avenue SW., Room 6E231, Washington, DC 20202. Telephone: (202) 401–6148 or by email: *Hilary.Malawer@ed.gov*.

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:

On February 24, 2017, President Trump signed Executive Order 13777, ''Enforcing the Regulatory Reform Agenda,'' which established a Federal policy ''to alleviate unnecessary regulatory burdens'' on the American people. Section 3(a) of the Executive Order directs Federal agencies to establish a Regulatory Reform Task Force (Task Force). One of the duties of the Task Force is to evaluate existing regulations and ''make recommendations to the agency head regarding their repeal, replacement, or modification.'' The Executive Order further asks that each Task Force ''attempt to identify regulations that:

(i) Eliminate jobs, or inhibit job creation;

(ii) Are outdated, unnecessary, or ineffective;

(iii) Impose costs that exceed benefits;

(iv) Create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;

(v) Are inconsistent with the requirements of section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note), or the guidance issued pursuant to that provision, in particular those regulations that rely in whole or in part on data, information, or methods that are not publicly available or that are insufficiently transparent to meet the standard for reproducibility; or

(vi) Derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified.''

Section 3(e) of the Executive order calls on the Task Force to ''seek input and other assistance, as permitted by law, from entities significantly affected by Federal regulations, including State, local, and tribal governments, small businesses, consumers, non-governmental organizations, and trade associations'' on regulations that meet some or all of the criteria above. A ''regulation'' for this purpose ''means an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency . . . .'' See Executive Order 13771, section 4.

Through this announcement, the Department is soliciting such input from the public to inform its Task Force's evaluation of existing regulations and guidance that have a policy impact. The Department's regulations are codified in subtitles A and B of title 34 of the Code of Federal Regulations (CFR), which are available in electronic format at *www.ecfr.gov/cgi-bin/text-idx?SID=0717200349ac02b730b4600ba4a5ed05&mc=true&tpl=/ecfrbrowse/Title34/34tab_02.tpl*. A list of the Department's significant guidance documents is available at: *www2.ed.gov/policy/gen/guid/significant-guidance.html*. Other Department guidance may be accessed at *www.ed.gov* by program office. The Department requests that commenters be as specific as possible by: Providing a **Federal Register** (FR) or CFR citation when referencing a specific regulation or, where practicable, a link when referencing a particular guidance document; including any supporting data or other applicable information; providing specific suggestions regarding repeal, replacement, or modification; and explaining with specificity why the referenced regulation or guidance should be repealed, replaced, or modified. Wherever possible, please list the citations to the specific regulatory sections or titles of guidance documents to which your comments pertain in a subject line or otherwise at the beginning of your comments. We are particularly interested in regulatory provisions that you find unduly costly or unnecessarily burdensome. Although we will not respond to individual comments, the Department values public feedback and will give careful consideration to all input that we receive. Individual program offices of the Department will also be conducting outreach on this same topic.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys*. At this site, you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (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 19, 2017.

Betsy DeVos,

Secretary of Education.

[FR Doc. 2017–13157 Filed 6–21–17; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2017–0152; FRL–9963–81–Region 1]

Air Plan Approval; Delaware; Infrastructure Requirements for the 2012 Fine Particulate Matter Standard; Extension of Comment Period; Availability of Data

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period; availability of supplemental information.

SUMMARY: The Environmental Protection Agency (EPA) is extending the comment period for a proposed rule published on June 1, 2017. In the June 1, 2017 proposed rule, EPA proposed to approve portions of the State of Delaware's December 14, 2015 state implementation plan (SIP) submittal to address the infrastructure requirements for the 2012 fine particulate matter ($PM_{2.5}$) national ambient air quality standards (NAAQS). EPA is extending the comment period due to erroneously

omitting the technical support document (TSD) in the docket. This proposed rule corrects this omission and provides notice of the availability of the TSD which supports EPA's analysis. All comments received on or before July 24, 2017 will be entered into the public record and considered by EPA before taking final action on the proposed rule. Comments submitted between the close of the original comment period and the re-opening of this comment period will be accepted and considered.

DATES: Written comments must be received on or before July 24, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2017–0152 at *http://www.regulations.gov,* or via email to *stahl.cynthia@epa.gov*. For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets*.

FOR FURTHER INFORMATION CONTACT: Gavin Huang, (215) 814–2042, or by email at *huang.gavin@epa.gov*.

SUPPLEMENTARY INFORMATION: On June 1, 2017, EPA published in the **Federal Register** a proposal to approve portions of the State of Delaware's SIP submittal to address the infrastructure requirements for the 2012 $PM_{2.5}$ NAAQS. 82 FR 25211. Comments on the proposed rule were required to be received by July 3, 2017. We are extending the comment period until July 24, 2017. This action will allow interested persons additional time to prepare and submit comments. EPA is also announcing the availability in the docket of the TSD EPA prepared for this proposed rulemaking which includes EPA's analysis supporting approval of portions of Delaware's December 14, 2015 infrastructure SIP submission for the 2012 $PM_{2.5}$ NAAQS. The TSD is available in the docket for this rulemaking and online at *www.regulations.gov*.

List of Subjects in 40 CFR Part 52

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

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

Dated: June 8, 2017

Cecil Rodrigues,

Acting Regional Administrator, Region III.

[FR Doc. 2017–12963 Filed 6–21–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2017–0271; FRL–9963–79–Region 9]

Approval and Promulgation of Air Quality Implementation Plans; Nevada; Rescission of Visibility Protection Federal Implementation Plan for the Mohave Generating Station

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to rescind the visibility protection federal implementation plan (FIP) that we promulgated on February 8, 2002, to regulate air pollutant emissions from the Mohave Generating Station (MGS), located in Clark County, Nevada. The EPA is proposing this action in response to the Nevada Division of Environmental Protection's (NDEP) request dated March 25, 2016. The request seeks rescission of the FIP because MGS had been decommissioned and demolished, as demonstrated by the supporting documentation provided by the NDEP.

DATES: Any comments on this proposal must arrive by August 7, 2017. Requests for public hearing must be received on or before July 7, 2017.

ADDRESSES: Submit your comments, identified by Docket ID number EPA–R09–OAR–2017–0271, at *http://www.regulations.gov,* or via email to *viswanathan.krishna@epa.gov*. For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the Web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the EPA's full 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: Krishna Viswanathan, EPA Region IX, (520) 999–7880, *viswanathan.krishna@epa.gov*.

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

Table of Contents

I. Background
II. Proposed Action
III. Solicitation of Comments
IV. Environmental Justice Considerations
V. Statutory and Executive Order Reviews

I. Background

The EPA promulgated a revision to the long-term strategy of the Nevada Visibility FIP on February 8, 2002, to regulate air pollutant emissions from MGS (''MGS FIP'').[1] The requirements of the MGS FIP were based on a consent decree between the owners of MGS and the Grand Canyon Trust, the Sierra Club, and the National Parks Conservation Association. The MGS FIP addressed concerns raised by the Department of Interior regarding MGS's contribution to visibility impairment at the Grand Canyon National Park due to sulfur dioxide emissions.

On December 31, 2005, MGS ceased operations. On June 10, 2009, the owners of MGS announced their decision to decommission and

[1] 40 CFR 52.1488(d). *See also* 67 FR 6130 (February 8, 2002) (final rule) and 65 FR 45003 (July 20, 2000) (proposed rule).

dismantle MGS, and subsequently submitted a request to the NDEP to terminate its Class I Air Quality Operating Permit, No. AP4911–0774, FIN A0013. The NDEP, on April 9, 2010, granted the owners' request on the basis that MGS had ceased all operations related to electricity generation from burning coal and that MGS had received a new operating permit establishing the emission reduction credits for the permanent shutdown and dismantling of the main steam boilers. MGS was subsequently demolished on March 11, 2011, as acknowledged in separate EPA rulemakings.[2] On March 25, 2016, the NDEP submitted a request to us asking that we rescind the MGS FIP.[3]

The provisions of Clean Air Act section 307(d) apply to EPA's action to revise the MGS FIP by rescinding it, and this rulemaking is being conducted in accordance with those provisions.

The proposed action relies on documents, information, and data that are listed in the index on *http://www.regulations.gov* under docket number EPA–R09–OAR–2017–0271. Publicly available docket materials are available either electronically at *http://www.regulations.gov* or in hard copy at the Planning Office of the Air Division, AIR–2, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105. The EPA requests that you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the hard copy of the docket. You may view the hard copy of the docket Monday through Friday, 9:00–5:00 PDT, excluding federal holidays.

II. Proposed Action

Based on our review of the information submitted with the March 25, 2016 letter from NDEP, we are proposing to grant NDEP's request to rescind the MGS FIP and update the Code of Federal Regulations to remove any references to MGS because MGS has been decommissioned and demolished.

III. Solicitation of Comments

The EPA solicits comments on any issues associated with rescinding the MGS FIP. In addition, if anyone contacts the EPA by July 7, 2017 requesting to speak at a public hearing, the EPA will schedule a public hearing and announce the hearing in the **Federal Register**. Contact Krishna Viswanathan at the phone number or email address provided above to request a hearing or to find out if a hearing will be held.

IV. Environmental Justice Considerations

The EPA is proposing to rescind a FIP that is no longer applicable because the subject facility has been decommissioned and demolished. Therefore, the EPA considers this proposed action to have no potential disproportionately high and adverse effects on minority, low-income, or indigenous populations.

V. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *http://www2.epa.gov/laws-regulations/laws-and-executive-orders*.

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

C. Regulatory Flexibility Act (RFA)

I certify that this proposed action will not have a significant economic impact on a substantial number of small entities. This action will not impose any requirements on small entities because the rule merely rescinds a FIP covering a generating station that has been decommissioned and demolished.

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. This action merely rescinds a FIP covering a generating station that has been decommissioned and demolished.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications, as specified in Executive Order 13175. This proposed action will 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. This action merely rescinds a FIP covering a generating station that has been decommissioned and demolished. Thus, Executive Order 13175 does not apply to this action.

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

The EPA interprets EO 13045 as applying only to those regulatory actions that concern health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it merely rescinds a FIP covering a generating station that has been decommissioned and demolished.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, the EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS because it merely rescinds a FIP covering a generating station that has been decommissioned and demolished.

[2] *See* 80 FR 55809, Table 1 (September 17, 2015) (explaining that MGS ''ceased operations in December 2005 and was subsequently fully decommissioned and demolished'').

[3] Letter from David Emme, Administrator, NDEP, to Jared Blumenfeld, Regional Administrator, EPA Region 9, dated March 25, 2016, and attachments.

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

The EPA believes that this proposed rule will not have potential disproportionately high and adverse human health or environmental effects on minority, low-income or indigenous populations because it does not affect the level of protection provided to human health or the environment. Because this proposed rule merely rescinds a FIP covering a generating station that has been decommissioned and demolished, this proposal will not cause any emissions increases.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Sulfur oxides.

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

Dated: June 7, 2017.

Alexis Strauss,

Acting Regional Administrator, EPA Region IX.

Chapter I, Title 40, of the Code of Federal Regulations is proposed to be amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart DD—Nevada

■ 2. Section 52.1488 is amended by removing and reserving paragraph (d).

[FR Doc. 2017–12965 Filed 6–21–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R05–OAR–2016–0513; FRL–9963–73–Region 5]

Air Plan Approval; Indiana; Redesignation of the Indiana Portion of the Cincinnati-Hamilton, OH-IN-KY Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to redesignate the Indiana portion of the Cincinnati-Hamilton, OH-IN-KY, nonattainment area (hereafter, ''the Cincinnati-Hamilton area'') to attainment for the 1997 fine particulate matter ($PM_{2.5}$) annual national ambient air quality standard (NAAQS or standard). The Indiana portion of the Cincinnati-Hamilton area includes Lawrenceburg Township within Dearborn County. EPA is taking this action because it has determined that the Cincinnati-Hamilton area is attaining the annual $PM_{2.5}$ standard. EPA is also proposing several additional related actions. First, EPA is proposing to approve the state's plan for maintaining the 1997 annual $PM_{2.5}$ NAAQS through 2027. In addition, EPA is proposing to approve Indiana's updated emission inventory, which includes emission inventories for volatile organic compounds (VOCs) and ammonia. Indiana's maintenance plan submission also includes a budget for the mobile source contribution of $PM_{2.5}$ and nitrogen oxides (NO_X) to the Cincinnati-Hamilton $PM_{2.5}$ area for transportation conformity purposes, which EPA is proposing to approve and update. EPA is proposing to take these actions in accordance with the Clean Air Act (CAA) and EPA's State implementation plan (SIP) rules regarding the 1997 $PM_{2.5}$ NAAQS.

DATES: Comments must be received on or before July 24, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2016–0513 at *http://www.regulations.gov,* or via email to *aburano.douglas@epa.gov*. For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets*.

FOR FURTHER INFORMATION CONTACT: Michelle Becker, Life Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–3901, *becker.michelle@epa.gov*.

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I. What is the background for these actions?

The first air quality standards for $PM_{2.5}$ were promulgated on July 18, 1997, at 62 FR 38652. Fine particulate pollution can be emitted directly from a source (primary $PM_{2.5}$) or formed secondarily through chemical reactions in the atmosphere involving precursor pollutants emitted from a variety of sources (secondary $PM_{2.5}$). EPA promulgated an annual standard at a level of 15 micrograms per cubic meter ($\mu g/m^3$) of ambient air, based on a three-year average of the annual mean $PM_{2.5}$ concentrations at each monitoring site. See 40 CFR 50.13.

On January 5, 2005, at 70 FR 944, EPA published air quality area designations for the 1997 annual $PM_{2.5}$ standard based on air quality data for calendar years 2001–2003. In that rulemaking, EPA designated the Cincinnati-Hamilton area, which includes Lawrenceburg Township, Dearborn

County, Indiana, as nonattainment for the 1997 annual $PM_{2.5}$ standard.

On December 23, 2011, EPA approved the redesignation of the Ohio and Indiana portions of the Cincinnati-Hamilton area to attainment of the annual $PM_{2.5}$ standard (76 FR 80253). On July 14, 2015, the United States Court of Appeals for the Sixth Circuit (Sixth Circuit) issued an opinion in *Sierra Club* v. *EPA,* 793 F.3d 656 (6th Cir. 2015), vacating EPA's redesignation of the Indiana and Ohio portions of the Cincinnati-Hamilton area to attainment for the 1997 $PM_{2.5}$ NAAQS. The basis for the Court's decision is that EPA had not approved reasonably available control measures (RACM) or reasonably available control technology (RACT) for the area into the SIP, as required by part D, subpart 1, of the CAA.[1]

Additionally, in this proposed redesignation, EPA takes into account two decisions of the United States Court of Appeals for the District of Columbia Circuit. On August 21, 2012, in *EME Homer City Generation, L.P.* v. *EPA,* 696 F.3d 7 (D.C. Cir. 2012), the D.C. Circuit vacated and remanded the Cross State Air Pollution Rule (CSAPR) and ordered EPA to continue administering the Clean Air Interstate Rule (CAIR) ''pending . . . development of a valid replacement.'' *EME Homer City* at 38. The D.C. Circuit denied all petitions for rehearing in the case on January 24, 2013.

In the second decision, on January 4, 2013, the D.C. Circuit issued its decision with regard to the challenge by the Natural Resources Defense Council (NRDC) to the EPA's 2007 $PM_{2.5}$ Implementation Rule. In *NRDC* v. *EPA,* the court held that EPA erred in implementing the 1997 $PM_{2.5}$ NAAQS pursuant only to the general implementation requirements of part D of the CAA, subpart 1, rather than also to the implementation requirements specific to particulate matter (PM_{10}) in subpart 4, part D of title I of the CAA (''subpart 4''). The court reasoned that the plain meaning of the CAA requires implementation of the 1997 $PM_{2.5}$ NAAQS under subpart 4 because $PM_{2.5}$ particles fall within the statutory definition of PM_{10} and thus implementation of the $PM_{2.5}$ NAAQS is subject to the same statutory requirements as the PM_{10} NAAQS. The court remanded the rule and instructed the EPA ''to repromulgate these rules pursuant to Subpart 4 consistent with this opinion.'' *NRDC* v. *EPA,* 706 F.3d 428 (D.C. Cir. 2013).

II. What are the criteria for redesignation to attainment?

The CAA sets forth the requirements for redesignating a nonattainment area to attainment. Specifically, section 107(d)(3)(E) of the CAA allows for redesignation provided that: (1) The Administrator determines that the area has attained the applicable NAAQS based on current air quality data; (2) the Administrator has fully approved an applicable SIP for the area under section 110(k) of the CAA; (3) the Administrator determines that the improvement in air quality is due to permanent and enforceable emission reductions resulting from implementation of the applicable SIP, Federal air pollution control regulations, or other permanent and enforceable emission reductions; (4) the Administrator has fully approved a maintenance plan for the area meeting the requirements of section 175A of the CAA; and (5) the state containing the area has met all requirements applicable to the area for purposes of redesignation under section 110 and part D of the CAA.

III. What is EPA's analysis of the state's request?

EPA is proposing to redesignate the Cincinnati-Hamilton area to attainment of the 1997 annual $PM_{2.5}$ NAAQS, and is proposing to approve updates to Indiana's maintenance plan and emissions inventory for the area. The rationale for these proposed actions follow.

1. Attainment

In accordance with section 179(c) of the CAA, 42 U.S.C. 7509(c) and 40 CFR 51.1004(c), EPA is proposing to determine that the Cincinnati-Hamilton area has attained the 1997 annual $PM_{2.5}$ NAAQS. This proposed determination is based upon complete, quality-assured, and certified ambient air monitoring data for the 2013–2015 monitoring period that shows this area has monitored attainment of the 1997 $PM_{2.5}$ NAAQS.

Under EPA's regulations at 40 CFR 50.7, the annual primary and secondary $PM_{2.5}$ standards are met when the annual arithmetic mean concentration, as determined in accordance with 40 CFR part 50, appendix N, is less than or equal to 15.0 $\mu g/m^3$ at all relevant monitoring sites in the area.

EPA has reviewed the ambient air quality monitoring data in the Cincinnati-Hamilton area, consistent with the provisions of 40 CFR part 50, appendix T. EPA's review focused on data recorded in the EPA Air Quality System (AQS) database for the Cincinnati-Hamilton area for $PM_{2.5}$ nonattainment area from 2013–2015.

The Cincinnati-Hamilton area has nine monitors located in Butler (OH), Hamilton (OH), and Campbell (KY) Counties that reported design values from 2013–2015 for $PM_{2.5}$ that ranged from 9.5 to 11.2 $\mu g/m^3$ for the 1997 annual standard. The data are summarized shown in Table 1 below.

All monitors in the Cincinnati-Hamilton area recorded complete data in accordance with criteria set forth by EPA in 40 CFR part 50 appendix N, where a complete year of air quality data comprises four calendar quarters, with each quarter containing data from at least 75% capture of the scheduled sampling days. Data available are considered to be sufficient for comparison to the NAAQS if three consecutive complete years of data exist. State certified data for 2013–2015 show the area continues to attain the standard.

TABLE 1—ANNUAL $PM_{2.5}$ DESIGN VALUES FOR THE CINCINNATI-HAMILTON AREA FOR 2013–2015

Site	County	Annual design values (μg/m3)			
		Year			Average
		2013	2014	2015	2013–2015
39–017–0003	Butler, OH	11.1	11.3	10.3	10.9
39–017–0016		10.7	10.7	9.5	10.3

[1] The Court issued its initial decision in the case on March 18, 2015, and subsequently issued an amended opinion on July 14 after appeals for rehearing *en banc* and panel rehearing had been filed. The amended opinion revised some of the legal aspects of the Court's analysis of the relevant statutory provisions (section 107(d)(3)(E)(ii) and section 172(c)(1)), but the overall holding of the opinion was unaltered. On March 28, 2016, the Supreme Court denied a petition for certiorari from Ohio requesting review of the Sixth Circuit's decision.

TABLE 1—ANNUAL $PM_{2.5}$ DESIGN VALUES FOR THE CINCINNATI-HAMILTON AREA FOR 2013–2015—Continued

Site	County	Annual design values (μg/m3)			
		Year			Average
		2013	2014	2015	2013–2015
39–017–0019		11	11.2	10.2	10.8
39–061–0006	Hamilton, OH	10.1	10.3	9.3	9.9
39–061–0014		11.6	11.3	10.7	11.2
39–061–0040		10.6	10.4	9.2	10.1
39–061–0042		11.5	11.2	10.1	11
39–061–0010		10.5	10.4	9.2	10
21–037–3002	Campbell, KY	9.6	9.7	*9.4	9.5

*Less than 75% capture in one quarter at the primary monitor, but substitution using a secondary monitor was completed resulting in an AQS 'valid' design value. See 40 CFR part 50, appendix N.

EPA has found that the Cincinnati-Hamilton area has attained the 1997 annual $PM_{2.5}$ NAAQS by the attainment date.

2. The Area Has Met All Applicable Requirements Under Section 110 and Part D and Has a Fully Approved SIP Under Section 110(k) (Section 107(d)(3)(E)(ii) and (v))

EPA has determined that Indiana has met all currently applicable SIP requirements for purposes of redesignation for the Cincinnati-Hamilton area under section 110 of the CAA (general SIP requirements). EPA is also proposing to find that the Indiana submittal meets all SIP requirements currently applicable for purposes of redesignation under part D of title I of the CAA, in accordance with section 107(d)(3)(E)(v). In addition, we are proposing to find that all applicable requirements of the Indiana SIP for purposes of redesignation have been approved, in accordance with section 107(d)(3)(E)(ii). As discussed below, EPA previously approved Indiana's 2005 emissions inventory as meeting the section 172(c)(3) comprehensive emissions inventory requirement.

In making these proposed determinations, we have ascertained which SIP requirements are applicable for purposes of redesignation, and concluded that the Indiana SIP includes measures meeting those requirements and that they are fully approved under section 110(k) of the CAA.

a. Indiana Has Met All Applicable Requirements for Purposes of Redesignation of the Cincinnati-Hamilton Area Under Section 110 and Part D of the CAA

i. Section 110 General SIP Requirements

Section 110(a) of title I of the CAA contains the general requirements for a SIP. Section 110(a)(2) provides that the implementation plan submitted by a state must have been adopted by the state after reasonable public notice and hearing, and, among other things, must: Include enforceable emission limitations and other control measures, means or techniques necessary to meet the requirements of the CAA; provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to monitor ambient air quality; provide for implementation of a source permit program to regulate the modification and construction of any stationary source within the areas covered by the plan; include provisions for the implementation of part C, Prevention of Significant Deterioration (PSD) and part D, New Source Review (NSR) permit programs; include criteria for stationary source emission control measures, monitoring, and reporting; include provisions for air quality modeling; and provide for public and local agency participation in planning and emission control rule development.

Section 110(a)(2)(D) of the CAA requires that SIPs contain measures to prevent sources in a state from significantly contributing to air quality problems in another state. EPA believes that the requirements linked with a particular nonattainment area's designation are the relevant measures to evaluate in reviewing a redesignation request. The transport SIP submittal requirements, where applicable, continue to apply to a state regardless of the designation of any one particular area in the state. Thus, we believe that these requirements should not be construed to be applicable requirements for purposes of redesignation.

Further, we believe that the other section 110 elements described above that are not connected with nonattainment plan submissions and not linked with an area's attainment status are also not applicable requirements for purposes of redesignation. A state remains subject to these requirements after an area is redesignated to attainment. We conclude that only the section 110 and part D requirements that are linked with a particular area's designation are the relevant measures which we may consider in evaluating a redesignation request. See Reading, Pennsylvania, proposed and final rulemakings (61 FR 53174–53176, October 10, 1996) and (62 FR 24826, May 7, 1997); Cleveland-Akron-Lorain, Ohio, final rulemaking (61 FR 20458, May 7, 1996); and Tampa, Florida, final rulemaking (60 FR 62748, December 7, 1995). See also the discussion on this issue in the Cincinnati, Ohio 1-hour ozone redesignation (65 FR 37890, June 19, 2000), and in the Pittsburgh, Pennsylvania 1-hour ozone redesignation (66 FR 50399, October 19, 2001).

We previously reviewed the Indiana SIP and have concluded that it meets the general SIP requirements under section 110 of the CAA to the extent they are applicable for purposes of redesignation. EPA has previously approved provisions of Indiana's SIP addressing section 110 requirements (including provisions addressing particulate matter), at 40 CFR 52.776.

On December 5, 2007, September 9, 2008, March 23, 2011, and April 7, 2011 Indiana made submittals addressing ''infrastructure SIP'' elements required under CAA section 110(a)(2). EPA approved elements of Indiana's submittals on July 13, 2011, at 76 FR 41075.

The requirements of section 110(a)(2), however, are statewide requirements that are not linked to the $PM_{2.5}$ nonattainment status of the Cincinnati-Hamilton area. Therefore, EPA believes that these SIP elements are not applicable requirements for purposes of review of the state's $PM_{2.5}$ redesignation request.

ii. Part D Requirements

EPA has determined that, upon approval of the base year emissions inventories discussed in section III.6 of this rulemaking, the Indiana SIP will meet the SIP requirements for the Cincinnati-Hamilton area applicable for purposes of redesignation under part D of the CAA. Subpart 1 of part D, found in sections 172–176 of the CAA, sets forth the basic nonattainment requirements applicable to all nonattainment areas. Subpart 4 of part D, found in section 189 of the CAA, sets forth nonattainment requirements applicable for particulate matter nonattainment areas.

Subpart 1

(a) Section 172 Requirements

For purposes of evaluating this redesignation request, the applicable section 172 SIP requirements for the Cincinnati-Hamilton area are contained in sections 172(c)(1)–(9). A thorough discussion of the requirements contained in section 172 can be found in the General Preamble for Implementation of Title I (57 FR 13498, April 16, 1992).

Under section 172, states with nonattainment areas must submit plans providing for timely attainment and meeting a variety of other requirements. However, pursuant to 40 CFR 51.1004(c), EPA's determination that the area has attained the 1997 annual $PM_{2.5}$ standard suspends the requirement to submit certain planning SIPs related to attainment, including: Attainment demonstration requirements, the RFP and attainment demonstration requirements of sections 172(c)(2) and (6) and 182(b)(1) of the CAA, and the requirement for contingency measures of section 172(c)(9) of the CAA.

As a result, the only remaining requirements under section 172 to be considered are the emissions inventory requirement under section 172(c)(3), and the RACM/RACT requirement of section 172(c)(1) per the Sixth Circuit decision.

(i) Section 172(c)(1)

Section 172(c)(1) requires the plans for all nonattainment areas to provide for the implementation of all RACM as expeditiously as practicable and to provide for attainment of the primary NAAQS. EPA has long interpreted that subpart 1 nonattainment planning requirements, including RACM, are not ''applicable for purposes of section 107(d)(3)(E)(ii) and (v) when an area is attaining the NAAQS, and, therefore, need not be approved into the SIP before EPA can redesignate the area. *See* 76 FR 80258.''

EPA previously redesignated the Cincinnati-Hamilton area to attainment for the 1997 annual $PM_{2.5}$ standard, predicated in part on a finding that the RACM/RACT requirement (interpreted as reflecting those reasonable measures needed to attain the standard) was not an applicable requirement for purposes of redesignation for areas already meeting the standard.

As previously discussed, on July 14, 2015, the United States Court of Appeals for the Sixth Circuit issued an opinion in *Sierra Club* v. *EPA,* vacating EPA's redesignation of the Indiana and Ohio portions of the Cincinnati-Hamilton area to attainment for the 1997 $PM_{2.5}$ NAAQS on the basis that EPA had not approved subpart 1 RACM for the area into the SIP. The Sixth Circuit vacated the redesignation of the Ohio and Indiana portion of the area based on its view that RACM/RACT must be considered an applicable requirement for designation purposes. Consistent with that ruling, this requirement was satisfied with EPA approval of Indiana's RACM/RACT analysis on August 25, 2016 (81 FR 58402).

(ii) Other Section 172 Requirements

No SIP provisions applicable for redesignation of the Cincinnati-Hamilton area are currently disapproved, conditionally approved, or partially approved. Indiana currently has a fully approved SIP for all requirements, as applicable for purposes of redesignation under the Sixth Circuit's *Sierra Club* decision.

The reasonable further progress (RFP) requirement under section 172(c)(2) is defined as progress that must be made toward attainment. This requirement is not relevant for purposes of the Cincinnati-Hamilton redesignation because the area has monitored attainment of the 1997 annual $PM_{2.5}$ NAAQS. (General Preamble, 57 FR 13564). *See also* 40 CFR 51.918. The requirement to submit the section 172(c)(9) contingency measures is similarly not applicable for purposes of redesignation. *Id.*

Section 172(c)(3) requires submission and approval of a comprehensive, accurate and current inventory of actual emissions. Indiana submitted a 2005 base year emissions inventory in the required attainment plan, and also updated the emissions inventory with VOCs and ammonia emissions from 2007. EPA previously approved the 2005 base year emissions inventory on October 19, 2011 (76 FR 64825), and is proposing to approve the emissions inventory for VOCs and ammonia.

Section 172(c)(4) requires the identification and quantification of allowable emissions for major new and modified stationary sources in an area, and section 172(c)(5) requires source permits for the construction and operation of new and modified major stationary sources anywhere in the nonattainment area. EPA approved Indiana's current NSR program on October 7, 1994 (59 FR 51108), but has not approved updates since that time. Nonetheless, since PSD requirements will apply after redesignation, the area need not have a fully-approved NSR program for purposes of redesignation, provided that the area demonstrates maintenance of the NAAQS without part D NSR. A detailed rationale for this view is described in a memorandum from Mary Nichols, Assistant Administrator for Air and Radiation, dated October 14, 1994, entitled, ''Part D New Source Review Requirements for Areas Requesting Redesignation to Attainment.'' Indiana has demonstrated that the Cincinnati-Hamilton area will be able to maintain the standard without part D NSR in effect; therefore, the state need not have a fully approved part D NSR program prior to approval of the redesignation request. The state's PSD program will become effective in the Cincinnati-Hamilton area upon redesignation to attainment. *See* rulemakings for Detroit, Michigan (60 FR 12467–12468, March 7, 1995); Cleveland-Akron-Lorain, Ohio (61 FR 20458, 20469–20470, May 7, 1996); Louisville, Kentucky (66 FR 53665, October 23, 2001); and Grand Rapids, Michigan (61 FR 31834–31837, June 21, 1996).

Section 172(c)(6) requires the SIP to contain control measures necessary to provide for attainment of the standard. Because attainment has been reached, no additional measures are needed to provide for attainment.

Section 172(c)(7) requires the SIP to meet the applicable provisions of section 110(a)(2). As noted above, we have found that Indiana's SIP meets the applicable requirements of section 110(a)(2) for purposes of redesignation.

(b) Section 176 Conformity Requirements

Section 176(c) of the CAA requires states to establish criteria and procedures to ensure that Federally-supported or funded activities, including highway projects, conform to the air quality planning goals in the applicable SIPs. The requirement to determine conformity applies to transportation plans, programs and projects developed, funded or approved under Title 23 of the U.S. Code and the

Federal Transit Act (transportation conformity) as well as to all other Federally-supported or funded projects (general conformity). State transportation conformity regulations must be consistent with Federal conformity regulations relating to consultation, enforcement, and enforceability, which EPA promulgated pursuant to CAA requirements.

EPA approved Indiana's transportation conformity SIPs on March 2, 2015 (80 FR 11134). In April 2010, EPA promulgated changes to 40 CFR 51.851, eliminating the requirement for states to maintain a general conformity SIP. EPA confirms that Indiana has met the applicable conformity requirements under section 176.

Subpart 4

On January 4, 2013, in *NRDC* v. *EPA,* the D.C. Circuit remanded to EPA the ''Final Clean Air Fine Particle Implementation Rule'' (72 FR 20586, April 25, 2007) and the ''Implementation of the New Source Review (NSR) Program for Particulate Matter Less than 2.5 Micrometers ($PM_{2.5}$)'' final rule (73 FR 28321, May 16, 2008) (collectively, ''1997 $PM_{2.5}$ Implementation Rule''). 706 F.3d 428 (D.C. Cir. 2013). The Court found that EPA erred in implementing the 1997 $PM_{2.5}$ NAAQS pursuant to the general implementation provisions of subpart 1 of part D of title I of the CAA, rather than the particulate-matter-specific provisions of subpart 4 of part D of title I.

EPA has longstanding general guidance that interprets the 1990 amendments to the CAA, making recommendations to states for meeting the statutory requirements for SIPs for nonattainment areas. *See,* ''State Implementation Plans; General Preamble for the Implementation of Title I of the Clear Air Act Amendments of 1990,'' 57 FR 13498 (April 16, 1992) (the ''General Preamble''). In the General Preamble, EPA discussed the relationship of subpart 1 and subpart 4 SIP requirements, and pointed out that subpart 1 requirements were, to an extent, ''subsumed by, or integrally related to, the more specific PM–10 requirements.'' 57 FR 13538 (April 16, 1992). The subpart 1 requirements include, among other things, provisions for attainment demonstrations, RACM, RFP, emissions inventories, and contingency measures.

For the purposes of this redesignation, in order to identify any additional requirements which would apply under subpart 4, we are considering the Cincinnati-Hamilton area to be a ''moderate'' $PM_{2.5}$ nonattainment area. Under section 188 of the CAA, all areas designated nonattainment areas under subpart 4 would initially be classified by operation of law as ''moderate'' nonattainment areas, and would remain moderate nonattainment areas unless and until EPA reclassifies the area as a ''serious'' nonattainment area. Accordingly, EPA believes that it is appropriate to limit the evaluation of the potential impact of subpart 4 requirements to those that would be applicable to moderate nonattainment areas.

Section 189(a) and (c) of subpart 4 applies to moderate nonattainment areas and includes the following: (1) An approved permit program for construction of new and modified major stationary sources (section 189(a)(1)(A)); (2) an attainment demonstration (section 189(a)(1)(B)); (3) provisions for RACM (section 189(a)(1)(C)); and (4) quantitative milestones demonstrating RFP toward attainment by the applicable attainment date (section 189(c)).

The permit requirements of subpart 4, as contained in section 189(a)(1)(A), refer to and apply the subpart 1 permit provisions requirements of sections 172 and 173 to PM_{10}, without adding to them. Consequently, EPA believes that section 189(a)(1)(A) does not itself impose for redesignation purposes any additional requirements for moderate areas beyond those contained in subpart 1.[2] In any event, in the context of redesignation, EPA has long relied on the interpretation that a fully approved nonattainment new source review program is not considered an applicable requirement for redesignation, provided the area can maintain the standard with a PSD program after redesignation. A detailed rationale for this view is described in a memorandum from Mary Nichols, Assistant Administrator for Air and Radiation, dated October 14, 1994, entitled, ''Part D New Source Review Requirements for Areas Requesting Redesignation to Attainment.'' *See also* rulemakings for Detroit, Michigan (60 FR 12467–12468, March 7, 1995); Cleveland-Akron-Lorain, Ohio (61 FR 20458, 20469–20470, May 7, 1996); Louisville, Kentucky (66 FR 53665, October 23, 2001); and Grand Rapids, Michigan (61 FR 31834–31837, June 21, 1996).

With respect to the specific attainment planning requirements under subpart 4,[3] when EPA evaluates a redesignation request under subpart 1 and/or 4, any area that is attaining the $PM_{2.5}$ standard is viewed as having satisfied the attainment planning requirements for these subparts. For redesignations, EPA has for many years interpreted attainment-linked requirements as not applicable for areas attaining the standard. In the General Preamble, EPA stated that:

> The requirements for RFP will not apply in evaluating a request for redesignation to attainment since, at a minimum, the air quality data for the area must show that the area has already attained. Showing that the State will make RFP towards attainment will, therefore, have no meaning at that point.

''General Preamble for the Interpretation of Title I of the CAA Amendments of 1990''; (57 FR 13498, 13564, April 16, 1992).

The General Preamble also explained that

> [t]he section 172(c)(9) requirements are directed at ensuring RFP and attainment by the applicable date. These requirements no longer apply when an area has attained the standard and is eligible for redesignation. Furthermore, section 175A for maintenance plans . . . provides specific requirements for contingency measures that effectively supersede the requirements of section 172(c)(9) for these areas.

Id.

EPA similarly stated in its September 4, 1992, memorandum entitled ''Procedures for Processing Requests to Redesignate Areas to Attainment'' (Calcagni memorandum) that, ''[t]he requirements for reasonable further progress and other measures needed for attainment will not apply for redesignations because they only have meaning for areas not attaining the standard.''

Elsewhere in this action, EPA proposes to determine that the area has attained the 1997 annual $PM_{2.5}$ standard. Under its longstanding interpretation, EPA is proposing to determine here that the area meets the attainment-related planning requirements of subparts 1 and 4.

Thus, as explained more fully below, EPA is proposing to conclude that the requirements to submit an attainment demonstration under 189(a)(1)(B), a RACM determination under sections 172(c)(1) and 189(a)(1)(c), a RFP demonstration under section 189(c)(1), and contingency measure requirements under section 172(c)(9) are satisfied for purposes of evaluating the redesignation request.

[2] The potential effect of section 189(e) on section 189(a)(1)(A) for purposes of evaluating this redesignation is discussed below.

[3] I.e., attainment demonstration, RFP, RACM, milestone requirements, contingency measures.

CAA section 189(e) specifically provides that control requirements for major stationary sources of direct PM_{10} shall also apply to PM_{10} precursors from those sources, except where EPA determines that major stationary sources of such precursors ''do not contribute significantly to PM_{10} levels which exceed the standard in the area.''

For a number of reasons, EPA believes that this proposed redesignation of the Cincinnati-Hamilton area is consistent with the Court's decision on this aspect of subpart 4. First, while the Court, citing section 189(e), stated that ''for a PM_{10} area governed by subpart 4, a precursor is 'presumptively regulated,' '' the Court expressly declined to decide the specific challenge to EPA's 1997 $PM_{2.5}$ implementation rule provisions regarding ammonia and VOCs as precursors. The Court had no occasion to reach whether and how it was substantively necessary to regulate any specific precursor in a particular $PM_{2.5}$ nonattainment area, and did not address what might be necessary for purposes of acting upon a redesignation request.

The Cincinnati-Hamilton area has attained the standard without any specific additional controls of VOCs and ammonia emissions from any sources in the area.

Precursors in subpart 4 are specifically regulated under the provisions of section 189(e), which requires, with important exceptions, control requirements for major stationary sources of PM_{10} precursors.[4] As explained below, we do not believe that any additional controls of ammonia and VOCs are required in the context of this redesignation.

In the General Preamble, EPA discusses its approach to implementing section 189(e). *See* 57 FR 13538–13542. With regard to precursor regulation under section 189(e), the General Preamble explicitly stated that control of VOCs under other CAA requirements may suffice to relieve a state from the need to adopt precursor controls under section 189(e) (57 FR 13542). EPA proposes to determine that Indiana has met the provisions of section 189(e) with respect to ammonia and VOCs as precursors. This proposed supplemental determination is based on our findings that: (1) The Cincinnati-Hamilton area contains no major stationary sources of ammonia, and (2) existing major stationary sources of VOCs are adequately controlled under other provisions of the CAA regulating the ozone NAAQS.[5] In the alternative, EPA proposes to determine that, under the express exception provisions of section 189(e), and in the context of the redesignation of the area, which is attaining the 1997 annual $PM_{2.5}$ standard, at present ammonia and VOCs precursors from major stationary sources do not cause $PM_{2.5}$ levels to exceed the 1997 $PM_{2.5}$ standard in the Cincinnati-Hamilton area. *See* 57 FR 13539–42.

EPA notes that its 1997 $PM_{2.5}$ implementation rule provisions in 40 CFR 51.1002 were not directed at evaluation of $PM_{2.5}$ precursors in the context of redesignation, but at SIP plans and control measures required to bring a nonattainment area into attainment of the 1997 annual $PM_{2.5}$ NAAQS. By contrast, redesignation to attainment primarily requires the area to have already attained due to permanent and enforceable emission reductions, and to demonstrate that controls in place can continue to maintain the standard. Thus, even if we regard the Court's January 4, 2013, decision as calling for ''presumptive regulation'' of ammonia and VOCs for $PM_{2.5}$ under the attainment planning provisions of subpart 4, those provisions do not require additional controls of these precursors for an area that already qualifies for redesignation. Nor does EPA believe that requiring Indiana to address precursors differently than it has already would result in a different redesignation outcome.

Although, as EPA has emphasized, its consideration here of precursor requirements under subpart 4 is in the context of a redesignation to attainment, EPA's existing interpretation of subpart 4 requirements with respect to precursors in attainment plans for PM_{10} contemplates that states may develop attainment plans that regulate only those precursors that are necessary for purposes of attainment in the area in question, *i.e.,* states may determine that only certain precursors need be regulated for attainment and control purposes.[6] Courts have upheld this approach to the requirements of subpart 4 for PM_{10}.[7] EPA believes that application of this approach to $PM_{2.5}$ precursors under subpart 4 is reasonable. Because the Cincinnati-Hamilton area has already attained the 1997 annual $PM_{2.5}$ NAAQS with its current approach to regulation of $PM_{2.5}$ precursors, EPA believes that, in the context of this redesignation, there is no need to revisit the attainment control strategy with respect to the treatment of precursors. Even if the Court's decision is construed to impose an obligation to consider additional precursors under subpart 4 in evaluating this redesignation request, it would not affect EPA's approval here of Indiana's request for redesignation of the Cincinnati-Hamilton area. Moreover, the state has shown, and EPA is proposing to determine, that attainment in this area is due to permanent and enforceable emissions reductions on all precursors necessary to provide for continued attainment. It follows that no further control of additional precursors is necessary. Accordingly, EPA does not view the January 4, 2013, Court decision as precluding redesignation of the Cincinnati-Hamilton area to attainment for the 1997 $PM_{2.5}$ NAAQS at this time.

EPA concludes that the area has met all applicable requirements for purposes of redesignation in accordance with section 107(d)(3)(E)(ii) and (v).

b. Indiana Has a Fully Approved Applicable SIP Under Section 110(k) of the CAA

Upon final approval of Indiana's comprehensive VOCs and ammonia emissions inventories, EPA will have fully approved the Indiana SIP for the Cincinnati-Hamilton area under section 110(k) of the CAA for all requirements applicable for purposes of redesignation. EPA may rely on prior SIP approvals in approving a redesignation request (*See* page 3 of the Calcagni memorandum; *Southwestern Pennsylvania Growth Alliance* v. *Browner,* 144 F.3d 984, 989–990 (6th Cir. 1998); *Wall* v. *EPA,* 265 F.3d 426 (6th Cir. 2001)) plus any additional measures it may approve in conjunction with a redesignation action. *See* 68 FR 25413, 25426 (May 12, 2003). Since the passage of the CAA of 1970, Indiana has adopted and submitted, and EPA has fully approved, provisions addressing various required SIP elements under particulate matter standards. In this action, EPA is approving Indiana's VOCs and ammonia comprehensive emissions inventories for the

[4] Under either subpart 1 or subpart 4, for purposes of demonstrating attainment as expeditiously as practicable, a state is required to evaluate all economically and technologically feasible control measures for direct PM emissions and precursor emissions, and adopt those measures that are deemed reasonably available.

[5] The Cincinnati-Hamilton area has reduced VOC emissions through the implementation of various SIP approved VOC control programs and various on-road and non-road motor vehicle control programs.

[6] *See, e.g.,* ''Approval and Promulgation of Implementation Plans for California—San Joaquin Valley PM–10 Nonattainment Area; Serious Area Plan for Nonattainment of the 24-Hour and Annual PM–10 Standards,'' 69 FR 30006 (May 26, 2004) (approving a PM_{10} attainment plan that impose controls on direct PM_{10} and NO_X emissions and did not impose controls on SO_2, VOC, or ammonia emissions).

[7] *See, e.g., Assoc. of Irritated Residents* v. *EPA et al.,* 423 F.3d 989 (9th Cir. 2005).

Cincinnati-Hamilton area as meeting the requirement of section 172(c)(3) of the CAA.

3. The Improvement in Air Quality Is Due to Permanent and Enforceable Reductions in Emissions Resulting From Implementation of the SIPs and Applicable Federal Air Pollution Control Regulations and Other Permanent and Enforceable Reductions (Section 107(d)(3)(E)(iii))

EPA believes that Indiana has demonstrated that the observed air quality improvement in the Cincinnati-Hamilton area is due to permanent and enforceable reductions in emissions resulting from implementation of the SIPs, Federal measures, and other state-adopted measures.

In making this demonstration, Indiana has calculated the change in emissions between 2005, one of the years used to designate the area as nonattainment, and 2008, one of the years the Cincinnati-Hamilton area monitored attainment. The reduction in emissions and the corresponding improvement in air quality over this time period can be attributed to a number of regulatory control measures that the Cincinnati-Hamilton area and contributing areas have implemented, as discussed below. Additional permanent and enforceable measures and shutdowns after 2008 have also been promulgated and are included below.

a. Permanent and Enforceable Controls Implemented

The following is a discussion of permanent and enforceable measures that have been implemented in the area:

i. Federal Emission Control Measures

Reductions in direct emissions of $PM_{2.5}$ and in emissions of $PM_{2.5}$ precursors have occurred statewide and in upwind areas as a result of Federal emission control measures, with additional emission reductions expected to occur in the future. Federal emission control measures include the following:

Tier 2 Emission Standards for Vehicles and Gasoline Sulfur Standards. EPA finalized this Federal rule in February 2000. These emission control requirements result in lower NO_X and SO_2 emissions from new cars and light duty trucks, including sport utility vehicles. Emission standards established under EPA's rules became effective between 2004 and 2009. EPA has estimated that, emissions of NO_X from new vehicles have decreased by the following percentages: Passenger cars (light duty vehicles)—77 percent; light duty trucks, minivans, and sports utility vehicles—86 percent; and, larger sports utility vehicles, vans, and heavier trucks—69 to 95 percent. EPA expects fleet-wide average emissions to decline by similar percentages as new vehicles replace older vehicles. The Tier 2 standards also reduced the sulfur content of gasoline by up to 90 percent. VOCs emissions reductions will be approximately 12 percent for passenger cars; 18 percent for smaller SUVs, light trucks, and minivans; and 15 percent for larger SUVs, vans, and heavier trucks.

Heavy-Duty Diesel Engine Rule. EPA issued this rule in July 2000. This rule, which was phased in between 2004 and 2007, includes standards limiting the sulfur content of diesel fuel. This rule is estimated to reduce NO_X emissions from diesel trucks and buses by approximately 40 percent. The level of sulfur in highway diesel fuel is also estimated to have dropped by 97 percent by mid-2006 due to this rule.

Non-road Diesel Rule. In May 2004, EPA promulgated a new rule for large non-road diesel engines, such as those used in construction, agriculture, and mining equipment, to be phased in between 2008 and 2014. Prior to 2006, non-road diesel fuel averaged approximately 3,000 parts per million (ppm) sulfur. This rule limited non-road diesel sulfur content to 15 ppm by 2010. It is estimated that compliance with this rule has cut emissions from non-road diesel engines by more than 90%. This rule achieved some emission reductions by 2008 and was fully implemented by 2010. The reduction in fuel sulfur content also yielded an immediate reduction in sulfate particle emissions from all diesel vehicles.

ii. Control Measures in Contributing Areas

Given the significance of sulfates and nitrates in the Cincinnati-Hamilton area, the area's air quality is strongly affected by regulated emissions from power plants.

NO_X SIP Call. On October 27, 1998 (63 FR 57356), EPA issued a NO_X SIP Call requiring the District of Columbia and 22 states to reduce emissions of NO_X. Affected states were required to comply with Phase I of the SIP Call beginning in 2004, and Phase II beginning in 2007. Emission reductions resulting from regulations developed in response to the NO_X SIP Call are permanent and enforceable.

CAIR and CSAPR. EPA proposed CAIR on January 30, 2004, at 69 FR 4566, promulgated CAIR on May 12, 2005, at 70 FR 25162, and promulgated associated Federal Implementation Plans (FIPs) on April 28, 2006, at 71 FR 25328, in order to reduce SO_2 and NO_X emissions and improve air quality in many areas across the Eastern United States. However, on July 11, 2008, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit or Court) issued its decision to vacate and remand both CAIR and the associated CAIR FIPs in their entirety (North Carolina v. EPA, 531 F.3d 836 (D.C. Cir. 2008)). EPA petitioned for a rehearing, and the Court issued an order remanding CAIR and the CAIR FIPs to EPA without vacatur (North Carolina v. EPA, 550 F.3d 1176 (D.C. Cir. 2008)). The Court, thereby, left CAIR in place in order to ''temporarily preserve the environmental values covered by CAIR'' until EPA replaced it with a rule consistent with the Court's opinion (id. at 1178). The Court directed EPA to ''remedy CAIR's flaws'' consistent with the July 11, 2008, opinion, but declined to impose a schedule on EPA for completing this action (id).

On August 8, 2011 (76 FR 48208), acting on the D.C. Circuit's remand, EPA promulgated CSAPR to replace CAIR and, thus, to address the interstate transport of emissions contributing to nonattainment and interfering with maintenance of the two air quality standards covered by CAIR as well as the 2006 $PM_{2.5}$ NAAQS. CSAPR requires substantial reductions of SO_2 and NO_X emissions from electric generating units (EGUs) in 28 states in the eastern United States. As a general matter, because CSAPR is CAIR's replacement, emissions reductions associated with CAIR will for most areas be made permanent and enforceable through implementation of CSAPR.

Numerous parties filed petitions for review of CSAPR in the D.C. Circuit, and on August 21, 2012, the court issued its ruling, vacating and remanding CSAPR to EPA and ordering continued implementation of CAIR. *EME Homer City Generation, L.P.* v. *EPA,* 696 F.3d 7, 38 (D.C. Cir. 2012). The D.C. Circuit's vacatur of CSAPR was reversed by the United States Supreme Court on April 29, 2014, and the case was remanded to the D.C. Circuit to resolve remaining issues in accordance with the high court's ruling. *EPA* v. *EME Homer City Generation, L.P.,* 134 S. Ct. 1584 (2014).

On remand, the D.C. Circuit affirmed CSAPR in most respects, but invalidated without vacating some of the CSAPR budgets as to a number of states. *EME Homer City Generation, L.P.* v. *EPA,* 795 F.3d 118 (D.C. Cir. 2015) (*EME Homer City II*). The litigation over CSAPR ultimately delayed implementation of that rule for three years, from January 1, 2012, when CSAPR's cap-and-trade programs were originally scheduled to replace the CAIR cap-and-trade

programs, to January 1, 2015. CSAPR's Phase 2 budgets were originally promulgated to begin on January 1, 2014, and began January 1, 2017. As part of the remand, the D.C. Circuit found the Ohio 2014 NO_X budget was invalid, stating that based on EPA's own data, Ohio made no contribution to downwind states' nonattainment. On September 7, 2016, EPA promulgated the CSAPR Update Rule (81 FR 74504) which established permanent and enforceable reduction through revised NO_X ozone season budgets for Indiana.

Because the emission reduction requirements of CAIR were enforceable through the 2011 control period, and because CSAPR has been promulgated to address the requirements previously addressed by CAIR and will achieve similar or greater reductions once finalized, EPA has determined that the EGU emission reductions that helped lead to attainment in the Cincinnati-Hamilton area can now be considered permanent and enforceable and that the requirement of CAA section 107(d)(3)(E)(iii) has been met.

iii. Consent Decrees and Permanent Shutdowns

As a result of a settlement with EPA to resolve violations of the CAA's NSR requirements, American Electrical Power (AEP) permanently retired its Tanners Creek Generating Station (*i.e.,* all four coal-fired EGUs) located in Lawrenceburg Township, Dearborn County on June 1, 2015.

b. Emission Reductions

The 2005 emissions inventory for NO_X, direct $PM_{2.5}$, and SO_2 has been codified at 40 CFR 52.776. The 2005 inventory represents a year the Cincinnati-Hamilton area was not attaining the standard. The emissions inventory for 2008, one of the years the Cincinnati-Hamilton area monitored attainment of the standard, was grown from the 2005 emissions inventory to represent a base year for maintenance purposes.

Point source emissions information was compiled from the Indiana Department of Environmental Management (IDEM) annual emissions statement database and from EPA's Clean Air Market's acid rain database. These emissions reflect Indiana's NO_X emission budgets resulting from EPA's NO_X SIP call. The 2008 emissions from EGUs reflect Indiana's emission caps under CAIR.

Area source emissions for the Cincinnati-Hamilton area for 2005 were taken from periodic emissions inventories.[8] These 2005 area source emission estimates were extrapolated to 2008. Source growth factors were supplied by the Lake Michigan Air Directors Consortium (LADCO). These growth factors were based on the U.S. Department of Commerce Bureau of Economic Analysis (BEA) growth factors, with some updated local information.

Non-road mobile source emissions were extrapolated from non-road mobile source emissions reported in EPA's 2005 National Emissions Inventory (NEI). Contractors were employed by LADCO to estimate emissions for commercial marine vessels and railroads.

On-road mobile source emissions were calculated using EPA's mobile source emission factor model, MOVES2010, and data extracted from the region's travel-demand model. These emissions were then interpolated as needed to determine the 2008 base year values.

All emissions estimates discussed below were documented in the submittals and appendices to Indiana's redesignation request submittal of August 19, 2016. For these data and additional emissions inventory data, the reader is referred to EPA's digital docket for this rule, *http://www.regulations.gov,* for docket number EPA–R05–OAR–2016–0513, which includes a digital copy of Indiana's submittal.

Emissions data in tons per year (tpy) for the Cincinnati-Hamilton area are shown in Tables 2, 3, and 4 below.

TABLE 2—COMPARISON OF 2005 EMISSIONS FROM THE NONATTAINMENT YEAR AND 2008 EMISSIONS FOR AN ATTAINMENT YEAR FOR NO_X IN THE CINCINNATI-HAMILTON AREA

[tpy]

Sector	2005	2008	Net change (2008–2005)
On-road	71,919.89	64,471.22	−7,448.67
Non-road	21,770.17	19,614.87	−2,155.3
Point	66,302.14	56,644.39	−9,657.75
Area	7,810.74	7,975.67	164.93
Total	167,802.94	148,706.15	−19,096.79

[8] Periodic emission inventories are derived by states every three years and reported to EPA. These periodic emission inventories are required by the Federal Consolidated Emissions Reporting Rule, codified at 40 CFR part 51, subpart A. EPA revised these and other emission reporting requirements in a final rule published on December 17, 2008, at 73 FR 76539.

TABLE 3—COMPARISON OF 2005 EMISSIONS FROM THE NONATTAINMENT YEAR AND 2008 EMISSIONS FOR AN ATTAINMENT YEAR FOR SO_2 IN THE CINCINNATI-HAMILTON AREA

[tpy]

Sector	2005	2008	Net Change (2008–2005)
On-road	392.00	277.59	−114.41
Non-road	2,149.74	1,399.69	−750.05
Point	233,927.65	111,818.09	−122,109.56
Area	3,494.39	3,520.77	26.38
Total	239,963.78	117,016.14	−122,947.64

TABLE 4—COMPARISON OF 2005 EMISSIONS FROM THE NONATTAINMENT YEAR AND 2008 EMISSIONS FOR AN ATTAINMENT YEAR FOR DIRECT $PM_{2.5}$ IN THE CINCINNATI-HAMILTON AREA

[tpy]

Sector	2005	2008	Net Change (2008–2005)
On-road	2,810.30	2,679.85	−130.45
Non-road	1,400.55	1,268.32	−132.23
Point	3,415.69	3,091.67	−324.02
Area	1,828.85	1,864.80	35.95
Total	9,455.39	8,904.64	−550.75

Tables 2, 3, and 4 show reductions in NO_X, SO_2, and direct $PM_{2.5}$ emissions for the Cincinnati-Hamilton area by 19,096.79 tpy for NO_X, 122,947.64 tpy for SO_2, and 550.76 tpy for direct $PM_{2.5}$ between 2005 (nonattainment year) and 2008 (attainment year).

4. Indiana Has a Fully Approved Maintenance Plan Pursuant to Section 175A of the CAA (Section 107(d)(3)(E)(iv))

EPA has fully approved an applicable maintenance plan that meets the requirements of section 175(a) on December 23, 2011. *See* 76 FR 80253. In conjunction with Indiana's request to redesignate the Cincinnati-Hamilton nonattainment area to attainment, Indiana has submitted an updated attainment inventory of the maintenance plan to reflect the provisions of subpart 4 (title I, part D) of the CAA, and EPA is updating the maintenance plan to 2027.

a. What is required in a maintenance plan?

Section 175A of the CAA sets forth the required elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. Under section 175A, the plan must demonstrate continued attainment of the applicable NAAQS for at least ten years after EPA approves a redesignation to attainment. Eight years after redesignation, the state must submit a revised maintenance plan which demonstrates that attainment will continue to be maintained for ten years following the initial ten-year maintenance period. To address the possibility of future NAAQS violations, the maintenance plan must contain contingency measures, which it does, with a schedule for implementation as EPA deems necessary to assure prompt correction of any future $PM_{2.5}$ violations.

The Calcagni memorandum provides additional guidance on the content of a maintenance plan. The memorandum states that a maintenance plan should address the following items: the attainment emissions inventory, a maintenance demonstration showing maintenance for the ten years of the maintenance period, a commitment to maintain the existing monitoring network, factors and procedures to be used for verification of continued attainment of the NAAQS, and a contingency plan to prevent or correct future violations of the NAAQS.

Section 175A requires a state seeking redesignation to attainment to submit a SIP revision to provide for the maintenance of the NAAQS in the area ''for at least 10 years after the redesignation.'' EPA has interpreted this as a showing of maintenance ''for a period of ten years following redesignation.'' Calcagni memorandum, p. 9. Where the emissions inventory method of showing maintenance is used, its purpose is to show that emissions during the maintenance period will not increase over the attainment year inventory. Calcagni memorandum, pp. 9–10.

As discussed in the section below, the state's maintenance plan submission documents that the area's emissions inventories should remain below the attainment year inventories through 2021. In addition, for the reasons set forth below, EPA believes that the state's submission, in conjunction with additional supporting information, further demonstrates that the area should continue to maintain the 1997 annual $PM_{2.5}$ NAAQS at least through 2027. Thus, any EPA action to finalize its proposed approval of the redesignation request and maintenance plans in 2017, will be based on a showing, in accordance with section 175A, that the state's maintenance plan provides for maintenance for at least ten years after redesignation.

b. Attainment Inventory

Indiana developed an emissions inventory for NO_X, primary $PM_{2.5}$, and SO_2 for 2008, one of the years in the period during which the Cincinnati-Hamilton area monitored attainment of the 1997 annual $PM_{2.5}$ standard, as described previously. The attainment level of emissions is summarized in Tables 2, 3, and 4, above. Indiana also included emissions inventories for VOCs and ammonia from 2007, in accordance with the provisions of Subpart 4 (title I, part D) of the CAA. These emissions are summarized in Table 6, in discussion of the maintenance plan below.

c. Demonstration of Maintenance

Indiana has a fully approved maintenance plan that meets the requirements of section 175(A). *See* 76 FR 80253. Along with the redesignation request, Indiana submitted an updated attainment inventory to reflect the provision of subpart 4. Indiana's plan demonstrates maintenance of the 1997 annual $PM_{2.5}$ standard through 2021 by showing that current and future emissions of NO_X, directly emitted $PM_{2.5}$, and SO_2 in the area remain at or below attainment year emission levels.

Indiana's plan demonstrates maintenance of the 1997 annual $PM_{2.5}$ NAAQS through 2021 by showing that current and future emissions of NO_X, directly emitted $PM_{2.5}$, and SO_2 for the area remain at or below attainment year emission levels.

The rate of decline in emissions of $PM_{2.5}$, NO_X, and SO_2 from the attainment year 2008 through 2021 indicates that the emissions inventory levels not only significantly declined between 2008 and 2021, but also will continue to decline through 2027 and beyond. $PM_{2.5}$ emissions in the nonattainment area are projected to decrease by 702.01 tpy in 2021. NO_X emissions in the nonattainment area are projected to decrease by 69,887.02 tpy in 2021. SO_2 emissions in the nonattainment area are projected to decline by 28,505.87 in 2021. These rates of decline are conservative as they do not include reductions resulting from the shutdown of the four units at the Tanner's Creek Generating Station, and are consistent with monitored and projected air quality trends; and emissions reductions achieved through emissions controls and regulations that will remain in place beyond 2027, and through fleet turnover that will continue beyond 2027, among other factors. EPA is proposing that the previously approved maintenance plan is adequate in achieving maintenance of the $PM_{2.5}$ standard to 2027 and beyond.

A maintenance demonstration need not be based on modeling. *See Wall* v. *EPA,* 265 F.3d 426 (6th Cir. 2001), *Sierra Club* v. *EPA,* 375 F. 3d 537 (7th Cir. 2004). *See also* 66 FR 53094, 53099–53100 (October 19, 2001), 68 FR 25413, 25430–25432 (May 12, 2003). Indiana uses emissions inventory projections for the years 2008 and 2021 to demonstrate maintenance for the entire Cincinnati-Hamilton area. The projected emissions were estimated by Indiana, with assistance from LADCO, who used the MOVES2010 model for mobile source projections. The 2021 maintenance year emission estimates were based on emissions estimates from the 2018 LADCO modeling. Table 5 shows the 2008 attainment base year emission estimates and the 2021 emission projections for the Cincinnati-Hamilton area, taken from Indiana's August 19, 2016, submission.

TABLE 5—COMPARISON OF 2008 AND 2021 NO_X, DIRECT $PM_{2.5}$, AND SO_2 EMISSION TOTALS (tpy) FOR THE CINCINNATI-HAMILTON AREA

	SO_2	NO_X	$PM_{2.5}$
2008 (baseline)	117,016.14	148,706.15	8,904.64
2021 (maintenance)	88,510.27	78,819.13	8,202.63
Projected Decrease (2021–2008)	28,505.87 (24% decrease)	69,887.02 (47% decrease)	702.01 (8% decrease).

Table 5 shows that, for the period between 2008 and the maintenance projection for 2021, the Cincinnati-Hamilton area will reduce NO_X emissions by 69,887.02 tpy; direct $PM_{2.5}$ emissions by 702.01 tpy; and SO_2 emissions by 28,505.87 tpy. The 2021 projected emissions levels are significantly below attainment year inventory levels, and, based on the rate of decline, it is highly improbable that any increases in these levels will occur in 2027 and beyond. Thus, the emissions inventories set forth in Table 5 show that the area will continue to maintain the 1997 annual $PM_{2.5}$ standard during the maintenance period and at least through 2027.

As Table 1 demonstrates, monitored $PM_{2.5}$ design value concentrations in the Cincinnati-Hamilton area are well below the NAAQS in the years beyond 2008, the attainment year for the area. Further, those values are trending downward as time progresses. Based on the future projections of emissions in 2021 showing significant emissions reductions in direct $PM_{2.5}$, NO_X, and SO_2, it is very unlikely that monitored $PM_{2.5}$ values in 2027 and beyond will show violations of the NAAQS. Additionally, the 2013–2015 design values, which range from 9.5 to 11.2 $\mu g/m^3$, provide a sufficient margin in the unlikely event emissions rise slightly in the future. These emission reductions are further sustained with the closing of the Tanner's Creek Generating Station in Lawrenceburg Township, Dearborn County, IN on June 1, 2015.

Maintenance Plan Evaluation of Ammonia and VOCs

Due to the remand of EPA's implementation rule, EPA in this proposal is evaluating the impact of maintenance plan requirements under sections 175A and 107(d)(3)(E)(iv) as they pertain to VOCs and ammonia as $PM_{2.5}$ precursors. To begin with, EPA notes that the area has attained the 1997 annual $PM_{2.5}$ standard and that the state has shown that attainment of the standard is due to permanent and enforceable emission reductions.

EPA proposes to confirm that the state's maintenance plan shows continued maintenance of the standard by tracking the levels of the precursors whose control brought about attainment of the 1997 $PM_{2.5}$ standard in the Cincinnati-Hamilton area. EPA, therefore, believes that the only additional consideration related to the maintenance plan requirements that results from the Court's January 4, 2013, decision is that of assessing the potential role of VOCs and ammonia in demonstrating continued maintenance in this area. As explained below, based upon documentation provided by the state and supporting information, EPA believes that the maintenance plan for the Cincinnati-Hamilton area need not include any additional emission reductions of VOCs or ammonia in order to provide for continued maintenance of the standard.

First, as noted above in EPA's discussion of section 189(e), VOCs emission levels in this area have historically been well-controlled under SIP requirements related to ozone and other pollutants. Second, total ammonia emissions throughout the Cincinnati-Hamilton area are very low, estimated to be less than 3,200 tpy. *See* Table 6 below. This amount of ammonia emissions appears especially small in comparison to the total amounts of SO_2, NO_X, and even direct $PM_{2.5}$ emissions from sources in the area. Third, as described below, available information shows that no precursor, including VOCs and ammonia, is expected to increase over the maintenance period so

as to interfere with or undermine the state's maintenance demonstration.

Indiana's maintenance plan shows that emissions of direct $PM_{2.5}$, SO_2, and NO_X are projected to decrease by 702.01 tpy, 28,505.87 tpy, and 69,887.022 tpy, respectively, over the maintenance period. *See* Table 5 above. In addition, emissions inventories used in the regulatory impact analysis (RIA) for the 2012 $PM_{2.5}$ NAAQS show that VOCs and ammonia emissions are projected to decrease by 16,716 tpy and 119 tpy in the Cincinnati-Hamilton area, respectively between 2007 and 2020. *See* Table 6 below. While the RIA emissions inventories are only projected out to 2020, there is no reason to believe that this downward trend would not continue through 2026. Given that the Cincinnati-Hamilton area is already attaining the 1997 annual $PM_{2.5}$ NAAQS even with the current level of emissions from sources in the area, the downward trend of emissions inventories would be consistent with continued attainment. Indeed, projected emissions reductions for the precursors that the state is addressing for purposes of the 1997 $PM_{2.5}$ NAAQS indicate that the area should continue to attain the NAAQS following the precursor control strategy that the state has already elected to pursue. Additionally, the projected values factored in the continuing operation of the Tanners Creek Generating Station. Even if VOCs and ammonia emissions were to increase unexpectedly between 2020 and 2027, the overall emissions reductions projected in direct $PM_{2.5}$, SO_2, and NO_X would be sufficient to offset any increases. For these reasons, EPA believes that local emissions of all of the potential $PM_{2.5}$ precursors will not increase to the extent that they will cause monitored $PM_{2.5}$ levels to violate the 1997 $PM_{2.5}$ standard during the maintenance period.

TABLE 6—COMPARISON OF 2007 AND 2020 VOC AND AMMONIA EMISSION TOTALS BY SOURCE SECTOR (tpy) FOR THE CINCINNATI-HAMILTON AREA [9]

	VOC			Ammonia		
	2007	2020	Net change 2020–2007	2007	2020	Net change 2020–2007
fires	224	224	0	16	16	0
nonpoint	24,149	24,080	−69	2,158	2,223	65
Non-road	9,294	5,228	−4,066	13	15	2
On-road	20,317	8,041	−12,275	890	481	−409
point	5,138	4,831	−306	109	332	222
Total	59,121	42,404	−16,716	3,186	3,067	−119

In addition, available air quality modeling analyses show continued maintenance of the standard during the maintenance period. The current annual design values for the area range from 9.5 to 11.2 μg/m3 (based on 2013–2015 air quality data), which are well below the 1997 annual $PM_{2.5}$ NAAQS of 15 μg/m³. Moreover, the modeling analysis conducted for the RIA for the 2012 $PM_{2.5}$ NAAQS indicates that the design values for this area are expected to continue to decline through 2020. In the RIA analysis, the highest 2020 modeled design value for the Cincinnati-Hamilton area is 10.5 μg/m³. Given that precursor emissions are projected to decrease through 2027, it is reasonable to conclude that monitored $PM_{2.5}$ levels in this area will also continue to decrease through 2027.

Thus, EPA believes that there is ample justification to conclude that the Cincinnati-Hamilton area should be redesignated, even taking into consideration the emissions of other precursors potentially relevant to $PM_{2.5}$. After consideration of the D.C. Circuit's January 4, 2013, decision, and for the reasons set forth in this action, EPA proposes to approve the state's revised attainment inventory into the previously approved maintenance plan.

Based on the information summarized above, Indiana has adequately demonstrated maintenance of the 1997 $PM_{2.5}$ standard in this area for a period extending in excess of ten years from expected final action on Indiana's redesignation request. EPA finds that the currently approved plan will provide for maintenance.

d. Monitoring Network

Ohio currently operates eight monitors for purposes of determining attainment with the annual $PM_{2.5}$ standard and Kentucky currently operates one monitor for the area. Indiana operates no monitors for the Cincinnati-Hamilton area since only a small portion of the nonattainment area is in the state. EPA has determined that the monitors maintained by both Ohio and Kentucky constitute an adequate monitoring network.

e. Verification of Continued Attainment

Ohio and Kentucky remain obligated to continue to quality-assure monitoring data and enter all data into the AQS in accordance with Federal guidelines in accordance with 40 CFR 58.

f. Contingency Plan

The contingency plan provisions are designed to promptly correct or prevent a violation of the NAAQS that might occur after redesignation of an area to attainment. Section 175A of the CAA requires that a maintenance plan include such contingency measures as EPA deems necessary to ensure that the state will promptly correct a violation of the NAAQS that occurs after redesignation. The maintenance plan should identify the contingency measures to be adopted, a schedule and procedure for adoption and implementation of the contingency measures, and a time limit for action by the state. The state should also identify specific indicators to be used to determine when the contingency measures need to be adopted and implemented. The maintenance plan must include a requirement that the state will implement all pollution control measures that were contained in the SIP before redesignation of the area to attainment. *See* section 175A(d) of the CAA. As described above in section III.4, Indiana's previously approved maintenance plan includes all necessary contingency measures required under section 175A(d). *See* 76 FR 80253.

[9] These emissions estimates were taken from the emissions inventories developed for the RIA for the 2012 $PM_{2.5}$ NAAQS which can be found in the docket.

EPA believes that Indiana's approved contingency measures, as well as the commitment to continue implementing any necessary SIP requirements, satisfy the pertinent requirements of section 175A(d).

For all of the reasons set forth above, EPA determines that the approved maintenance plan is still applicable and meets all the contingency plan requirements of CAA section 175A.

5. Motor Vehicle Emissions Budget (MVEBs) for the Mobile Source Contribution to $PM_{2.5}$ and NO_X

Under the CAA, states are required to submit, at various times, control strategy SIP revisions and maintenance plans for $PM_{2.5}$ nonattainment areas and for areas seeking redesignation to attainment of the $PM_{2.5}$ standard. These emission control strategy SIP revisions (*e.g.,* RFP and attainment demonstration SIP revisions) and maintenance plans create MVEBs based on on-road mobile source emissions for criteria pollutants and/or their precursors to address pollution from on-road transportation sources. The MVEBs are the portions of the total allowable emissions that are allocated to highway and transit vehicle use that, together with emissions from other sources in the area, will provide for attainment, RFP, or maintenance, as applicable.

Under 40 CFR part 93, a MVEB for an area seeking a redesignation to attainment is established for the last year of the maintenance plan and could also be established for an interim year or years. The MVEB serves as a ceiling on emissions from an area's planned transportation system. The MVEB concept is further explained in the preamble to the November 24, 1993, transportation conformity rule (58 FR 62188).

Under section 176(c) of the CAA, new transportation plans and transportation improvement programs (TIPs) must be evaluated to determine if they conform to the purpose of the area's SIP. Conformity to the SIP means that transportation activities will not cause new air quality violations, worsen existing air quality violations, or delay timely attainment of the NAAQS or any required interim milestone. If a transportation plan or TIP does not conform, most new transportation projects that would expand the capacity of roadways cannot go forward. Regulations at 40 CFR part 93 set forth EPA policy, criteria, and procedures for demonstrating and assuring conformity of such transportation activities to a SIP.

The maintenance plans previously submitted by Indiana for the area contained $PM_{2.5}$ and NO_X MVEBs for the area for the year 2021. Indiana calculated the MVEBs using MOVES2010. These approved budgets are used in future conformity determinations and regional emissions analyses prepared by the OKI, and will have to be based on the use of MOVES2010 or the most recent version of MOVES required to be used in transportation conformity determinations.[10] The state has determined the 2021 MVEBs for the combined Ohio and Indiana portions of the Cincinnati-Hamilton area to be 1,241.19 tpy for primary $PM_{2.5}$ and 21,747.71 tpy for NO_X. The Ohio and Indiana portion of the area included ''safety margins'' as provided for in 40 CFR 93.124(a) (described below) of 112.84 tpy for primary $PM_{2.5}$ and 2,836.65 tpy for NO_X in the 2021 MVEBs, respectively, to provide for on-road mobile source growth. Indiana did not provide emission budgets for SO_2, VOCs, and ammonia because it concluded, consistent with EPA's presumptions regarding these precursors, that emissions of these precursors from on-road motor vehicles are not significant contributors to the area's $PM_{2.5}$ air quality problem.

EPA has previously approved budgets for 2021 including the added safety margins using the conformity rule's adequacy criteria found at 40 CFR 93.118(e)(4) and the conformity rule's requirements for safety margins found at 40 CFR 93.124(a). EPA has determined that the area can maintain attainment of the 1997 annual $PM_{2.5}$ NAAQS for the relevant maintenance period and no changes to the plan have been made. *See* 76 FR 80253

6. 2005 Comprehensive Emissions Inventory

As discussed above, section 172(c)(3) of the CAA requires areas to submit a comprehensive emissions inventory including direct PM and all four precursors (SO_2, NO_X, VOCs, and ammonia). EPA approved the Indiana 2005 base year emissions inventory on December 23, 2011 (76 FR 80253). This previously approved base year emissions inventory detailed emissions of $PM_{2.5}$, SO_2, and NO_X for 2005. Emissions inventories for VOCs and ammonia from 2007, taken from the RIA for the 2012 $PM_{2.5}$ NAAQS, have been added as part of this submittal in accordance with the provisions of subpart 4 (title I, part D) of the CAA. Emissions contained in the submittal cover the general source categories of point sources, area sources, on-road mobile sources, and non-road mobile sources.

Based upon EPA's previous action and 2007 emissions inventory for VOCs and ammonia, the emissions inventory was complete and accurate, and met the requirement of CAA section 172(c)(3).

V. EPA's Proposed Actions

EPA is proposing to take several actions related to redesignation of the Cincinnati-Hamilton area to attainment for the 1997 annual $PM_{2.5}$ NAAQS.

EPA has previously approved Indiana's $PM_{2.5}$ maintenance plan and MVEBs for the Cincinnati-Hamilton area. EPA is proposing to determine that this plan and MVEBs are still applicable.

EPA has previously approved the 2005 primary $PM_{2.5}$, NO_X, and SO_2 base year emissions inventory. EPA is proposing to approve Indiana's updated emissions inventory which includes emissions inventories for VOCs and ammonia from 2007. EPA is proposing that Indiana meets the emissions inventory requirement under section 107(d)(3)(E)(iii).

EPA is proposing that Indiana meets the requirements for redesignation of the Cincinnati-Hamilton area to attainment of the 1997 annual $PM_{2.5}$ NAAQS under section 107(d)(3)(E) of the CAA. EPA is thus proposing to grant Indiana's request to change the designation of its portion of the Cincinnati-Hamilton area from nonattainment to attainment for the 1997 annual $PM_{2.5}$ NAAQS.

If finalized, EPA would determine that the previously approved maintenance plan is still applicable to the Cincinnati-Hamilton area for the 1997 annual $PM_{2.5}$ NAAQS.

In addition, if finalized, according to the Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements (81 FR 58009, August 24, 2016), ''for an area that is redesignated to attainment after the effective date of this final rule, the 1997 primary annual $PM_{2.5}$ NAAQS will be revoked in such an area on the effective date of its redesignation to attainment for that NAAQS. After revocation of the 1997 primary annual $PM_{2.5}$ NAAQS in a given area, the designation for that standard is no longer in effect.''

VI. Statutory and Executive Order Reviews

Under the CAA, redesignation of an area to attainment and the

[10] EPA described the circumstances under which an area would be required to use MOVES in transportation conformity determinations in its March 2, 2010, **Federal Register** notice officially releasing MOVES2010 for use in SIPs and transportation conformity determinations. (75 FR 9413)

accompanying approval of a maintenance plan under section 107(d)(3)(E) are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by state law. A redesignation to attainment does not in and of itself create any new requirements, but rather results in the applicability of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, 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 that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve state law as meeting Federal requirements and, if finalized, will not impose additional requirements beyond those imposed by state law. For that reason, these actions:

- Are 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);
- Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Are certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Do not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Do not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Are not economically significant regulatory actions based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Are not significant regulatory actions subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Are not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Do 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, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because redesignation is an action that affects the status of a geographical area and does not impose any new regulatory requirements on tribes, impact any existing sources of air pollution on tribal lands, nor impair the maintenance of ozone national ambient air quality standards in tribal lands.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter.

40 CFR Part 81

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

Dated: June 2, 2017.

Robert Kaplan,

Acting Regional Administrator, Region 5.

[FR Doc. 2017–13065 Filed 6–21–17; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 170104014–7014–01]

RIN 0648–BG53

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 56

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

ACTION: Proposed rule; request for comments.

SUMMARY: This action proposes approval of, and regulations to implement, Framework Adjustment 56 to the Northeast Multispecies Fishery Management Plan. This rule would set catch limits for four of the 20 groundfish stocks, adjust several allocations and accountability measures (AMs) for groundfish catch in non-groundfish fisheries, and make other administrative changes to groundfish management measures. This action is necessary to respond to updated scientific information and achieve the goals and objectives of the Fishery Management Plan. The proposed measures are intended to help prevent overfishing, rebuild overfished stocks, achieve optimum yield, and ensure that management measures are based on the best scientific information available.

DATES: Comments must be received by July 7, 2017.

ADDRESSES: You may submit comments, identified by NOAA–NMFS–2017–0021, by either of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0021*; Click the ''Comment Now!'' icon and complete the required fields; and enter or attach your comments.
- *Mail:* Submit written comments to John K. Bullard, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, ''Comments on the Proposed Rule for Groundfish Framework Adjustment 56.''

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

Copies of Framework Adjustment 56, including the draft Environmental Assessment, the Regulatory Impact Review, and the Initial Regulatory Flexibility Analysis prepared by the New England Fishery Management Council (NEFMC) in support of this action are available from Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950. The supporting documents are also accessible via the Internet at: *http://www.nefmc.org/management-plans/northeast-multispecies* or *http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/multispecies*.

FOR FURTHER INFORMATION CONTACT: Aja Szumylo, Fishery Policy Analyst, phone: 978–281–9195; email: *Aja.Szumylo@noaa.gov*.

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1. Summary of Proposed Measures

This action would implement the management measures in Framework Adjustment 56 to the Northeast Multispecies Fishery Management Plan (FMP). The Council deemed the proposed regulations consistent with, and necessary to implement, Framework 56 in an April 13, 2017, letter from Council Chairman John F. Quinn to Regional Administrator John Bullard. Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), we are required to publish proposed rules for comment after preliminarily determining whether they are consistent with applicable law. The Magnuson-Stevens Act permits us to approve, partially approve, or disapprove measures proposed by the Council based on whether the measures are consistent with the fishery management plan, plan amendment, the Magnuson-Stevens Act and its National Standards, and other applicable law. Otherwise, we must defer to the Council's policy choices. Some regulations authorize the Regional Administrator to make determinations or implement specifications using procedures consistent with the Administrative Procedure Act. The Magnuson-Stevens Act also authorizes the Regional Administrator to put in place regulations that are necessary to ensure the proper administration of FMP goals and objectives. We are seeking comment on the Council's proposed measures in Framework 56 and whether they are consistent with the Magnuson-Stevens Act and its National Standards, and other applicable law. Through Framework 56, the Council proposes to:

- Set 2017 specifications for three shared U.S./Canada stocks (Eastern Georges Bank (GB) cod, Eastern GB haddock, and GB yellowtail flounder);
- Set 2017–2019 specifications for witch flounder;
- Establish an allocation of northern windowpane flounder for the scallop fishery;
- Revise catch thresholds for implementing the scallop fishery's accountability measures for GB yellowtail flounder and northern windowpane flounder; and
- Increase the GB haddock allocation for the midwater trawl fishery.

This action also proposes a number of other measures that are not part of Framework 56, but that may be considered and implemented under our authority specified in the FMP. We are proposing these measures in conjunction with the Framework 56 proposed measures for expediency purposes, and because these measures are related to the catch limits proposed as part of Framework 56. The additional measures proposed in this action are listed below.

- *Management measures necessary to implement sector operations plans*—This action proposes annual catch entitlements for 19 sectors for fishing year 2017 based on final fishing year 2017 sector rosters.
- *Management measures for the common pool fishery*—This action proposes to adjust the fishing year 2017 trip limit for witch flounder for the common pool fishery, related to the proposed change to the witch flounder specifications in this action.
- *2017 Accountability measures for windowpane flounder*—This action describes accountability measures for northern and southern windowpane flounder that are implemented due to overages of fishing year 2015 catch limits for both stocks. We informed the New England Council of these accountability measures at its September 2016 meeting, and in our September 27, 2016, letter to New England Council Executive Director Thomas Nies, and in our October 7, 2016, letter to Mid-Atlantic Council Executive Director Chris Moore. Given the potential negative economic impact of these measures this year, we are seeking public comment on these type of measures in similar circumstances for the future through this proposed rule.

2. Status Determination Criteria for Witch Flounder

The Northeast Fisheries Science Center conducted a witch flounder benchmark assessment in 2016. The final report for the benchmark assessment is available on the NEFSC Web site: *http://www.nefsc.noaa.gov/publications/crd/crd1703/*. The assessment peer review panel rejected the 2016 benchmark assessment model for witch flounder. An important source of uncertainty for this assessment is a major retrospective pattern, which causes the model to underestimate fishing mortality and overestimate stock biomass and recruitment. The assessment was unable to identify the cause of the retrospective pattern. The model had other diagnostic issues in addition to the retrospective pattern that indicated the model was a poor fit to the underlying data. There was also an inconsistency between model-based catchability estimates for the Northeast Fishery Science Center trawl surveys and a recent gear catchability experiment. Biomass estimates from the catchability experiment were about four times higher than the biomass estimates from the model at the end of the time series.

As part of the review process, the peer review panel evaluated the previous witch flounder benchmark assessment, originally conducted in 2008 and updated in 2012 and 2015. The 2008 benchmark assessment and its updates all supported determinations that the witch flounder stock was overfished, and that overfishing was occurring. The 2016 peer review panel updated the 2008 benchmark as part of its review, and ultimately rejected the update because it showed a large, unexplained retrospective patterns similar to the 2016 benchmark assessment model. The panel recommended that none of these assessments should be used as a basis for determining witch flounder stock status.

Given the lack of an assessment model, the peer review panel examined an alternative approach that used swept-area biomass estimates to generate catch advice. The panel did not have sufficient time to use this approach to fully develop alternative status determination criteria. However, the panel provided recommendations to prevent overfishing. The panel also concluded that stock biomass is at historical low levels based on relative biomass estimates from the alternative approach. In addition, the fishery landings and survey catch indicate truncation of age structure and a reduction in the number of old fish in the population. These are both indicators of poor stock condition. We discuss additional details about the 2016 benchmark assessment results, and the proposed 2017–2019 catch limits for

witch flounder, in section ''4. Catch Limits.''

We approved the existing status determination criteria for witch flounder in Amendment 16 to the Northeast Multispecies FMP (75 FR 18261; April 9, 2010). The existing criteria state that the witch flounder stock is subject to overfishing if the fishing mortality rate (F) is above the F at 40 percent of maximum spawning potential. The witch flounder stock is overfished if spawning stock biomass falls below ½ of the target, which is also calculated using F at 40 percent of maximum spawning potential. This definition was based on the benchmark assessments reviewed during the 3rd Groundfish Assessment Review Meeting (GARM III), completed in August 2008, and is the same as the status determination criteria currently in place for most of the Northeast multispecies stocks with age-based assessments.

The Council relied on the advice from the assessment peer review panel and its Scientific and Statistical Committee (SSC) to recommend changing the status determination criteria for witch flounder to unknown. If the status determination criteria are changed to unknown, however, there would be no measurable and objective standards in place against which to judge the status of the witch flounder stock. We propose disapproving the Council's recommendation, and maintaining the existing criteria until a valid assessment model is available to use for setting new catch limits or for generating new criteria. This is new guidance to the Council, provided after it took final action on Framework 56, and is different than the approach the Council has taken, and that we have approved, for recommending status determination criteria for other groundfish stocks with rejected assessments (*e.g.,* GB yellowtail flounder).

Status determination relative to model-based reference points is no longer possible for witch flounder, and we recognize that we do not have fishing mortality and biomass estimates to compare to the existing status determination criteria. In conjunction with the 2017 assessment updates, we will work with the Council to use updated fishery information to develop fishing mortality and biomass estimates and new status determination criteria for this stock.

The witch flounder stock was previously listed as subject to overfishing and overfished. Despite the rejection of the recent stock assessments for stock status purposes and lack of numerical estimates of stock size, there is qualitative information in the assessment that supports continuing to list the status as overfished, but changing the overfishing status from subject to overfishing to unknown. The conclusion that the stock is at historical low levels and other signs of poor stock condition, provide reliable indicators that support this stock remaining listed as overfished. Unlike the overfished status, for which we have reliable indicators of stock condition, we do not have reliable indicators for the overfishing status. While we cannot specify an overfishing status determination criterion for this stock, catch for the last five years has been below the ACL. The lack of reliable indicators, the rejection of the recent stock assessment, and the fact that catch has remained below the ACL, support changing the overfishing status of this stock to unknown.

In the meantime, we are proposing an acceptable biological catch (ABC) as recommended by the Council, and catch data shows this ABC is expected to prevent overfishing. The limits set from this recommendation are based on historic catch rates and other data that are expected to maintain or improve current biomass levels. There is currently a rebuilding plan in place for witch flounder that has an end date of 2017. We were waiting for the results of the 2016 assessment update, as well as the revisions to the National Standard 1 Guidelines, to provide guidance to the Council regarding how to proceed with the rebuilding plan. Prior to the 2016 assessment, and based on the results of the 2015 assessment update, which found that 2014 spawning stock biomass was at 22 percent of the biomass target, and that the stock was not expected to reach the 2017 rebuilding target even in the absence of fishing mortality, we were anticipating that we would need to notify the Council that it was necessary to revise the rebuilding plan. Although a quantitative status determination relative to the 2016 benchmark assessment results is not possible, there are indications that the stock is still in poor condition, and will continue to need conservative management measures to promote stock growth. Based on what we know of the stock's condition, the proposed catch limits are designed to maintain or improve current biomass levels. We are finalizing our guidance regarding any necessary adjustments to the rebuilding plan and will advise the Council on the next steps prior to the fall 2017 groundfish assessment updates. Additionally, at whatever point the stock assessment for witch flounder can provide biomass estimates, these estimates can be used to evaluate progress towards the rebuilding targets.

3. Fishing Year Shared 2017 U.S./Canada Quotas

Management of Transboundary Georges Bank Stocks

Eastern GB cod, eastern GB haddock, and GB yellowtail flounder are jointly managed with Canada under the United States/Canada Resource Sharing Understanding. Each year, the Transboundary Management Guidance Committee (TMGC), which is a government-industry committee made up of representatives from the U.S. and Canada, recommends a shared quota for each stock based on the most recent stock information and the TMGC's harvest strategy. The TMGC's harvest strategy for setting catch levels is to maintain a low to neutral risk (less than 50 percent) of exceeding the fishing mortality limit for each stock. The harvest strategy also specifies that when stock conditions are poor, fishing mortality should be further reduced to promote stock rebuilding. The shared quotas are allocated between the U.S. and Canada based on a formula that considers historical catch (10-percent weighting) and the current resource distribution (90-percent weighting).

For GB yellowtail flounder, the SSC also recommends an ABC for the stock, which is typically used to inform the U.S. TMGC's discussions with Canada for the annual shared quota. Although the stock is jointly managed with Canada, and the TMGC recommends annual shared quotas, the United States may not set catch limits that would exceed the SSC's recommendation. The SSC does not recommend ABCs for eastern GB cod and haddock because they are management units of the total GB cod and haddock stocks. The SSC recommends overall ABCs for the total GB cod and haddock stocks. The shared U.S./Canada quota for eastern GB cod and haddock is accounted for in these overall ABCs, and must be consistent with the SSC's recommendation for the total GB stocks.

2017 U.S./Canada Quotas

The Transboundary Resources Assessment Committee (TRAC) conducted assessments for the three transboundary stocks in July 2016, and detailed summaries of these assessments can be found at: *http://www.nefsc.noaa.gov/saw/trac/*. The TMGC met in September 2016 to recommend shared quotas for 2017 based on the updated assessments, and the Council adopted the TMGC's recommendations in Framework 56. The

proposed 2017 shared U.S./Canada quotas, and each country's allocation, are listed in Table 1.

TABLE 1—PROPOSED FISHING YEAR 2017 U.S./CANADA QUOTAS (mt, LIVE WEIGHT) AND PERCENT OF QUOTA ALLOCATED TO EACH COUNTRY

Quota	Eastern GB cod	Eastern GB haddock	GB Yellowtail flounder
Total Shared Quota	730	50,000	300
U.S. Quota	146 (20%)	29,500 (59%)	207 (69%)
Canada Quota	584 (80%)	20,500 (41%)	93 (31%)

The Council's proposed 2017 U.S. quota for eastern GB haddock would be a 95-percent increase compared to 2016. This increase is due to an increase in the shared U.S./Canada quota, as well as an increase in the amount of the quota that is allocated to the United States. The proposed 2017 U.S. quota for eastern GB cod would also be a small increase from 2016 (6 percent). The Council's proposed U.S. quota for GB yellowtail flounder would be a 23-percent decrease compared to 2016. The decrease is in response to continued poor stock condition and a decrease in the U.S. share of the quota. For a more detailed discussion of the TMGC's 2017 catch advice, see the TMGC's guidance document under the ''Resources'' tab at: *http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/multispecies/index.html*.

The regulations implementing the U.S./Canada Resource Sharing Understanding require that any overages of the U.S. quota for eastern GB cod, eastern GB haddock, or GB yellowtail flounder be deducted from the U.S. quota in the following fishing year. If catch information for fishing year 2016 indicates that the U.S. fishery exceeded its quota for any of the shared stocks, we will reduce the respective U.S. quotas for fishing year 2017 in a future management action, as soon as possible. If any fishery that is allocated a portion of the U.S. quota exceeds its allocation and causes an overage of the overall U.S. quota, the overage reduction would only be applied to that fishery's allocation in the following fishing year. This ensures that catch by one component of the fishery does not negatively affect another component of the fishery.

4. Catch Limits

Summary of the Proposed Catch Limits

The catch limits proposed by the Council in this action can be found in Tables 2 through 9. A brief summary of how these catch limits were developed is provided below. More details on the proposed catch limits for each groundfish stock can be found in Appendix III to the Framework 56 Environmental Assessment (see **ADDRESSES** for information on how to get this document).

Last year, Framework 55 (81 FR 26412; May 2, 2016) adopted fishing year 2016–2018 catch limits for all groundfish stocks, except for the U.S./Canada stocks, which must be set every year. As discussed in section ''2. Status Determination Criteria for Witch Flounder,'' the Northeast Fisheries Science Center conducted a benchmark assessment for witch flounder in December 2016. The Council considered the results of the witch flounder benchmark assessment at its January 2017 meeting, and included revised catch limits in Framework 56. This rule proposes to implement fishing year 2017–2019 catch limits for witch flounder based on the recent stock assessment and consistent with the recommendations of the Council's SSC. This rule also proposes to incorporate shared U.S./Canada quotas (see section ''3. Fishing Year 2017 Shared U.S./Canada Quotas). For most stocks, other than GB cod, GB haddock, GB yellowtail flounder, and witch flounder, catch limits included in this action are identical to those previously implemented in Framework 55, and became effective on May 1, 2017. There are changes to the northern windowpane flounder catch limits related to the proposed allocation of northern windowpane flounder to the scallop fishery (see section ''5. Allocation of Northern Windowpane Flounder to the Scallop Fishery''). There are also minor changes to the catch limits for GB winter flounder and white hake due to revised estimates of Canadian catch. Table 2 details the percent change in the 2017 catch limit compared to fishing year 2016.

Overfishing Limits and Acceptable Biological Catches

The overfishing limit (OFL) serves as the maximum amount of fish that can be caught in a year without resulting in overfishing. The OFL for each stock is calculated using the estimated stock size and F_{MSY} (*i.e.,* the fishing mortality rate that, if applied over the long term, would result in maximum sustainable yield). The OFL does not account for scientific uncertainty, so the SSC typically recommends an ABC that is lower than the OFL in order to account for this uncertainty. Usually, the greater the amount of scientific uncertainty, the lower the ABC is set compared to the OFL. For GB cod, GB haddock, and GB yellowtail flounder, the total ABC is then reduced by the amount of the Canadian quota (see Table 3 for the Canadian share of these stocks). Additionally, although GB winter flounder, white hake, and Atlantic halibut are not jointly managed with Canada, there is some Canadian catch of these stocks. Because the total ABC must account for all sources of fishing mortality, expected Canadian catch of GB winter flounder (87 mt), white hake (42 mt), and Atlantic halibut (34 mt) is deducted from the total ABC. The U.S. ABC is the amount available to the U.S. fishery after accounting for Canadian catch. Additional details about the Council's proposed ABC for witch flounder is provided below.

TABLE 2—PROPOSED FISHING YEARS 2017–2019 OVERFISHING LIMITS AND ACCEPTABLE BIOLOGICAL CATCHES

[mt, live weight]

Stock	2017		Percent change from 2016	2018		2019	
	OFL	U.S. ABC		OFL	U.S. ABC	OFL	U.S. ABC
GB Cod	1,665	665	−13	1,665	1,249		
GOM Cod	667	500	0	667	500		
GB Haddock	258,691	57,398	2	358,077	77,898		
GOM Haddock	5,873	4,534	25	6,218	4,815		
GB Yellowtail Flounder	Unknown	207	−23	Unknown	354		
SNE/MA Yellowtail Flounder	Unknown	267	0	Unknown	267		
CC/GOM Yellowtail Flounder	707	427	0	7,900	427		
American Plaice	1,748	1,336	3	1,840	1,404		
Witch Flounder	Unknown	878	91	Unknown	878	Unknown	878
GB Winter Flounder	1,056	702	5	1,459	702		
GOM Winter Flounder	1,080	810	0	1,080	810		
SNE/MA Winter Flounder	1,021	780	0	1,587	780		
Redfish	14,665	11,050	7	15,260	11,501		
White Hake	4,816	3,644	−3	4,733	3,580		
Pollock	32,004	21,312	0	34,745	21,312		
N. Windowpane Flounder	243	182	0	243	182		
S. Windowpane Flounder	833	623	0	833	623		
Ocean Pout	220	165	0	220	165		
Atlantic Halibut	210	124	0	210	124		
Atlantic Wolffish	110	82	0	110	82		

SNE/MA = Southern New England/Mid-Atlantic; CC = Cape Cod; N = Northern; S = Southern.
Note: An empty cell indicates no OFL/ABC is adopted for that year. These catch limits will be set in a future action.

Witch Flounder

As discussed under section ''2. Status Determination Criteria for Witch Flounder,'' both the 2016 witch flounder benchmark assessment and the previous benchmark assessment were rejected, and could not be used as a basis for catch advice. In the absence of an assessment model, the peer review panel recommended catch advice for witch flounder based on a swept-area biomass approach. The swept-area biomass approach is entirely different from the age-based assessment approaches used to generate past biomass estimates and catch limits. The swept-area biomass approach indicates that biomass declined from the 1960s to the mid-1990s, increased in the early 2000s, and declined until 2005. Since 2005, stock size appears to have been low relative to the 1960s, but relatively stable. The swept-area biomass approach generates an ABC of 878 mt by applying the mean exploitation rate from 2007 to 2015 to the 3-year moving average of exploitable biomass estimates from the spring and fall NOAA Fisheries trawl surveys.

The SSC met on January 17, 2017, to review the results of the recent benchmark assessment. The SSC's final report for its witch flounder ABC recommendation is available here: *http://s3.amazonaws.com/nefmc.org/1_SSC_response_witchflounder_Jan2016_FINAL.pdf*. The SSC agreed that the swept-area biomass approach results were the best available, and based on this approach, recommended an OFL of unknown, and an ABC of 878 mt. The Council discussed the SSC's recommendations on January 25, 2017, and recommended a constant ABC of 878 mt for fishing years 2017–2019. The 878 mt ABC recommendation represents a 91-percent increase over the 2016 ABC (460 mt). The higher catch limit recommendation should not be viewed as a simple increase. Rather, the swept-area biomass approach is entirely different from the age-based assessment approaches used to generate past catch limits.

The Northeast Fisheries Science center will conduct an assessment update for witch flounder in fall of 2017, in time to re-specify witch flounder catch limits for fishing year 2018, if necessary. Updated catch and assessment information may provide support for adjusting the ABC for future fishing years. Thus, although the Council proposes a 3-year constant ABC, the catch limits adopted may only be in place for 1 year.

Annual Catch Limits

Development of Annual Catch Limits

The U.S. ABC for each stock is divided among the various fishery components to account for all sources of fishing mortality. First, an estimate of catch expected from state waters and the ''other'' sub-component (*i.e.,* non-groundfish fisheries) is deducted from the U.S. ABC. These sub-components are not subject to specific catch controls by the FMP. As a result, the state waters and other sub-components are not allocations, and these components of the fishery are not subject to accountability measures if the catch limits are exceeded. After the state and other sub-components are deducted, the remaining portion of the U.S. ABC is distributed to the fishery components that receive an allocation for the stock. Components of the fishery that receive an allocation are subject to accountability measures if they exceed their respective catch limit during the fishing year.

Once the U.S. ABC is divided, sub-annual catch limits (sub-ACLs) are set by reducing the amount of the ABC distributed to each component of the fishery to account for management uncertainty. Management uncertainty is the likelihood that management measures will result in a level of catch greater than expected. For each stock and fishery component, management uncertainty is estimated using the following criteria: Enforceability and precision of management measures, adequacy of catch monitoring, latent effort, and catch of groundfish in non-groundfish fisheries. The total ACL is the sum of all of the sub-ACLs and ACL sub-components, and is the catch limit for a particular year after accounting for both scientific and management uncertainty. Landings and discards from all fisheries (commercial and recreational groundfish fisheries, state waters, and non-groundfish fisheries) are counted against the ACL for each

stock. Tables 3 to 5 summarize the proposed catch limits for fishing years 2017, 2018, and 2019.

Sector and Common Pool Allocations

For stocks allocated to sectors, the commercial groundfish sub-ACL is further divided into the non-sector (common pool) sub-ACL and the sector sub-ACL, based on the total vessel enrollment in sectors and the cumulative Potential Sector Contributions (PSCs) associated with those sectors. The sector and common pool sub-ACLs proposed in this action are based on fishing year 2017 PSCs and finalized fishing year 2017 sector rosters. Sector specific allocations for each stock can be found in this rule in section ''8. Sector Measures for Fishing Year 2017.''

Common Pool Total Allowable Catches

The common pool sub-ACL for each stock (except for SNE/MA winter flounder, northern windowpane flounder, southern windowpane flounder, ocean pout, Atlantic wolffish, and Atlantic halibut) is further divided into trimester total allowable catches (TACs). The distribution of the common pool sub-ACLs into trimesters was adopted in Amendment 16 to the FMP. Once we project that 90 percent of the trimester TAC is caught for a stock, the trimester TAC area for that stock is closed for the remainder of the trimester to all common pool vessels fishing with gear capable of catching the pertinent stock. Any uncaught portion of the TAC in Trimester 1 or Trimester 2 will be carried forward to the next trimester. Overages of the Trimester 1 or Trimester 2 TAC will be deducted from the Trimester 3 TAC. Any overages of the total common pool sub-ACL will be deducted from the following fishing year's common pool sub-ACL for that stock. Uncaught portions of the Trimester 3 TAC may not be carried over into the following fishing year. Table 6 summarizes the common pool trimester TACs proposed in this action.

Incidental catch TACs are also specified for certain stocks of concern (*i.e.,* stocks that are overfished or subject to overfishing) for common pool vessels fishing in the special management programs (*i.e.,* special access programs (SAPs) and the Regular B Days-at-Sea (DAS) Program), in order to limit the catch of these stocks under each program. Tables 7 through 9 summarize the proposed Incidental Catch TACs for each stock and the distribution of these TACs to each special management program.

Closed Area I Hook Gear Haddock Special Access Program

Overall fishing effort by both common pool and sector vessels in the Closed Area I Hook Gear Haddock SAP is controlled by an overall TAC for GB haddock, which is the target species for this SAP. The maximum amount of GB haddock that may be caught in any fishing year is based on the amount allocated to this SAP for the 2004 fishing year (1,130 mt), and adjusted according to the growth or decline of the western GB haddock biomass in relationship to its size in 2004. Based on this formula, the Council's proposed GB Haddock TAC for this SAP is 10,709 mt for fishing year 2017. Once this overall TAC is caught, the Closed Area I Hook Gear Haddock SAP will be closed to all groundfish vessels for the remainder of the fishing year.

Default Limits for the 2019 Fishing Year

Framework 53 established a mechanism for setting default catch limits in the event a future management action is delayed. If final catch limits have not been implemented by the start of a fishing year on May 1, then default catch limits are set at 35 percent of the previous year's catch limit, effective until July 31 of that fishing year. If this value exceeds the Council's recommendation for the upcoming fishing year, the default catch limits will be reduced to an amount equal to the Council's recommendation for the upcoming fishing year. Because groundfish vessels are not able to fish if final catch limits have not been implemented, this measure was established to prevent disruption to the groundfish fishery. Additional description of the default catch limit mechanism is provided in the preamble to the Framework 53 final rule (80 FR 25110; May 1, 2015). The default catch limits for 2019 were presented in the Framework 55 Final Rule (81 FR 26412; May 2, 2016) and are not repeated here.

TABLE 3—PROPOSED CATCH LIMITS FOR FISHING YEAR 2017 (mt, LIVE WEIGHT). CATCH LIMITS ARE PROPOSED FOR GB COD, GB HADDOCK, GB YELLOWTAIL, AND WITCH FLOUNDER. SUB-ACL ADJUSTMENTS ARE PROPOSED FOR THE MIDWATER TRAWL FISHERY FOR GB HADDOCK, AND FOR THE SCALLOP FISHERY FOR NORTHERN WINDOWPANE. ALL OTHER LIMITS WERE PREVIOUSLY ADOPTED IN FRAMEWORK 55 ON MAY 1, 2016

Stock	Total ACL	Total groundfish fishery	Sector	Common pool	Recreational fishery	Midwater trawl fishery	Scallop fishery	Small-mesh fisheries	State waters sub-component	Other sub-component
GB Cod	637	531	521	10					20	86
GOM Cod	473	437	271	9	157				27	10
GB Haddock	54,568	52,620	52,253	367		801			574	574
GOM Haddock	4,285	4,177	2,985	33	1,160	42			33	33
GB Yellowtail Flounder	201	163	160	2			32	4	0	2.1
SNE/MA Yellowtail Flounder	256	187	151	36			34		5	29
CC/GOM Yellowtail Flounder	409	341	326	15					43	26
American Plaice	1,272	1,218	1,196	23					27	27
Witch Flounder	839	734	718	16					35	70
GB Winter Flounder	683	620	615	5					0	63
GOM Winter Flounder	776	639	607	32					122	16
SNE/MA Winter Flounder	749	585	515	70					70	94
Redfish	10,514	10,183	10,126	56					111	221
White Hake	3,467	3,358	3,331	27					36	73
Pollock	20,374	17,817	17,704	113					1,279	1,279
N. Windowpane Flounder	170	129	na	129			36		2	4
S. Windowpane Flounder	599	104	na	104			209		37	249
Ocean Pout	155	130	na	130					2	23
Atlantic Halibut	119	91	na	91					25	4
Atlantic Wolffish	77	72	na	72					1	3

TABLE 4—PROPOSED CATCH LIMITS FOR FISHING YEAR 2018 (mt, LIVE WEIGHT). CATCH LIMITS ARE PROPOSED FOR GB COD, GB HADDOCK, GB YELLOWTAIL, AND WITCH FLOUNDER. SUB-ACL ADJUSTMENTS ARE PROPOSED FOR THE MIDWATER TRAWL FISHERY FOR GB HADDOCK, AND FOR THE SCALLOP FISHERY FOR NORTHERN WINDOWPANE. ALL OTHER LIMITS WERE PREVIOUSLY ADOPTED IN FRAMEWORK 55 ON MAY 1, 2016

Stock	Total ACL	Total groundfish fishery	Sector	Common pool	Recreational fishery	Midwater trawl fishery	Scallop fishery	Small-mesh fisheries	State waters sub-component	Other sub-component
GB Cod	1,197	997	978	18					37	162
GOM Cod	473	437	271	9	157				27	10
GB Haddock	74,058	71,413	70,916	497		1,087			779	779
GOM Haddock	4,550	4,436	3,169	35	1,231	45			35	35
GB Yellowtail Flounder	343	278	274	4			55	7	0	4
SNE/MA Yellowtail Flounder	256	185	149	36			37		5	29
CC/GOM Yellowtail Flounder	409	341	326	15					43	26
American Plaice	1,337	1,280	1,257	24					28	28
Witch Flounder	839	734	718	16					35	70
GB Winter Flounder	683	620	615	5					0	63
GOM Winter Flounder	776	639	607	32					122	16
SNE/MA Winter Flounder	749	585	515	70					70	94
Redfish	10,943	10,598	10,540	58					115	230
White Hake	3,406	3,299	3,273	26					36	72
Pollock	20,374	17,817	17,704	113					1,279	1,279
N. Windowpane Flounder	170	129		129			36		2	4
S. Windowpane Flounder	599	104		104			209		37	249
Ocean Pout	155	130		130					2	23
Atlantic Halibut	119	91		91					25	4
Atlantic Wolffish	77	72		72					1	3

TABLE 5—PROPOSED CATCH LIMITS FOR FISHING YEAR 2019

[mt, live weight]

Stock	Total ACL	Total groundfish fishery	Sector	Common pool	Recreational fishery	Midwater trawl fishery	Scallop fishery	Small-mesh fisheries	State waters sub-component	Other sub-component
Witch Flounder	839	734	718	16					35	70

TABLE 6—PROPOSED FISHING YEARS 2017–2019 COMMON POOL TRIMESTER TACS

[mt, live weight]

Stock	2017			2018			2019		
	Trimester 1	Trimester 2	Trimester 3	Trimester 1	Trimester 2	Trimester 3	Trimester 1	Trimester 2	Trimester 3
GB Cod	2.5	3.6	3.7	4.6	6.8	7.0			
GOM Cod	2.5	3.3	3.4	2.5	3.3	3.4			
GB Haddock	99.0	120.9	146.6	134.3	164.1	199.0			
GOM Haddock	8.8	8.5	15.4	9.4	9.0	16.3			
GB Yellowtail Flounder	0.5	0.7	1.3	0.8	1.3	2.2			
SNE/MA Yellowtail Flounder	7.6	13.4	15.2	7.5	13.2	14.9			
CC/GOM Yellowtail Flounder	5.2	5.2	4.5	5.2	5.2	4.5			
American Plaice	5.5	8.2	9.1	5.7	8.6	9.6			
Witch Flounder	4.4	5.1	6.9	4.4	5.1	6.9	4.4	5.1	6.9
GB Winter Flounder	0.4	1.2	3.5	0.4	1.2	3.5			
GOM Winter Flounder	11.7	12.0	7.9	11.7	12.0	7.9			
Redfish	14.0	17.4	24.7	14.6	18.1	25.7			
White Hake	10.2	8.3	8.3	10.0	8.2	8.2			
Pollock	31.6	39.5	41.8	31.6	39.5	41.8			

Note. An empty cell indicates that no catch limit has been set yet for these stocks. These catch limits will be set in a future management action.

TABLE 7—PROPOSED COMMON POOL INCIDENTAL CATCH TACS FOR FISHING YEARS 2017–2019

[mt, live weight]

Stock	Percentage of common pool sub-ACL	2017	2018	2019
GB Cod	2	0.20	0.37	
GOM Cod	1	0.09	0.09	
GB Yellowtail Flounder	2	0.05	0.08	
CC/GOM Yellowtail Flounder	1	0.15	0.15	
American Plaice	5	1.14	1.19	
Witch Flounder	5	0.82	0.82	0.82

TABLE 7—PROPOSED COMMON POOL INCIDENTAL CATCH TACS FOR FISHING YEARS 2017–2019—Continued

[mt, live weight]

Stock	Percentage of common pool sub-ACL	2017	2018	2019
SNE/MA Winter Flounder	1	0.70	0.70	.....

TABLE 8—PERCENTAGE OF INCIDENTAL CATCH TACS DISTRIBUTED TO EACH SPECIAL MANAGEMENT PROGRAM

Stock	Regular B DAS program	Closed area I hook gear haddock SAP	Eastern US/CA haddock SAP
GB Cod	50	16	34
GOM Cod	100	.....	.....
GB Yellowtail Flounder	50	.....	50
CC/GOM Yellowtail Flounder	100	.....	.....
American Plaice	100	.....	.....
Witch Flounder	100	.....	.....
SNE/MA Winter Flounder	100	.....	.....
White Hake	100	.....	.....

TABLE 9—PROPOSED FISHING YEARS 2017–2019 INCIDENTAL CATCH TACS FOR EACH SPECIAL MANAGEMENT PROGRAM

[mt, live weight]

Stock	Regular B DAS program			Closed area I hook gear Haddock SAP			Eastern U.S./Canada Haddock SAP		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
GB Cod	0.10	0.18	.....	0.03	0.06	.....	0.07	0.13	.....
GOM Cod	0.09	0.09	.....	n/a	n/a	.....	n/a	n/a	.....
GB Yellowtail Flounder	0.02	0.04	.....	n/a	n/a	.....	0.02	0.04	.....
CC/GOM Yellowtail Flounder	0.15	0.15	.....	n/a	n/a	.....	n/a	n/a	.....
American Plaice	1.14	1.19	.....	n/a	n/a	.....	n/a	n/a	.....
Witch Flounder	0.82	0.82	0.82	n/a	n/a	n/a	n/a	n/a	n/a
SNE/MA Winter Flounder	0.70	0.70	.....	n/a	n/a	.....	n/a	n/a	.....

5. Allocation of Northern Windowpane Flounder for the Scallop Fishery

Scallop fishery catch of northern windowpane flounder is currently accounted for under the other sub-component, and has ranged between 6 and 76 percent of total northern windowpane flounder catch between 2010 and 2015. As noted above, under section ''4. Catch Limits,'' the U.S. ABC for each stock is reduced by an estimate of catch expected from state waters and the ''other'' sub-component (*i.e.,* non-groundfish fisheries). These sub-components are not subject to specific catch controls by the FMP. As a result, the state waters and other sub-components are not allocations, and these components of the fishery are not subject to accountability measures if the catch limits are exceeded.

For northern windowpane flounder, 33 to 49 percent of the U.S. ABC has been set aside for the other sub-component each year since 2010. Scallop fishery catch accounts for more than 90 percent of other sub-component catch in each of those years, and was greater than two times the other subcomponent value in 2012, 2014, and 2015. This means that outside of the groundfish fishery, the scallop fishery is the major contributor to northern windowpane flounder catches. Further, catch has been over the total ACL for the northern windowpane fishery in every year since 2010. In 2012 and 2015, scallop fishery catch, as part of the other sub-component, directly contributed to the ACL overage.

Because the scallop fishery does not currently have an allocation for northern windowpane flounder, the groundfish fishery is held accountable if high levels of catch in the scallop fishery contribute to an ACL overage. When triggered, the northern windowpane flounder AMs require groundfish trawl vessel to use selective gear that reduces flatfish bycatch in certain areas. This restricts the ability of the groundfish fishery to target and catch marketable species, mainly other flatfish such as winter flounder, and result in adverse economic impacts to the groundfish fleet fishing on Georges Bank when the gear-restricted areas are in place.

This action proposes to establish a scallop fishery sub-ACL for northern windowpane flounder equal to 21 percent of the northern windowpane flounder ABC. This allocation is based on the 90th percentile of scallop fishery catches (as a percent of the total catch) for calendar years 2005 to 2014. This approach is similar to the approach used to set the southern windowpane flounder sub-ACL for the scallop fishery in Framework 48 (78 FR 26118, May 2, 2013). The Council chose a fixed-percentage allocation rather than an allocation based on projected catch because projected catch can fluctuate greatly from year to year. The scallop fishery's sub-ACL would be calculated by reducing the portion of the ABC allocated to the scallop fishery to account for management uncertainty. The current management uncertainty buffer for zero-possession stocks is 7 percent. The management uncertainty buffer can be adjusted each time the groundfish specifications are set.

Creating a sub-ACL and, therefore, an AM for the scallop fishery is intended to create accountability for those

fisheries responsible for a substantial share of catch or an overage if one occurs. This measure also ensures that catch from one fishery does not negatively affect another fishery. Thus, a sub-ACL for the scallop fishery would help prevent overfishing of northern windowpane flounder, as required by National Standard 1 and Section 303(a)(1) of the Magnuson-Stevens Act, and create an incentive to minimize bycatch of this stock, consistent with National Standard 9.

This action does not propose scallop fishery AMs for the northern windowpane flounder sub-ACL. Consistent with other scallop allocations, the Council would develop and adopt scallop fishery AMs for this sub-ACL during 2017. We would work with the Council to develop and implement the AMs in time for fishing year 2018. This means that if there is an overage in the 2017 scallop fishery northern windowpane flounder sub-ACL, that overage would be subject to the AM. Once the scallop fishery AM for northern windowpane flounder is implemented, the groundfish fishery would only be subject to an AM if the groundfish fishery exceeds its sub-ACL and the overall ACL is also exceeded. The proposed 2017 sub-ACL is lower than recent scallop fishery catches of northern windowpane flounder. As a result, this action also proposes an AM trigger that would provide additional flexibility that would hold the scallop fishery accountable but ensure that optimum yield is still achieved. The trigger for the scallop fishery northern windowpane flounder AM is discussed below in section ''6. Revised Threshold for Scallop Accountability Measures.''

6. Revised Threshold for Scallop Accountability Measures

The scallop fishery has sub-ACLs for GB yellowtail flounder, SNE/MA yellowtail flounder, and southern windowpane flounder. Framework 56 would also implement a scallop fishery sub-ACL for northern windowpane flounder (see section ''5. Allocation of Northern Windowpane Flounder for the Scallop Fishery). If the scallop fishery exceeds its sub-ACL for these stocks, it is subject to AMs that, in general, restrict the scallop fishery in seasons and areas with high encounter rates for these stocks. Framework 47 (77 FR 26104, May 2, 2012) set a policy for triggering a scallop fishery AMs for groundfish stocks. Currently, the scallop fishery is subject to AMs for these stocks if either: (1) The scallop fishery exceeds its sub-ACL and the total ACL is exceeded; or (2) the scallop fishery exceeds its sub-ACL by 50 percent or more. This policy was implemented to provide flexibility for the scallop fishery.

Framework 56 proposes that the AMs for GB yellowtail flounder and northern windowpane flounder would only be implemented if scallop fishery catch exceeds its sub-ACL by any amount and the total ACL is also exceeded. The AM trigger would remain unchanged for SNE/MA yellowtail flounder and southern windowpane flounder. The adjustment for GB yellowtail flounder and northern windowpane flounder is intended to provide additional flexibility, beyond the existing scallop AM implementation policy, for the scallop fishery to operate in years when the overall and scallop fishery allocations for these stocks are low. The scallop fishery is expected to operate primarily on Georges Bank in 2017 and 2018, based on scallop rotational area management. The revised thresholds would only be effective for fishing years 2017 and 2018, after which the Council would evaluate the provision to ensure the threshold has effectively constrained both scallop fishery catch and total mortality.

7. Increase to Georges Bank Haddock Catch Limit for the Midwater Trawl Fishery

Throughout 2016, the Council considered adjustments to the GB haddock catch cap and associated AM to promote long-term sustainable management the GB haddock stock and groundfish fishery and provide incentives for the midwater Atlantic herring fishery to minimize bycatch for this stock to the extent practicable, while still allowing the herring fishery to achieve optimum yield. The Council's Herring Committee considered a range of alternatives to adjust the accountability measure for the GB haddock catch cap in Framework Adjustment 5 to the Herring FMP. Herring Framework 5 analyzed alternatives to adjust GB haddock AM area, to allocate the existing cap seasonally, and to use state portside sampling data in addition to NEFOP observer data to monitor the cap. At its January 2017 meeting, the Council ultimately voted not to adopt any of the AM adjustment approaches in Herring Framework 5, and ceased developing that action. This means that the existing AMs for the GB haddock catch cap remain in effect. This includes the inseason closure of the GB haddock AM area when the haddock catch cap is reached, and pound-for-pound payback for any overages.

The Groundfish Committee simultaneously considered alternatives to adjust the GB haddock catch cap in Framework 56, and took final action to recommend increasing Atlantic herring midwater trawl fishery's GB haddock catch cap from 1 percent of the U.S. ABC to 1.5 percent at its November 2016 meeting. The Council's decision to increase the GB haddock catch cap in Framework 56 factored into its decision to cease development of Herring Framework 5. The Council's analysis notes that this option better meets the goals and objectives of the Atlantic herring management program. In particular, this option meets the goal to achieve, on a continuing basis, optimum yield, and the objectives to achieve full utilization from the catch of herring, and to promote the utilization of the resource in a manner which maximizes social and economic benefits to the nation, while taking into account the protection of marine ecosystems including minimizing bycatch to the extent practicable.

As in the past, the herring fishery's midwater trawl sub-ACL would be calculated by reducing the portion of the ABC allocated to the herring midwater trawl fishery to account for management uncertainty. The current management uncertainty buffer is 7 percent.

The Council also proposes to establish a process for reviewing the GB haddock midwater trawl sub-ACL. Following an assessment of the entire GB haddock stock, the Groundfish Plan Development Team (PDT) would review groundfish fishery catch performance, utilization, status of the GB haddock resource, recruitment, incoming year-class strength, and the variability in the GB haddock incidental catch estimates for the Atlantic herring midwater trawl fishery. Based on this review, the PDT would determine whether changes to the GB haddock midwater trawl sub-ACL were necessary, and recommend to the Groundfish Committee and Council an appropriate sub-ACL equal to 1 to 2 percent of the GB haddock U.S. ABC.

8. Sector Measures for Fishing Year 2017

This action also proposes updated annual catch entitlements for 19 sectors for the 2017 fishing year based on the new catch limits included in Framework 56 and the finalized 2017 sector rosters. Sector operation plan approval, as well as evaluation of sector exemptions, is covered in the interim final rule that approved 2017 and 2018 sector operations plans (82 FR 19618; April 28, 2017).

Sector Allocations

Regional Administrator approval is required for sectors to receive annual catch entitlements (ACEs) for specific groundfish stocks. The ACE allocations are a portion of a stock's ACL available to the sector based on the collective fishing history of the sector's members. Sectors are allocated ACE for groundfish stocks for which its members have landings history, with the exception of Atlantic halibut, ocean pout, windowpane flounder, and Atlantic wolffish. These stocks are not allocated to sectors.

The sector allocations proposed in this rule are based on the fishing year 2017 specifications described above under ''3. Catch Limits.'' We calculate the sector's allocation for each stock by summing its members' potential sector contributions (PSC) for a stock, as shown in Table 10. The information presented in Table 10 is the total percentage of each commercial sub-ACL each sector would receive for fishing year 2017, based on finalized fishing year 2017 rosters. Tables 11 and 12 show the allocations each sector would receive for fishing year 2017, based on finalized fishing year 2017 rosters. At the start of the fishing year, after sector enrollment is finalized, we provide the final allocations, to the nearest pound, to the individual sectors, and we use those final allocations to monitor sector catch. While the common pool does not receive a specific allocation, the common pool sub-ACLs have been included in each of these tables for comparison.

We do not assign an individual permit separate PSCs for the Eastern GB cod or Eastern GB haddock; instead, we assign a permit a PSC for the GB cod stock and GB haddock stock. Each sector's GB cod and GB haddock allocations are then divided into an Eastern ACE and a Western ACE, based on each sector's percentage of the GB cod and GB haddock ACLs. For example, if a sector is allocated 4 percent of the GB cod ACL and 6 percent of the GB haddock ACL, the sector is allocated 4 percent of the commercial Eastern U.S./Canada Area GB cod TAC and 6 percent of the commercial Eastern U.S./Canada Area GB haddock TAC as its Eastern GB cod and haddock ACEs. These amounts are then subtracted from the sector's overall GB cod and haddock allocations to determine its Western GB cod and haddock ACEs. Framework 51 implemented a mechanism that allows sectors to ''convert'' their Eastern GB haddock allocation into Western GB haddock allocation (79 FR 22421; April 22, 2014) and fish that converted ACE in Western GB. Framework 55 implemented a similar measure for GB cod (81 FR 26412; May 2, 2016).

We will allow sectors to transfer fishing year 2016 ACE for 2 weeks of the fishing year following the completion of year-end catch accounting to reduce or eliminate any fishing year 2016 overages. If necessary, we will reduce any sector's fishing year 2017 allocation to account for a remaining overage in fishing year 2016.

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Table 10. Cumulative PSC (percentage) each sector would receive by stock for fishing year 2017.

Sector Name	GB Cod†	GOM Cod	GB Haddock†	GOM Haddock	GB YT Flounder	SNE/MA YT Flounder‡	CC/GOM YT Flounder‡	American Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder‡	Redfish	White Hake	Pollock
GB Cod Fixed Gear Sector (Fixed Gear Sector)	28.63	2.98	6.34	2.06	0.01	0.37	3.06	1.00	2.15	0.03	13.60	2.34	2.79	5.84	8.02
Maine Coast Community Sector (MCCS)	0.97	9.52	0.96	6.35	1.59	1.27	3.25	9.90	7.47	0.67	3.11	1.49	5.95	10.49	10.68
Maine Permit Bank	0.13	1.12	0.04	1.12	0.01	0.03	0.32	1.16	0.73	0.00	0.43	0.02	0.82	1.64	1.67
Northeast Coastal Communities Sector (NCCS)	0.40	2.10	0.35	1.53	0.84	0.70	1.90	0.61	1.25	0.05	2.14	0.71	1.00	1.96	1.76
NEFS 1	0.00	0.03	0.00	0.00	0.00	0.00	0.04	0.01	0.01	0.00	0.05	0.00	0.00	0.00	0.00
NEFS 2	5.86	18.47	10.67	17.07	1.87	1.73	19.67	9.31	13.21	3.21	18.78	3.51	14.85	6.45	11.39
NEFS 3	0.73	9.90	0.05	6.81	0.04	0.07	6.08	2.07	1.69	0.01	6.99	0.41	0.75	3.24	3.96
NEFS 4	4.17	10.61	5.35	8.60	2.16	2.35	6.06	9.39	8.71	0.69	6.95	1.28	6.72	8.09	6.35
NEFS 5	0.48	0.00	0.82	0.00	1.28	20.93	0.21	0.43	0.56	0.44	0.02	11.99	0.01	0.09	0.04
NEFS 6	2.87	2.96	2.93	3.84	2.70	5.27	3.74	3.89	5.21	1.50	4.56	1.94	5.31	3.91	3.31
NEFS 7	1.25	0.80	1.35	0.59	3.41	2.47	2.27	0.74	0.94	1.28	2.39	0.80	0.36	0.56	0.45
NEFS 8	6.52	0.16	5.95	0.07	10.63	5.22	2.60	2.09	2.44	21.16	0.68	8.97	0.51	0.47	0.61
NEFS 9	13.17	3.02	11.24	7.39	25.19	8.72	10.62	9.71	9.41	32.56	2.95	17.95	9.05	6.38	6.36
NEFS 10	0.34	2.35	0.16	1.25	0.00	0.55	4.01	0.93	1.69	0.01	8.95	0.49	0.33	0.61	0.70
NEFS 11	0.41	12.23	0.04	3.08	0.00	0.02	2.36	2.05	1.93	0.00	2.08	0.02	1.96	4.73	9.02
NEFS 12	0.63	2.98	0.09	1.05	0.00	0.01	7.95	0.50	0.57	0.00	7.66	0.22	0.23	0.30	0.82
NEFS 13	12.18	0.91	20.11	1.05	34.50	21.03	8.84	8.48	9.30	17.82	3.05	16.60	4.28	2.15	2.62
New Hampshire Permit Bank	0.00	1.14	0.00	0.03	0.00	0.00	0.02	0.03	0.01	0.00	0.06	0.00	0.02	0.08	0.11
Sustainable Harvest Sector 1	2.67	5.97	2.52	4.77	0.97	0.32	3.22	6.40	4.35	5.74	4.67	0.82	6.08	8.41	7.29
Sustainable Harvest Sector 2	0.29	0.29	0.40	0.07	2.21	2.25	0.84	0.72	0.61	0.46	0.93	1.11	0.26	0.33	0.27
Sustainable Harvest Sector 3	16.45	9.19	29.92	32.18	11.06	7.44	8.56	28.70	25.54	13.54	4.99	17.33	38.16	33.47	23.93
Sectors Total	**98.15**	**96.73**	**99.30**	**98.91**	**98.48**	**80.73**	**95.60**	**98.13**	**97.77**	**99.18**	**95.06**	**87.99**	**99.45**	**99.20**	**99.37**
Common Pool	1.88	3.18	0.66	1.06	1.46	17.17	4.25	1.70	2.14	0.80	5.04	10.58	0.55	0.76	0.63

* The data in this table are based on fishing year 2017 sector rosters.

† For fishing year 2017, 27.5 percent of the GB cod ACL would be allocated for the Eastern U.S./Canada Area, while 56.1 percent of the GB haddock ACL would be allocated for the Eastern U.S./Canada Area.

‡ SNE/MA Yellowtail Flounder refers to the SNE/Mid-Atlantic stock. CC/COM Yellowtail Flounder refers to the Cape Cod/GOM stock.

Table 11. Proposed ACE (in 1,000 lbs), by stock, for each sector for fishing year 2017.

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB YT Flounder	SNE/MA YT Flounder	CC/GOM YT Flounder	American Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
Fixed Gear Sector	92	243	18	4,124	3,232	137	0	2	23	27	35	0	192	30	626	433	3,151
MCCS	3	8	59	625	490	422	6	5	24	266	121	9	44	19	1,337	777	4,195
Maine Permit Bank	0	1	7	29	23	75	0	0	2	31	12	0	6	0	184	121	656
NCCS	1	3	13	228	179	102	3	3	14	16	20	1	30	9	224	145	692
NEFS 1	-	-	0	-	-	0	-	-	0	0	0	0	1	0	-	-	-
NEFS 2	19	50	114	6,937	5,437	1,136	7	7	148	250	214	44	264	45	3,333	477	4,473
NEFS 3	2	6	61	33	26	453	0	0	46	56	27	0	98	5	169	240	1,557
NEFS 4	13	35	66	3,480	2,727	572	8	10	46	252	141	9	98	17	1,509	599	2,496
NEFS 5	2	4	0	530	416	0	5	86	2	12	9	6	0	155	3	7	17
NEFS 6	9	24	18	1,903	1,492	255	10	22	28	105	84	21	64	25	1,192	290	1,298
NEFS 7	4	11	5	880	689	39	12	10	17	20	15	18	34	10	80	41	179
NEFS 8	21	55	1	3,868	3,031	5	38	22	20	56	40	289	10	116	114	35	241
NEFS 9	42	112	19	7,312	5,731	492	90	36	80	261	152	445	41	232	2,032	472	2,499
NEFS 10	1	3	14	107	84	83	0	2	30	25	27	0	126	6	73	45	273
NEFS 11	1	3	76	24	19	205	0	0	18	55	31	0	29	0	441	350	3,542
NEFS 12	2	5	18	61	48	70	0	0	60	14	9	0	108	3	52	22	324
NEFS 13	39	103	6	13,081	10,252	70	124	87	66	228	150	243	43	214	961	159	1,029
New Hampshire Permit Bank	0	0	7	0	0	2	0	0	0	1	0	0	1	0	4	6	44
Sustainable Harvest Sector 1	9	23	37	1,641	1,286	317	3	1	24	172	70	78	66	11	1,364	623	2,862
Sustainable Harvest Sector 2	1	2	2	261	205	5	8	9	6	19	10	6	13	14	59	25	104
Sustainable Harvest Sector 3	53	140	57	19,458	15,250	2,141	40	31	64	771	413	185	70	224	8,567	2,478	9,399
Sectors Total	**316**	**832**	**598**	**64,583**	**50,615**	**6,580**	**353**	**334**	**718**	**2,636**	**1,582**	**1,355**	**1,338**	**1,136**	**22,325**	**7,344**	**39,030**
Common Pool	6	16	20	427	335	70	5	71	32	46	35	11	71	137	123	56	249

*The data in this table are based on fishing year 2017 sector rosters.

#Numbers are rounded to the nearest thousand lbs. In some cases, this table shows an allocation of 0, but that sector may be allocated a small amount of that stock in tens or hundreds pounds.

^ The data in the table represent the total allocations to each sector.

Table 12. Proposed ACE (in metric tons), by stock, for each sector for fishing year 2017.

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB YT Flounder	SNE/MA YT Flounder	CC/GOM YT Flounder	American Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
Fixed Gear Sector	42	110	8	1,871	1,466	62	0	1	10	12	16	0	87	14	284	196	1,429
MCCS	1	4	27	283	222	192	3	2	11	121	55	4	20	9	606	352	1,903
Maine Permit Bank	0	1	3	13	10	34	0	0	1	14	5	0	3	0	84	55	298
NCCS	1	2	6	104	81	46	1	1	6	7	9	0	14	4	102	66	314
NEFS 1	-	-	0	-	-	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 2	9	23	52	3,147	2,466	515	3	3	67	113	97	20	120	21	1,512	216	2,029
NEFS 3	1	3	28	15	12	205	0	0	21	25	12	0	45	2	77	109	706
NEFS 4	6	16	30	1,578	1,237	259	4	4	21	114	64	4	44	8	684	272	1,132
NEFS 5	1	2	0	241	189	0	2	39	1	5	4	3	0	70	1	3	8
NEFS 6	4	11	8	863	677	116	4	10	13	47	38	9	29	11	541	131	589
NEFS 7	2	5	2	399	313	18	6	5	8	9	7	8	15	5	36	19	81
NEFS 8	10	25	0	1,754	1,375	2	17	10	9	25	18	131	4	53	52	16	109
NEFS 9	19	51	8	3,317	2,599	223	41	16	36	118	69	202	19	105	922	214	1,133
NEFS 10	0	1	7	49	38	38	0	1	14	11	12	0	57	3	33	21	124
NEFS 11	1	2	34	11	9	93	0	0	8	25	14	0	13	0	200	159	1,607
NEFS 12	1	2	8	28	22	32	0	0	27	6	4	0	49	1	23	10	147
NEFS 13	18	47	3	5,934	4,650	32	56	39	30	103	68	110	19	97	436	72	467
New Hampshire Permit Bank	0	0	3	0	0	1	0	0	0	0	0	0	0	0	2	3	20
Sustainable Harvest Sector 1	4	10	17	744	583	144	2	1	11	78	32	36	30	5	619	283	1,298
Sustainable Harvest Sector 2	0	1	1	118	93	2	4	4	3	9	5	3	6	6	27	11	47
Sustainable Harvest Sector 3	24	63	26	8,826	6,917	971	18	14	29	350	187	84	32	101	3,886	1,124	4264
Sectors Total	143	378	271	29,295	22,959	2,985	160	151	326	1,196	718	615	607	515	10,126	3,331	17,704
Common Pool	3	7	9	194	152	32	2.37	32	14	21	16	5	32	62	56	25	113

*The data in this table are based on fishing year 2017 sector rosters.

#Numbers are rounded to the nearest metric ton, but allocations are made in pounds. In some cases, this table shows a sector allocation of 0 metric tons, but that sector may be allocated a small amount of that stock in pounds.

^ The data in the table represent the total allocations to each sector.

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Sector Carryover From Fishing Year 2016 to Fishing Year 2017

Sectors can carry over up to 10 percent of the unused initial allocation for each stock into the next fishing year. However, the maximum available carryover may be reduced if up to 10 percent of the unused sector sub-ACL, plus the total ACL for the upcoming fishing year, exceeds the total ABC. Based on the catch limits proposed in this action, or previously established in Framework 55, we evaluated whether the total potential catch in the 2017 fishing year would exceed the proposed or established 2017 ABC if sectors carried over the maximum 10 percent of unused allocation from 2016 to 2017 (Table 13). Under this scenario, total potential catch would exceed the 2017 ABC for all stocks except for Gulf of Maine (GOM) haddock and witch flounder. As a result, we expect we will need to adjust the maximum amount of unused allocation that a sector can carry forward from 2016 to 2017 (down from 10 percent). It is possible that not all sectors will have 10 percent of unused allocation at the end of fishing year 2016. We will make final adjustments to the maximum carryover possible for each sector based on the final 2016 catch for the sectors, each sector's total unused allocation, and proportional to the cumulative PSCs of vessels/permits participating in the sector. We will announce this adjustment as soon as possible.

Based on the catch limits proposed in this rule, the *de minimis* carryover amount for fishing year 2017 would be set at the default one percent of the 2017 overall sector sub-ACL. The overall *de minimis* amount will be applied to each sector based on the cumulative PSCs of the vessel/permits participating in the sector. If the overall ACL for any allocated stock is exceeded for fishing year 2017, the allowed carryover harvested by a sector minus its specified *de minimis* amount, will be counted against its allocation to determine whether an overage, subject to an AM, occurred.

TABLE 13—EVALUATION OF MAXIMUM CARRYOVER ALLOWED FROM THE 2016 TO 2017 FISHING YEARS

[mt, live weight]

Stock	2016 sector sub-ACL (B)	Potential max carryover (10% of 2016 sector sub-ACL) (C) = (B) * 10%	2017 total ACL (D)	Total potential catch in FY 17 (FY 16 sector carryover + FY 17 ACL) (E) = (C) + (D)	2017 U.S. ABC (F)	Results (G) = (E) > (F)?	By how much? (H) = (E) − (F)
GB Cod	597	60	637	697	665	Higher than ABC	32
GOM cod	271	27	473	501	500	Higher than ABC	1
GB Haddock	51,327	5,133	54,568	59,701	57,398	Higher than ABC	2,303
GOM Haddock	2,390	239	4,285	4,524	4,534	Lower than ABC	−10
SNE/MA Yellowtail Flounder	157	16	256	272	267	Higher than ABC	5
CC/GOM Yellowtail Flounder	326	33	409	442	427	Higher than ABC	15
American Plaice	1,163	116	1,272	1,388	1,336	Higher than ABC	52
Witch Flounder	362	36	839	876	878	Lower than ABC	−2
GB Winter Flounder	585	59	683	741	702	Higher than ABC	39
GOM Winter Flounder	606	61	776	837	810	Higher than ABC	27
SNE/MA Winter Flounder	523	52	749	801	780	Higher than ABC	21
Redfish	9,474	947	10,514	11,461	11,050	Higher than ABC	411
White Hake	3,433	343	3,467	3,811	3,686	Higher than ABC	125
Pollock	17,704	1,770	20,374	22,145	21,312	Higher than ABC	833

Note: Carryover of GB yellowtail flounder is not allowed because this stock is jointly managed with Canada.

9. Fishing Year 2017 Annual Measures Under Regional Administrator Authority

The FMP gives us authority to implement certain types of management measures for the common pool fishery, the U.S./Canada Management Area, and Special Management Programs on an annual basis, or as needed. This proposed rule includes a description of these management measures that are being considered for fishing year 2017 in order to provide an opportunity for the public to comment on whether the proposed measures are appropriate. These measures are not part of Framework 56, and were not specifically proposed by the Council. We are proposing them in conjunction with Framework 56 measures in this action for efficiency purposes, and because they relate to the catch limits proposed in Framework 56.

Witch Flounder Common Pool Trip Limits

As discussed above in section ''4. Catch Limits,'' this action proposes to increase the witch flounder ABC for fishing year 2017. We propose to adjust the common pool witch flounder trip limit in response to this increase, after considering changes to the common pool sub-ACLs and sector rosters from 2016 to 2017, proposed trimester TACs for 2017, catch rates of witch flounder during 2016, and other available information. Table 14 summarizes the current common pool trip limit for witch flounder for fishing year 2017 implemented on May 1, 2017 (82 FR 20285; May 1, 2017), and the proposed trip limit. The common pool trip limits for all other groundfish stocks remains the same as those implemented on May 1, 2017.

TABLE 14—PROPOSED COMMON POOL TRIP LIMITS FOR FISHING YEAR 2017

Stock	Current 2017 trip limit	Proposed 2017 trip limit
Witch Flounder	150 lb (68 kg)/trip	400 lb (181 kg)/trip.

Closed Area II Yellowtail Flounder/ Haddock Special Access Program

This action proposes to allocate zero trips for common pool vessels to target yellowtail flounder within the Closed Area II Yellowtail Flounder/Haddock SAP for fishing year 2017. Vessels could still fish in this SAP in 2017 to target haddock, but must fish with a haddock separator trawl, a Ruhle trawl, or hook gear. Vessels would not be allowed to fish in this SAP using flounder trawl nets. This SAP is open from August 1, 2017, through January 31, 2018.

We have the authority to determine the allocation of the total number of trips into the Closed Area II Yellowtail Flounder/Haddock SAP based on several criteria, including the GB yellowtail flounder catch limit and the amount of GB yellowtail flounder caught outside of the SAP. The FMP specifies that no trips should be allocated to the Closed Area II Yellowtail Flounder/Haddock SAP if the available GB yellowtail flounder catch is insufficient to support at least 150 trips with a 15,000-lb (6,804-kg) trip limit (or 2,250,000 lb (1,020,600 kg)). This calculation accounts for the projected catch from the area outside the SAP. Based on the proposed fishing year 2017 GB yellowtail flounder groundfish sub-ACL of 363,763 lb (165,000 kg), there is insufficient GB yellowtail flounder to allocate any trips to the SAP, even if the projected catch from outside the SAP area is zero. Further, given the low GB yellowtail flounder catch limit, catch rates outside of this SAP are more than adequate to fully harvest the 2017 GB yellowtail flounder allocation.

10. Fishing Year 2017 Northern and Southern Windowpane Flounder Accountability Measures

In fishing year 2015, the total ACLs for both northern and southern windowpane flounder were exceeded by more than 20 percent (Table 16). For both stocks, the overage was greater than the management uncertainty buffers, which means that catch exceeded the ABCs. This section describes the AMs for both windowpane flounder stocks that would go into effect upon publication of the Framework 56 final rule, and until April 30, 2018. Because Framework 56 proposes measures to address the operational issue that contributed to the northern windowpane flounder ACL overage, we are requesting specific comment on this AM. At the request of the NEFMC and the Mid-Atlantic Fishery Management Council (MAFMC), we are also requesting comment on the southern windowpane flounder AM for future actions.

The AM areas for either stock are triggered if the catch limit for a given year is exceeded by more than 5 percent. The AM areas are implemented at the start of the next fishing year after the final catch information is available, meaning the overage in 2015 triggers an AM for 2017. If windowpane catch is between 5 and 20 percent over the limit for either stock, the Small AM Area restriction for the stock is triggered (Figure 1). If windowpane catch is more than 20 percent over the limit for either stock, the Large AM Area restriction is triggered. When the AM areas are effective, certain vessels are required to use approved selective gear types that limit flatfish catch. Sectors cannot request an exemption from these AMs. The AMs would remain in place until April 30, 2018, unless modified through a future action to account for updated information as specified in the regulations. As long as additional overages do not occur, the AMs would be removed at the start of fishing year 2018, beginning on May 1, 2018.

An overview of the windowpane AM is available here: *http://www.nero.noaa.gov/sfd/sfdmulti.html*.

TABLE 16—FISHING YEAR 2015 WINDOWPANE FLOUNDER ACLS AND CATCH

Stock	OFL (mt)	ABC (mt)	Total ACL (mt)	Catch (mt and percent of ACL or sub-ACL)				
				Total	Groundfish fishery (%)	Scallop fishery (%)	State waters (%)	Other sub-component (%)
Northern windowpane flounder	243	151	144	196 136%	75	(*)	84	275
Southern windowpane flounder	833	548	527	643 122%	135	115	71	138

* Scallop catch of northern windowpane flounder is counted toward the other sub-component.

Northern Windowpane Flounder

Fishing year 2015 catch exceeded the total ACL for northern windowpane flounder by 36 percent. Unlike previous years, the groundfish fishery did not exceed its sub-ACL for this stock in 2015. Catch from the other sub-component, primarily the scallop fishery, contributed to the overage. Because no other fishery had an allocation of this stock in 2015, the groundfish fishery would be held responsible for the overage. Catch exceeded the ACL by more than 20 percent, and therefore the large Northern windowpane flounder AM area would take effect for all groundfish trawl vessels upon publication of the Framework 56 final rule (Figure 1). As described in section ''5. Allocation of Northern Windowpane Flounder for the Scallop Fishery,'' Framework 56 also proposes to establish an allocation for the scallop fishery to address the operational issue that contributed to the 2015 ACL overage.

Southern Windowpane Flounder

Total 2015 catch exceeded the total ACL for southern windowpane flounder by more than 20 percent. The groundfish fishery, the scallop fishery, and the other non-groundfish fisheries all contributed to the overage. The New England and Mid-Atlantic Fishery Management Councils requested that we consider removing or modifying the southern windowpane accountability measures for fishing year 2017. In support of their requests, the Councils pointed to the status of the southern windowpane flounder stock, as well as the potential economic impacts of the large AM on the groundfish, scallop, and large-mesh non-groundfish fisheries.

The 2015 assessment update for southern windowpane flounder stock found that the stock is not overfished, and that overfishing is not occurring. The stock was declared fully rebuilt in 2010, and overfishing has not occurred for this stock since 2006, despite catch in excess of the ACL in all years from 2010–2015. The ABC was also exceeded in 2010, 2011, 2012, and 2013. In addition, survey indices suggest that stock size has been relatively stable, and increasing since hitting a time series low in the mid-1990s, and that stock size increased marginally between 2014 and 2016. The final rule for the 2009

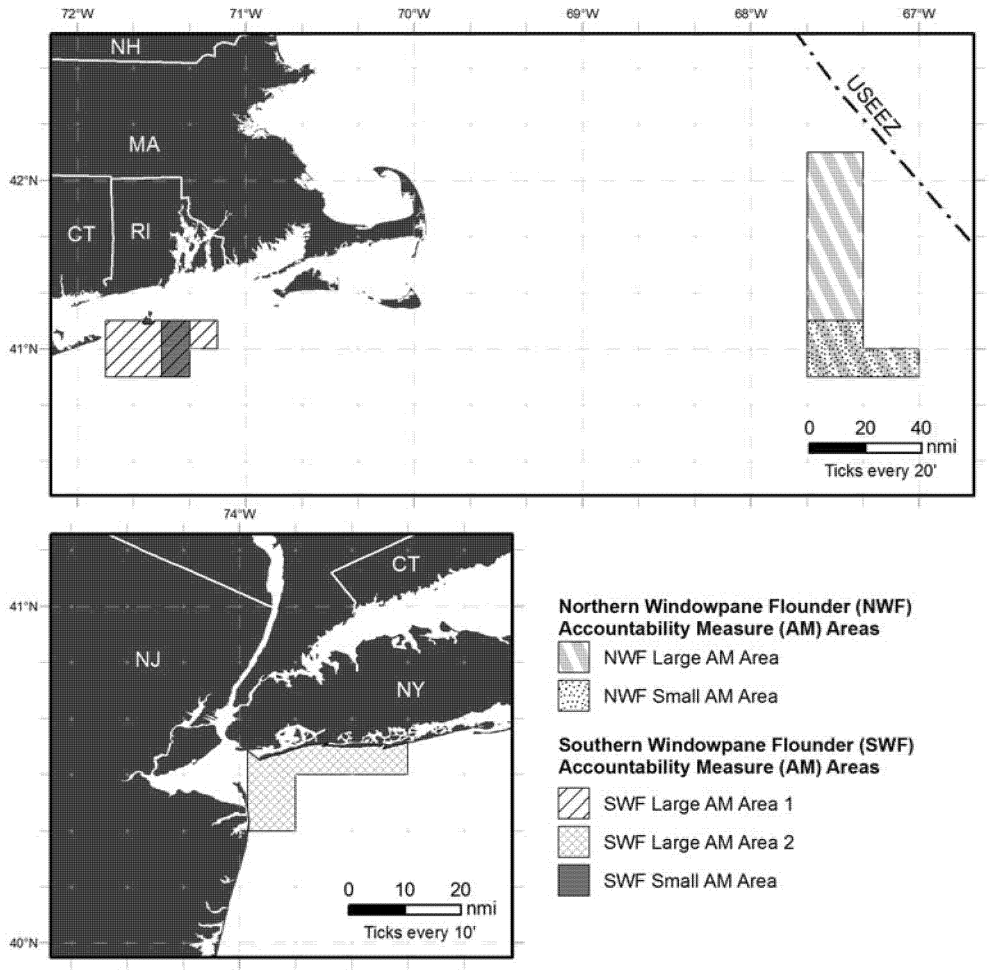
revisions to the National Standard 1 Guidelines (74 FR 3178; January 16, 2009) discusses that, if available information indicates that a stock was above its B_{MSY} level and continued to grow, even though the ACL was exceeded for the year, that could indicate that the overage did not have any adverse biological consequences that needed to be addressed through the AM. In line with this concept, the current southern windowpane flounder stock status, coupled with recent increases in stock size, suggest that the 2015 overage has not resulted in negative biological consequences for this stock.

The New England Council conducted an analysis of calendar year 2015 revenue for yellowtail flounder, winter flounder, summer flounder and scup within the large AM areas. This analysis provides additional details of the extent of the economic impacts on non-groundfish fisheries. In 2015, within the large AM closure area, large-mesh bottom-trawl fisheries for yellowtail flounder, winter flounder, summer flounder, and scup revenues were $2 million. Implementing the large AM area would result in substantial loss of revenue for these fisheries, as well as the groundfish and scallop fisheries.

The regulations provide a formulaic trigger for both windowpane AMs. If the ACL for either windowpane stock is exceeded by more than 20 percent, we are required to implement the large AM area, regardless of current stock status. AMs are management controls to prevent ACLs from being exceeded and to correct or mitigate ACL overages if they occur. AMs should address and minimize the frequency and magnitude of overages and correct the problem that caused the overage in as short a time as possible. We are requesting public comment on implementing the large AM area for southern windowpane in fishing year 2017 in comparison to the small AM area. When the Council developed the southern windowpane AM areas in Framework 47 to the Northeast Multispecies FMP (77 FR 26104; May 2, 2012), it selected boundaries for the areas that were potentially larger than would be expected to achieve the desired catch reductions due to uncertainty in the analysis. Framework 47 also states that the boundaries may be adjusted in the future as experience is gained on the effectiveness of the AM system. We are seeking comments on how and to what degree implementing the small AM area could alleviate some of the anticipated economic impacts of the large AM area, while ensuring it would be consistent with the objectives of the New England and Mid-Atlantic Council fishery management plans. We are also seeking comments on potential future adjustments to the AM that would balance achieving optimum yield and taking into account the needs of fishing communities, without compromising the purpose of the AMs and the conservation objectives to prevent overfishing of the southern windowpane flounder stock.

Because the ACL was exceeded by more than 20 percent, the large AM area would take effect upon implementation of the Framework 56 final rule, for all groundfish trawl vessels, and for non-groundfish trawl vessels fishing with a codend mesh size of 5 inches (12 cm) or greater (Figure 1). The scallop fishery AM restricts the use of dredge gear in the area west of 71° W. longitude, excluding the Mid-Atlantic scallop access areas, for the month of February 2018.

Figure 1. Northern and Southern Windowpane Flounder Accountability Measure Areas.



Review of Framework 52 Provisions for Windowpane Flounder AMs

Framework 52 (80 FR 2021; January 15, 2015) implemented a provision that allows us to reduce the size of either windowpane AM area restriction for groundfish vessels if the stock is rebuilt and the biomass criterion is met. The biomass criterion is defined as the most recent 3-year average of catch per tow from the fall surveys multiplied by 75 percent of F_{MSY} (fishing mortality at maximum sustainable yield). Northern windowpane flounder is not rebuilt, and thus, does not meet the first criterion for this provision. However, because southern windowpane flounder is rebuilt, we reviewed the biomass criterion for this stock. Based on the 2014–2016 fall surveys, the most recent 3-year average catch per tow is 0.33 kg, and when applied to 75 percent F_{MSY} (1.52), results in 500 mt, which is less than the 2015 catch (643 mt). As a result, the biomass criterion is not met, and the size of the AM cannot be reduced for southern windowpane flounder at this time based on this criterion. We note that Framework 52 only intended for this provision to reduce the size of the southern windowpane AM for groundfish vessels, and did not intend to reduce the size of the AM for non-groundfish trawl vessels.

11. Regulatory Corrections Under Regional Administrator Authority

We are proposing minor changes to the regulatory text to simplify the regulations, and clarify regulatory intent.

This proposed rule clarifies the regulatory text regarding net obstruction or constriction in § 648.80 to improve enforceability.

This proposed rule would remove § 648.85(d), which describes the now obsolete haddock incidental catch allowance for some Atlantic herring vessels as a special access program within the Northeast multispecies fishery. The haddock incidental catch allowances were codified in the regulations at § 648.90(a)(4)(iii)(D) as midwater trawl sub-ACLs for the GOM and GB haddock stocks when we implemented ACLs and AMs in Amendment 16. This proposed rule would remove the references to § 648.85(d) throughout the regulations, and replace them with the reference to the haddock mid-water trawl sub-ACLs.

This proposed rule clarifies the regulatory text that describes the windowpane flounder and ocean pout accountability measures in § 648.90.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has made a preliminary determination that this proposed rule is consistent with Framework 56, other provisions of the Magnuson-Stevens Act, and other applicable law. In making the final determination, we will consider the data, views, and comments received during the public comment period.

This proposed rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866.

This proposed rule does not contain policies with Federalism or ''takings'' implications as those terms are defined in E.O. 13132 and E.O. 12630, respectively.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities.

Framework Adjustment 56 proposes to revise groundfish catch limits for four of the 20 groundfish stocks for fishing years 2017–2019 (May 1, 2017, through April 30, 2020), adjust several allocations and accountability measures (AMs) for groundfish catch in non-groundfish fisheries, and make other administrative changes to groundfish management measures. Our analysis of the likely economic impacts of Framework 56 measures predicts that the proposed action will have positive impacts on fishing vessels, purchasers of seafood products, recreational anglers, and operators of party/charter businesses.

Description of Regulated Entities

For the purposes of our Regulatory Flexibility Act analysis, the proposed action is considered to regulate ownership entities that are potentially affected by the action. Ownership entities are identified on June 1st of each year based on the list of any type of northeast Federal fishing permit for the most recent complete calendar year. For this action, ownership data was drawn from permits issued for fisheries in 2015. As of the beginning of fishing year 2015 (May 1, 2015), NOAA's National Marine Fisheries Service (NMFS) issued 3,079 permits that this action potentially affects.

Ownership data collected from 2015 permit holders indicates that there are 1,505 distinct business entities that hold at least one permit that could be directly regulated by the proposed action. Of the 3,079 permits held by these business entities, there were 919 limited access groundfish permits, 268 recreational handgear permits, 726 limited access and general category Atlantic sea scallop permits, 798 small-mesh multispecies permits, and 368 Atlantic herring permits. There were 2,037 vessels associated with these permits. Each vessel may be individually owned or part of a larger corporate ownership structure.

For RFA purposes only, NMFS established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of $11 million for all its affiliated operations worldwide. The determination as to whether the entity is large or small is based on the average annual revenue for the 3 years from 2013 through 2015.

Ownership data for calendar year 2015 permits contains gross sales associated with the permits for calendar years 2013 through 2015 that were issued to the 1,505 business entities. Of these 1,505 entities, 202 are inactive and do not have revenues. Using NMFS size standards, 1,495 of the 1,505 entities are categorized as small. The remaining 10 are categorized as large entities.

Description of Proposed Framework 56 Measures

Annual Catch Limits

Framework Adjustment 56 would update 2017–2019 catch limits for witch flounder and 2017 catch limits for the three U.S./Canada stocks (Eastern Georges Bank (GB) cod, Eastern GB haddock, and GB yellowtail flounder). Compared to 2016, Framework 56 would increase the catch limits for Eastern GB cod (by 6 percent), Eastern GB haddock (by 94 percent), and witch flounder (by 91 percent), and would decrease the catch limit for GB yellowtail flounder (by 23 percent). The proposed action allows additional fishing opportunities for the commercial components of the groundfish fishery by extending fishing in the Eastern U.S./Canada area. If no action is taken, the Eastern U.S./Canada area would only be open to fishing for three months (May through July), and the proposed action would keep this area open year-round. The increases in the catch limits for Eastern GB cod, Eastern GB haddock, and witch flounder, as well as the fact that the proposed action would keep the Eastern U.S./Canada area for the full fishing year, more than offset the decrease in the catch limit for GB yellowtail flounder.

Allocation for Northern Windowpane Flounder for the Scallop Fishery

The proposed action would establish a northern windowpane flounder allocation for the scallop fishery equal to 21 percent of the northern windowpane flounder catch limit. The allocation would cap the incidental catch of northern windowpane flounder in the scallop fishery. Until an AM is developed for the scallop fishery, the 21-percent northern windowpane flounder allocation would have little to no impact on the scallop fishery.

Revised Threshold for Scallop Accountability Measures

Framework 56 proposes to temporarily change the threshold for implementing scallop fishery AMs for its allocations for GB yellowtail flounder and northern windowpane flounder. Currently, the scallop fishery is subject to AMs for these stocks if either: (1) The scallop fishery exceeds its sub-ACL and the total ACL is exceeded; or (2) the scallop fishery exceeds its sub-ACL by 50 percent or more. The proposed action would only implement scallop fishery AMs for GB yellowtail flounder and northern windowpane flounder if the scallop fishery exceeds its sub-ACL and the total ACL is exceeded in 2017 or 2018. This adjustment provides flexibility for the scallop fishery to operate in years when its allocations for GB yellowtail flounder and northern windowpane flounder are low. In the case of northern windowpane flounder, this adjustment could help offset any potential negative impacts that may result from the AM, once it is developed.

A change in availability due to improved stock conditions could increase the likelihood that groundfish fishery participants would target GB yellowtail flounder. In order to avoid ACL overages, the groundfish fishery may need to limit efforts to target GB yellowtail flounder in 2017 or 2018 if scallop fishery catch is high. However, in recent years, GB yellowtail flounder catch in the groundfish fishery has been low, and less than 40 percent of the groundfish fishery sub-ACL was caught in fishing years 2013 through 2015. Groundfish fishery catch is not expected to increase in 2017, and as a result, this action would not have negative economic impacts for the groundfish fishery.

Increase to GB Haddock Catch Limit for the Midwater Trawl Fishery

Framework 56 proposes to increase the Atlantic herring midwater trawl fishery's haddock catch cap for the GB haddock stock from 1 percent of the U.S. ABC to 1.5 percent. This increase is expected to provide additional opportunity to achieve optimum yield in the herring fishery, while still minimizing GB haddock catch in midwater trawl gear. The proposed increased allocation should provide better opportunity for the Atlantic herring fishery to avoid triggering the AM while taking into account GB haddock conditions and minimizing bycatch to the extent practicable. The AM reduces herring possession to 2,000 lb throughout most of the GB stock area until the end of the groundfish fishing year.

Overall, the measures proposed in Framework 56 are expected to have a positive economic effect on small entities. The changes to annual catch limits allow for nine additional months of fishing in the Eastern U.S./Canada fishing area, and generate additional groundfish gross revenues. This action would provide groundfish, scallop, and herring fishermen with additional fishing opportunities, enhance their operational flexibility, and increase profits.

This action is not expected to have a significant or substantial effect on small entities. The effects on the regulated small entities identified in this analysis are expected to be positive. Under the proposed action, small entities would not be placed at a competitive disadvantage relative to large entities, and the regulations would not reduce the profits for any small entities. As a result, an initial regulatory flexibility analysis is not required, and none has been prepared.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: June 19, 2017.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons stated in the preamble, 50 CFR part 648 is proposed to be amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 1. The authority citation for part 648 continues to read as follows:

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

■ 2. In § 648.80, revise paragraphs (g)(1) and (g)(2)(i) to read as follows:

§ 648.80 NE Multispecies regulated mesh areas and restrictions on gear and methods of fishing.

* * * * *

(g) Restrictions on gear and methods of fishing—(1) *Net obstruction or constriction.* Except as provided in paragraph (g)(5) of this section, a fishing vessel subject to minimum mesh size restrictions shall not use, or attach any device or material, including, but not limited to, nets, net strengtheners, ropes, lines, or chafing gear, on the top of a trawl net, except that one splitting strap and one bull rope (if present), consisting of line and rope no more than 3 in (7.6 cm) in diameter, may be used if such splitting strap and/or bull rope does not constrict, in any manner, the top of the trawl net. ''The top of the trawl net'' means the 50 percent of the net that (in a hypothetical situation) would not be in contact with the ocean bottom during a tow if the net were laid flat on the ocean floor. For the purpose of this paragraph, head ropes are not considered part of the top of the trawl net.

(2) *Net obstruction or constriction.* (i) Except as provided in paragraph (g)(5) of this section, a fishing vessel may not use, or attach, any mesh configuration, mesh construction, or other means on or in the top of the net, as defined in paragraph (g)(1), subject to minimum mesh size restrictions, as defined in paragraph (g)(1) of this section, if it obstructs the meshes of the net in any manner.

* * * * *

§ 648.85 [Amended]

■ 3. In § 648.85, remove paragraph (d) and redesignate paragraph (e) as paragraph (d).

■ 4. In § 648.90:

■ a. Revise paragraphs (a)(4)(iii)(D) and (E), and paragraph (a)(5)(i)(D)(*1*);

■ b. Add paragraph (a)(5)(i)(D)(*4*);

■ c. Revise paragraph (a)(5)(iv).

The additions and revisions read as follows:

§ 648.90 NE multispecies assessment, framework procedures, and specifications, and flexible area action system.

(a) * * *

(4) * * *

(iii) * * *

(D) *Haddock catch by the midwater trawl Atlantic herring fishery. (1) Sub-ACL values.* The midwater trawl Atlantic herring fishery will be allocated sub-ACLs equal to 1 percent of the GOM haddock ABC, and 1.5 percent of the GB haddock ABC (U.S. share only), pursuant to the restrictions in § 648.86(a)(3). The sub-ACLs will be set using the process for specifying ABCs and ACLs described in paragraph (a)(4) of this section. For the purposes of these sub-ACLs, the midwater trawl Atlantic herring fishery includes vessels issued a Federal Atlantic herring permit and fishing with midwater trawl gear in Management Areas 1A, 1B, and/or 3, as defined in § 648.200(f)(1) and (3).

(2) GB haddock sub-ACL Review. Following an assessment of the total GB haddock stock, the Groundfish PDT will conduct a review of the sub-ACL and recommend to the Groundfish Committee and Council a sub-ACL for the midwater trawl Atlantic herring fishery of 1 and up to 2 percent of the GB haddock U.S. ABC. The sub-ACL review should consider factors including, but not limited to, groundfish fishery catch performance, expected groundfish fishery utilization of the GB haddock ACL, status of the GB haddock resource, recruitment, incoming year-class strength, and evaluation of the coefficient of variation of the GB haddock incidental catch estimates for the midwater trawl Atlantic herring fishery.

(E) *Windowpane flounder catch by the Atlantic sea scallop fishery.* The Atlantic sea scallop fishery, as defined in subpart D of this part, will be allocated sub-ACLs equaling 21 percent of the northern windowpane flounder ABC and 36 percent of the southern windowpane flounder ABC. The sub-ACLs will be set using the process for specifying ABCs and ACLs described in paragraph (a)(4) of this section.

* * * * *

(5) * * *

(i) * * *

(D) * * *

(*1*) *Windowpane flounder.* Unless otherwise specified in paragraphs (a)(5)(i)(D)(*1*)(*i*) and (*ii*) of this section, if NMFS determines the total catch exceeds the overall ACL for either stock of windowpane flounder, as described in this paragraph (a)(5)(i)(D)(*1*), by any amount greater than the management uncertainty buffer up to 20 percent greater than the overall ACL, the applicable small AM area for the stock shall be implemented, as specified in paragraph (a)(5)(i)(D) of this section, consistent with the Administrative Procedure Act. If the overall ACL is exceeded by more than 20 percent, the applicable large AM areas(s) for the stock shall be implemented, as specified in paragraph (a)(5)(i)(D) of this section, consistent with the Administrative Procedure Act. The AM areas defined below are bounded by the following

coordinates, connected in the order listed by rhumb lines, unless otherwise noted. Vessels fishing with trawl gear in these areas may only use a haddock separator trawl, as specified in § 648.85(a)(3)(iii)(A); a Ruhle trawl, as specified in § 648.85(b)(6)(iv)(J)(*3*); a rope separator trawl, as specified in § 648.84(e); or any other gear approved consistent with the process defined in § 648.85(b)(6). If an overage of the overall ACL for southern windowpane flounder is a result of an overage of the sub-ACL allocated to exempted fisheries pursuant to paragraph (a)(4)(iii)(F) of this section, the applicable AM area(s) shall be in effect for any trawl vessel fishing with a codend mesh size of greater than or equal to 5 inches (12.7 cm) in other, non-specified sub-components of the fishery, including, but not limited to, exempted fisheries that occur in Federal waters and fisheries harvesting exempted species specified in § 648.80(b)(3). If an overage of the overall ACL for southern windowpane flounder is a result of an overage of the sub-ACL allocated to the groundfish fishery pursuant to paragraph (a)(4)(iii)(H)(*2*) of this section, the applicable AM area(s) shall be in effect for any limited access NE multispecies permitted vessel fishing on a NE multispecies DAS or sector trip. If an overage of the overall ACL for southern windowpane flounder is a result of overages of both the groundfish fishery and exempted fishery sub-ACLs, the applicable AM area(s) shall be in effect for both the groundfish fishery and exempted fisheries. If a sub-ACL for either stock of windowpane flounder is allocated to another fishery, consistent with the process specified at paragraph (a)(4) of this section, and there are AMs for that fishery, the groundfish fishery AM shall only be implemented if the sub-ACL allocated to the groundfish fishery is exceeded (*i.e.,* the sector and common pool catch for a particular stock, including the common pool's share of any overage of the overall ACL caused by excessive catch by other sub-components of the fishery pursuant to paragraph (a)(5) of this section exceeds the common pool sub-ACL) and the overall ACL is also exceeded.

NORTHERN WINDOWPANE FLOUNDER AND OCEAN POUT SMALL AM AREA

Point	N. latitude	W. longitude
1	41°10′	67°40′
2	41°10′	67°20′
3	41°00′	67°20′
4	41°00′	67°00′
5	40°50′	67°00′
6	40°50′	67°40′

NORTHERN WINDOWPANE FLOUNDER AND OCEAN POUT SMALL AM AREA—Continued

Point	N. latitude	W. longitude
1	41°10′	67°40′

NORTHERN WINDOWPANE FLOUNDER AND OCEAN POUT LARGE AM AREA

Point	N. latitude	W. longitude
1	42°10′	67°40′
2	42°10′	67°20′
3	41°00′	67°20′
4	41°00′	67°00′
5	40°50′	67°00′
6	40°50′	67°40′
1	42°10′	67°40′

SOUTHERN WINDOWPANE FLOUNDER AND OCEAN POUT SMALL AM AREA

Point	N. latitude	W. longitude
1	41°10′	71°30′
2	41°10′	71°20′
3	40°50′	71°20′
4	40°50′	71°30′
1	41°10′	71°30′

SOUTHERN WINDOWPANE FLOUNDER AND OCEAN POUT SMALL LARGE AM AREA 1

Point	N. latitude	W. longitude
1	41°10′	71°50′
2	41°10′	71°10′
3	41°00′	71°10′
4	41°00′	71°20′
5	40°50′	71°20′
6	40°50′	71°50′
1	41°10′	71°50′

SOUTHERN WINDOWPANE FLOUNDER AND OCEAN POUT LARGE AM AREA 2

Point	N. latitude	W. longitude
1	(1)	73°30′
2	40°30′	73°30′
3	40°30′	73°50′
4	40°20′	73°50′
5	40°20′	(2)
6	(3)	73°58.5′
7	(4)	73°58.5′
8	[5] 40°32.6′	[5] 73°56.4′
1	(1)	73°30′

[1] The southernmost coastline of Long Island, NY, at 73°30′ W. longitude.

[2] The easternmost coastline of NJ at 40°20′ N. latitude, then northward along the NJ coastline to Point 6.

[3] The northernmost coastline of NJ at 73°58.5′ W. longitude.

[4] The southernmost coastline of Long Island, NY, at 73°58.5′ W. longitude.

[5] The approximate location of the southwest corner of the Rockaway Peninsula, Queens, NY, then eastward along the southernmost coastline of Long Island, NY (excluding South Oyster Bay), back to Point 1.

(*i*) *Reducing the size of an AM.* If the overall northern or southern windowpane flounder ACL is exceeded by more than 20 percent and NMFS determines that: The stock is rebuilt, and the biomass criterion, as defined by the Council, is greater than the most recent fishing year's catch, then only the respective small AM may be implemented as described in paragraph (a)(5)(i)(D)(*1*) of this section, consistent with the Administrative Procedure Act. This provision only applies to a limited access NE multispecies permitted vessel fishing on a NE multispecies DAS or sector trip.

(*ii*) *Reducing the duration of an AM.* If the northern or southern windowpane flounder AM is implemented in the third fishing year following the year of an overage, as described in paragraph (a)(5)(i)(D) of this section, and NMFS subsequently determines that the applicable windowpane flounder ACL was not exceeded by any amount the year immediately after which the overage occurred (*i.e.,* the second year), on or after September 1 the AM can be removed once year-end data are complete. This reduced duration does not apply if NMFS determines during year 3 that a year 3 overage of the applicable windowpane flounder ACL has occurred. This provision only applies to a limited access NE multispecies permitted vessel fishing on a NE multispecies DAS or sector trip.

* * * * *

(4) Ocean pout. Unless otherwise specified in paragraphs (a)(5)(i)(D)(*1*)(*i*) and (*ii*) of this section, if NMFS determines the total catch exceeds the overall ACL for ocean pout, as described in paragraph (a)(5)(i)(D)(*1*) of this section, by any amount greater than the management uncertainty buffer up to 20 percent greater than the overall ACL, the applicable small AM area for the stock shall be implemented, as specified in paragraph (a)(5)(i)(D) of this section, consistent with the Administrative Procedure Act. If the overall ACL is exceeded by more than 20 percent, large AM area(s) for the stock shall be implemented, as specified in paragraph (a)(5)(i)(D) of this section, consistent with the Administrative Procedure Act. The AM areas for ocean pout are defined in paragraph (a)(5)(i)(D)(*1*) of this section, connected in the order listed by rhumb lines, unless otherwise noted. Vessels fishing with trawl gear in these areas may only use a haddock separator trawl, as specified in

§ 648.85(a)(3)(iii)(A); a Ruhle trawl, as specified in § 648.85(b)(6)(iv)(J)(3); a rope separator trawl, as specified in § 648.84(e); or any other gear approved consistent with the process defined in § 648.85(b)(6).

* * * * *

(iv) *AMs if the sub-ACL for the Atlantic sea scallop fishery is exceeded.* At the end of the scallop fishing year, NMFS will evaluate whether Atlantic sea scallop fishery catch exceeded the sub-ACLs for any groundfish stocks allocated to the scallop fishery. On January 15, or when information is available to make an accurate projection, NMFS will also determine whether total catch exceeded the overall ACL for each stock allocated to the scallop fishery. When evaluating whether total catch exceeded the overall ACL, NMFS will add the maximum carryover available to sectors, as specified at § 648.87(b)(1)(i)(C), to the estimate of total catch for the pertinent stock.

(A) *Threshold for implementing the Atlantic sea scallop fishery AMs.* If scallop fishery catch exceeds the scallop fishery sub-ACLs for any groundfish stocks in paragraph (a)(4) of this section by 50 percent or more, or if scallop fishery catch exceeds the scallop fishery sub-ACL by any amount and total catch exceeds the overall ACL for a given stock, then the applicable scallop fishery AM will take effect, as specified in § 648.64 of the Atlantic sea scallop regulations.

(B) *2017 and 2018 fishing year threshold for implementing the Atlantic sea scallop fishery AMs for GB yellowtail flounder and Northern windowpane flounder.* For the 2017 and 2018 fishing years only, if scallop fishery catch exceeds either GB yellowtail flounder or northern windowpane flounder sub-ACLs specified in paragraph (a)(4) of this section, and total catch exceeds the overall ACL for that stock, then the applicable scallop fishery AM will take effect, as specified in § 648.64 of the Atlantic sea scallop regulations. For the 2019 fishing year and onward, the threshold for implementing scallop fishery AMs for GB yellowtail flounder and northern windowpane flounder will return to that listed in paragraph (a)(5)(iv)(A) of this section.

* * * * *

§ § 648.86, 648.90, and 648.201 [Amended]

■ 5. In the table below, for each section in the left column, remove the text from whenever it appears throughout the section and add the text indicated in the right column.

Section	Remove	Add	Frequency
§ 648.86(a)(3)(ii)(A)*(1)*	§ 648.85(d)	§ 648.90(a)(4)(iii)(D)	1
§ 648.86(a)(4)	§ 648.85(d)	§ 648.90(a)(4)(iii)(D)	1
§ 648.90(a)(5)(iii)	§ 648.85(d)	§ 648.90(a)(4)(iii)(D)	1
§ 648.201(a)(2)	§ 648.85(d)	§ 648.90(a)(4)(iii)(D)	1

[FR Doc. 2017–13050 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 82, No. 119

Thursday, June 22, 2017

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Proposed New Recreation Fee; Federal Lands Recreation Enhancement Act, (Title VIII, Pub. L. 108–447)

AGENCY: Columbia River Gorge National Scenic Area, Forest Service, USDA.

ACTION: Notice of proposed new recreation fee.

SUMMARY: The Columbia River Gorge National Scenic Area, located in Hood River, Oregon, is proposing to charge a new standard amenity fee of $5 per vehicle per day for use of services and facilities at the Sandy River Delta site. The 1,400-acre Sandy River Delta site, acquired by the Forest Service in 1991, offers five diverse-use trails (5.25 miles total) including a 1.2-mile accessible gravel trail to the Sandy River Delta confluence and bird blind. The Forest Service provides vault toilets, trash service, picnic tables, parking for vehicles (and vehicles with horse trailers), interpretive signage, and regular patrols of the area. The proposed fee would help cover the costs of operations and maintenance of the vault toilets, trash service, septic pumping, ranger patrols, and hazard tree abatement as well as future improvements and replacement of facilities. This fee is only proposed and will be determined upon further analysis and public comment.

DATES: Send any comments about these fee proposals by August 21, 2017 so they can be compiled, analyzed and shared with the Mt Hood-Willamette Resource Advisory Committee. If approved, the new recreation use fee will go into effect no sooner than December 19, 2017.

ADDRESSES: Area Manager, Columbia River Gorge National Scenic Area, 902 Wasco Ave., Suite 200, Hood River, OR 97031.

FOR FURTHER INFORMATION CONTACT: Lorelei Haukness, Recreation Fee Coordinator, 541–308–1700.

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108–447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. This new fee will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation. Additional information about this fee proposal is provided on the Columbia River Gorge National Scenic Area Web site at: *https://www.fs.usda.gov/crgnsa/.*

Dated: June 14, 2017.

Jeanne M. Higgins,

Acting Associate Deputy Chief, National Forest System.

[FR Doc. 2017–13047 Filed 6–21–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Sierra National Forest; California; Try Me Placer Mining Project

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Unites States Forest Service (USFS), Sierra National Forest, proposes to approve the Notice of Intent (NOI) and Plan of Operations (PoO) submitted by the Torosians to mine gold bearing alluvial gravels along an un-named perennial stream channel, tributary to West Fork Chiquito Creek.

DATES: Comments concerning the scope of the analysis must be received by July 24, 2017. The draft environmental impact statement is expected August 2018 and the final environmental impact statement is expected October 2018.

ADDRESSES: Send written comments to 1600 Tollhouse Road, Clovis, CA 93611. Comments may also be sent via email to *comments-pacificsouthwest-sierra@fs.fed.us,* or via facsimile to 559–294–4809. A public meeting is planned for late summer or early fall 2017 at the Bass Lake Ranger District office. If you are interested in being notified when this meeting is scheduled, please contact Alan Gallegos whose contact information is listed below.

It is important that reviewers provide their comments at such times and in such a way that they are useful to the Agency's preparation of the EIS. Therefore, comments should be provided prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions.

Comments received in response to this solicitation, including names and addresses of those who comment, will be part of the public record for this proposed action. Comments submitted anonymously will be accepted and considered, however.

FOR FURTHER INFORMATION CONTACT: Alan Gallegos, 559–297–0706 extension 4862 or *ajgallegos@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 a.m. and 8 p.m., Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The project is located in Madera County, CA in T. 6 S.; R. 23E, 24E, Sections 13, 18, 19. Dave and Steve Torosian have one lode claim (Try Me 1) and three placer claims (Try Me 2, 3, & 5) along an un-named perennial stream channel tributary to West Fork Chiquito Creek, above Soda Springs. Dave and Steve Torosian have submitted a proposal to mine gold bearing alluvial gravels primarily in their Try Me 2 claim. The Try Me 2 Claim is located along approximately, 1,350 feet of perennial stream channel. The Sierra National Forest received a Notice of Intent (NOI) from Dave and Steve Torosian to mine gravels along an un-named perennial stream channel, tributary to West Fork Chiquito Creek. Upon review of the NOI, it was determined that the proposal would likely result in significant impacts to the stream channel and associated surface resources and a Plan of Operation (PoO with details of their proposal was requested. The role of the USFS regarding mining activities on National Forest system lands is to ensure that mining activities minimize adverse environmental effects to surface resources, and comply with all applicable environmental laws. Congress has not given the USFS authority to unreasonably circumscribe

or prohibit activities under the 1872 General Mining Law that are otherwise lawful. Therefore it is the intent of the Sierra National Forest to conduct an environmental analysis of the Torosian's proposal, determine the impacts to the environment, identify appropriate mitigation measures, establish a reclamation plan, and issue an approved plan of operation to authorize the proposal.

Purpose and Need for Action

The purpose of the project from the USFS perspective is to comply with the agency responsibility to comply with the 1872 Mining Act and the 36 Code of Federal Regulations (CFR) 228 requiring the USFS to authorize a proposed PoO submitted by Dave and Steve Torosian, with the appropriate mitigation measures and to reclaim the mining disturbance to pre-existing conditions. The purpose of the project from the proponent's perspective is to mine gold bearing gravels along 1350 feet of channel, as a pilot project to determine the most practical, economically efficient and viable future mining method.

Proposed Action

The mining PoO proposes to excavate alluvial gold bearing gravels along the stream channel in three locations. Mining activity would consist of excavating the entire width of the stream channel and floodplain down to a depth of approximately 5 feet. Each excavation would be 200 to 300 feet long with the total volume of excavated stream channel estimated to be 4,000–5,000 cubic yards. Design criteria set forth in the California Storm Water Best Management Practices handbook and be approved by a Qualified Storm Water Pollution Prevention Plan Designer would be implemented as part of the project.

Other activities associated with the mining operation include setting up a camp, adjacent to the West Fork Chiquito Creek and moving in a small storage container to store equipment and supplies. Shallow samples of soil would be collected throughout the 120 acres of the Try Me Claims. Samples would be taken in a grid pattern for assay and geochemical assessment of the area.

All lands disturbed by this proposal would be reclaimed and restored to a condition that is consistent with the Sierra National Forest Land Management Plan, as amended, USFS Region 5 and national USFS native plant policy as well as applicable State air and water quality requirements.

A USFS approved re-vegetation plan would be developed and implemented. The plan specifies site-specific locally native species sown from seed, or propagated from cuttings or other vegetative methods to be planted. Introduction prevention and spread of invasive non-native plants would be built into all stages of the project.

Responsible Official

Sierra National Forest Supervisor, Dean A. Gould.

Nature of Decision To Be Made

The decision to be made is whether or not to approve and authorize the proposed mining PoO submitted by Dave and Steve Torosian.

Preliminary Issues

Preliminary issues include diversion of water from the small tributary where mining is proposed and stream bed alteration of a perennial stream channel where mining will occur; management of invasive weeds; impacts to riparian habitat; and soil and vegetation disruption resulting in habitat disturbance and erosion.

Permits or Licenses Required

Several permits will be required including (1) permit from California Fish and Game (401) and possible Migratory Bird Take Permit; (2) discharge permit from California Water Quality Control Board; (3) stream alteration permit (404) from the Army Corp of Engineers; and (4) reclamation permit from the California Department of Mines.

Scoping Process

This notice of intent initiates the scoping process, which guides the development of the environmental impact statement. It is important that reviewers provide their comments at such times and in such manner that they are useful to the agency's preparation of the environmental impact statement. Therefore, comments should be provided prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions.

Cynthia D. West,

Acting Associate Deputy Chief, National Forest System.

[FR Doc. 2017–13036 Filed 6–21–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

[Docket No. NRCS–2016–0012]

Notice of Availability of Proposed Revisions to Section I of the Iowa, Minnesota, North Dakota, and South Dakota State Technical Guides for Public Review and Comment

AGENCY: Natural Resources Conservation Service (NRCS).

ACTION: Notice of availability of proposed revisions to Section I of the Iowa, Minnesota, North Dakota, and South Dakota State Technical Guides for public review and comment.

SUMMARY: Notice is hereby given of the intention of NRCS to issue revisions to the State Offsite Methods (SOSM) for use in Iowa, North Dakota, Minnesota, and South Dakota. The SOSM is used in completing wetland determinations for USDA program eligibility purposes. The existing SOSM's have been in use since July 2015, NRCS is seeking comments only on the proposed revisions to these documents. The revisions are needed to clarify procedures and improve consistency in application.

NRCS State Conservationists in each of these States will incorporate their revised SOSM into Section I of their respective electronic Field Office Technical Guide (FOTG). As identified in the National Food Security Act Manual these revised methods may be used for completion of wetland determinations. Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 requires NRCS to make available for public review and comment all proposed revisions to methods and procedures used to carry out the Highly Erodible Land and wetland compliance provisions of the 1985 Food Security Act (as amended).

DATES:

Effective Date: This is effective June 22, 2017.

Comment Date: Submit comments on or before June 22, 2017.

Final versions of these revised State Offsite Methods will be adopted after the close of the 30-day period and after consideration of all comments.

ADDRESSES: You may submit comments, identified by Docket Number NRCS–2016–0012, using any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail or hand-delivery:* Public Comments Processing, Attention:

Regulatory and Agency Policy Team, Strategic Planning and Accountability, Natural Resources Conservation Service, 5601 Sunnyside Avenue, Building 1–1112D, Beltsville, Maryland 20705.

• *Email: Verna.Howell@wdc.usda.gov.* Include Docket Number NRCS–2016–0012 or ''comment on proposed revisions to Section I'' in the subject line of the email message.

NRCS will post all comments on *http://www.regulations.gov.* In general, personal information provided with comments will be posted. If your comment includes your address, phone number, email, or other personal identifying information, your comments, including personal information, may be available to the public. You may ask in your comment that your personal identifying information be withheld from public view, but this cannot be guaranteed.

FOR FURTHER INFORMATION CONTACT: The appropriate NRCS State Conservationist as listed below;

Kurt Simon, State Conservationist, Natural Resources Conservation Service, 210 Walnut Street, Room 693, Des Moines, Iowa 50309–2180, (515) 284–4769, *Kurt.simon@ia.usda.gov*, NRCS Iowa Web site: *http://www.nrcs.usda.gov/wps/portal/nrcs/site/ia/home/*.

Mary Podoll, State Conservationist, Natural Resources Conservation Service, 220 E. Rosser Ave., Room 278, Bismarck, North Dakota 58502–1458, (701) 530–2003, *Mary.podoll@nd.usda.gov*, NRCS North Dakota Web site *http://www.nrcs.usda.gov/wps/portal/nrcs/site/nd/home/*.

Cathee Pullman, State Conservationist, Natural Resources Conservation Service, 375 Jackson Street, Suite 600, St. Paul, Minnesota 55101–1854, (651) 602–7854, *Cathee.pullman@mn.usda.gov*, NRCS Minnesota Web site: *http://www.nrcs.usda.gov/wps/portal/nrcs/site/mn/home/*.

Jeff Zimprich, State Conservationist, Natural Resources Conservation Service, Federal Building, Room 203, 200 Fourth Street SW., Huron, South Dakota 57350–2475, (605) 352–1200, *Jeff.zimprich@sd.usda.gov*, NRCS South Dakota Web site: *http://www.nrcs.usda.gov/wps/portal/nrcs/site/sd/home/*.

Electronic copies of the proposed revised SOSMs are available in the docket information section of this notice. There are separate SOSM documents for each state. In general, all documents have similar language with the exception that the South Dakota and North Dakota SOSM contains procedures for playa wetlands. Playa wetlands do not exist in either Minnesota or Iowa. NRCS is seeking comments on the revisions to these documents. Each document's revisions (deletions, additions, and strike-throughs) can be viewed in a ''track changes'' format. Requests for paper versions or inquiries may be directed to Paul Flynn, Wetland Project Manager, U.S. Department of Agriculture, Natural Resources Conservation Service, 375 Jackson Street, Suite 600, St. Paul, Minnesota 55101.

SUPPLEMENTARY INFORMATION: To fully understand the proposed revisions, individuals are encouraged to compare these changes with each State's current version as shown on each State's Web site. To aid in this comparison, following are highlights of the proposed revisions to each State's SOSM by section:

2.1 Develop a Base Map

• Clarifies that sampling unit boundaries as viewed on aerial imagery can be adjusted using other references including Light Detection and Ranging data.

• Reinforces that for sites without pre-1985 manipulation sampling units can be identified using references other than aerial imagery.

• Provides clarification that all sampling units recorded on the Base Map reflect consideration of Normal Environmental Conditions and sites with pre-1985 drainage also accurately reflect the condition of the drainage.

• Provides direction that drainage manipulations and their approximate year of installation will be identified on the base map or another reference.

2.2.1 and 2.3.1 Hydrophytic Vegetation

• Clarifies how the Official Soil Description (OSD) section titled ''Use and Vegetation'' can be used in verifying hydrophytic vegetation.

2.2.3, 2.3.3, and 2.4.2 Wetland Hydrology

• Clarifies that wetland hydrology for sites without pre-1985 drainage is determined to be present when wetness signatures are found on 50 percent or more of imagery reviewed.

• Explains that the wetland hydrology review for sites without pre-1985 drainage consists of all available normal years starting with the 2014 image year and going back to 1980.

• Clarifies how wetness signatures are defined and annotated on the data sheet.

• Allows that when a normal year image is of poor quality such that wetness signatures are not discernable, those image years can be excluded from the imagery review.

• Defines the term ''all available'' when used with aerial images or photography.

2.4.3 Wetland Hydrology (With Pre-1985 Drainage)

• Explains how the agency expert determines the best drainage condition of the sampling unit.

• Explains how, after determining the best drained condition, the agency expert uses aerial imagery to determine when wetland hydrology is positive or negative.

3.1 Verification of Pre–1985 Cropping History

• Allows verification based on person provided records that document cropping history.

3.2 Verification of Pre–December 23, 1985, Manipulation(s)

• Adds additional references that can be used to make this determination.

3.3 Verification of Post–1985 Potential Conversion

• Provides that verification will include review of the most recent year of aerial photography available.

3.5.1 Verification of Presence of Woody Vegetation as of December 23, 1985

• Adds this verification as an independent determination.

3.6 Determination of the Required Conditions for the Following WC Labels

• Deletes this entire Section including Table 1. Guidance in the National Food Security Act Manual will be followed to apply USDA wetland labels.

Dated: May 22, 2017.

Kevin Wickey

Regional Conservationist, Central Region, Natural Resources Conservation Service.

[FR Doc. 2017–13061 Filed 6–21–17; 8:45 am]

BILLING CODE 3410–16–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Minnesota Advisory Committee To Review and Discuss a Draft Report Regarding Civil Rights and Policing Practices in Minnesota

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules

and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Minnesota Advisory Committee (Committee) will hold a meeting on Friday August 04, 2017, at 12:00 p.m. CST for the purpose of reviewing and discussing a draft report regarding civil rights and policing practices in Minnesota.

DATES: The meeting will be held on Friday, August 4, 2017, at 12:00 p.m. CST.

ADDRESSES: Public call information: Dial: 888–359–3624, Conference ID: 6816990.

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, DFO, at *mwojnaroski@usccr.gov* or 312–353–8311.

SUPPLEMENTARY INFORMATION: Members of the public can listen to the discussion. This meeting is available to the public through the public call information listed above. Any interested member of the public may call this number and listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Regional Programs Unit Office, U.S. Commission on Civil Rights, 55 W. Monroe St., Suite 410, Chicago, IL 60615. They may also be faxed to the Commission at (312) 353–8324, or emailed to Carolyn Allen at *callen@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Minnesota Advisory Committee link (*http://www.facadatabase.gov/committee/meetings.aspx?cid=256*). Click on ''meeting details'' and then ''documents'' to download. Persons interested in the work of this Committee are directed to the Commission's Web site, *http://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda

Welcome and Roll Call
Discussion: Draft Report, Civil Rights and Policing Practices in Minnesota
Public Comment
Future Plans and Actions
Adjournment

Dated: June 19, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017–13067 Filed 6–21–17; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Arkansas Advisory Committee To Vote on a Topic of Study

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Arkansas Advisory Committee (Committee) will hold a meeting on Monday, July 10, 2017, at 12:00 noon Central for the purpose of voting on a topic of study.

DATES: The meeting will be held on Monday, July 10, 2017, at 12:00 noon. CST.

ADDRESSES: Public call information: Dial: 888–899–5068, Conference ID: 8749656.

FOR FURTHER INFORMATION CONTACT: David Barreras, DFO, at *dbarreras@usccr.gov* or 312–353–8311.

SUPPLEMENTARY INFORMATION: Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number: 888–899–5068, conference ID: 8749656. Any interested member of the public may call this number and listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Midwestern Regional Office, U.S. Commission on Civil Rights, 55 W. Monroe St., Suite 410, Chicago, IL 60615. They may also be faxed to the Commission at (312) 353–8324, or emailed to Carolyn Allen at *callen@usccr.gov.* Persons who desire additional information may contact the Midwestern Regional Office at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Midwestern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Arkansas Advisory Committee link (*http://www.facadatabase.gov/committee/meetings.aspx?cid=236*). Persons interested in the work of this Committee are directed to the Commission's Web site, *http://www.usccr.gov,* or may contact the Midwestern Regional Office at the above email or street address.

Agenda

Welcome and Roll Call
Review Topics and vote
Next Steps
Public Comment
Adjournment

Dated: June 19, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017–13039 Filed 6–21–17; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Illinois Advisory Committee for a Meeting To Review and Discuss a Draft Report Regarding Civil Rights and Voter Participation in the State

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Illinois Advisory Committee (Committee) will hold a meeting on Tuesday, August 01, 2017, at 12:00 p.m. CST for the purpose of reviewing and discussing a draft report regarding civil rights and voting in the state.

DATES: The meeting will be held on Tuesday, August 01, 2017, at 12:00 p.m. CST.

ADDRESSES: Public call information: Dial: 888–572–7025, Conference ID: 7517480.

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, DFO, at *mwojnaroski@usccr.gov* or 312–353–8311.

SUPPLEMENTARY INFORMATION: Members of the public may listen to the discussion. This meeting is available to the public through the call in information listed above. Any interested member of the public may call this number and listen to the meeting. An open comment period will be provided to allow members of the public to make a statement to the Committee as time allows. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Midwestern Regional Office, U.S. Commission on Civil Rights, 55 W. Monroe St., Suite 410, Chicago, IL 60615. They may also be faxed to the Commission at (312) 353–8324, or emailed to Carolyn Allen at *callen@usccr.gov.* Persons who desire additional information may contact the Midwestern Regional Office at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Midwestern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Illinois Advisory Committee link (*http://www.facadatabase.gov/committee/meetings.aspx?cid=246*). Select ''meeting details'' and then ''documents'' to download. Persons interested in the work of this Committee are directed to the Commission's Web site, *http://www.usccr.gov,* or may contact the Midwestern Regional Office at the above email or street address.

Agenda

Welcome and Roll Call
Discussion: Draft Report, Voting Rights in Illinois
Public Comment
Future Plans and Actions
Adjournment

Dated: June 19, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017–13066 Filed 6–21–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request: Challenge and Prize Competition Solicitations Generic Clearance

AGENCY: Office of the Secretary, Department of Commerce.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Commerce, has submitted an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB) for review and approval. This is a new ICR to seek generic clearance for the collection of routine information requested of responders to solicitations the Federal government makes during the issuance of challenges and competitions posted on the General Service Administration (GSA)'s *Challenge.gov* Web site. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public on this ICR during the review and approval period.

DATES: Written comments must be submitted on or before July 24, 2017.

ADDRESSES: Submit your comments to *OIRA_submission@omb.eop.gov* or fax to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: This information collection request may be viewed at *reginfo.gov.* Follow the instructions to view Department of Commerce collections currently under review by OMB.

SUPPLEMENTARY INFORMATION:

Title: Challenge and Prize Competition Solicitations Generic Clearance.

Proposed Project: Descriptive information of solutions provided to the Federal government in response to Challenge and Competition solicitations posted on *Challenge.gov.—OMB Control Number: 0690*–XXXX (New collection), Office of the Secretary.

Abstract: This request seeks generic clearance for the collection of routine information requested of responders to solicitations the Federal government makes during the issuance of challenges and competitions posted on the General Service Administration (GSA)'s *Challenge.gov* Web site. Since passage of the America COMPETES Act of 2011. In order for DOC to quickly and effectively launch competitions on a continual basis, DOC seeks generic clearance to collect information for these challenges and competitions, which will generally include first name, last name, email, city, state and when applicable other demographic information, such as date of birth. It can also include other information necessary to evaluate submissions and understand their impact related to the general goals of the competition. Upon entry or during the judging process, applicants under the age of 18 may be asked to confirm parental consent, requiring students under 18 to have a parent signature in writing on a parental consent form provided by the Department in order to qualify for the contest. For certain challenges we may also need to collect data such as types of data sets used in the solution, types of software tools used in the solution, and information regarding uses of proprietary software (*i.e.,* licenses or use agreements). Information obtained from participants will be used by the program managers (challenge manager), other agency officials (such as general counsel representatives) and in some cases the technical reviewers acting on behalf of

the program manager (challenge manager).

Need and Proposed Use of the Information: In 2011, Federal agencies including DOC were given prize authority for administering challenges and competitions. Section 105(a) of the America Competes Act, adds Section 24 to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 *et seq.*) that addresses provisions for challenges and competitions with prizes conducted by Federal agencies. Challenges and competitions enable DOC to tap into the expertise and creativity of the public in new ways. DOC has sponsored challenges and competitions in a wide variety of areas to increase public participation and solicit new ideas on a wide array of topics important to the agency's mission. DOC's goal is to engage a broader number of stakeholders who are inspired to work on some of our most pressing issues.

The information collected will be used to understand whether the participant has met the technical requirements for the challenge, assist in the technical review and judging of the solutions that are provided, and understand the impact and consequences of administering the competition and developing solutions for submission. Information may be collected during the competition or after its completion. The submissions are evaluated by the submitting agency and typically prizes (monetary and non-monetary) are awarded to the winning entries.

This clearance applies to challenges posted on *Challenge.gov*, which uses a common platform for the solicitation of challenges from the public. Each agency designs the criteria for its solicitations based on the goals of the challenge and the specific needs of the agency. There is no standard submission format for solution providers to follow.

We anticipate that approximately 250 challenges would be issued each year by DOC. It is expected that other federal agencies will issue a similar number of challenges. There is no set schedule for the issuance of challenges; they are developed and issued on an ''as needs'' basis in response to issues the federal agency wishes to solve. The respondents to the challenges, who are participating voluntarily, are unlikely to reply to more than one or several of the challenges.

Although in previous memoranda the GSA and Office of Management and Budget (OMB) described circumstances whereby OMB approval of a PRA request is not needed, program officials at DOC have identified several sets of information that will typically need to be requested of solution providers to enable the solutions to be adequately evaluated by the program office issuing the challenge. These requests for additional information have been suggested to require a PRA review as they represent structured data requests.

There are three types of additional data that may routinely be requested. These include the following:

Title and/or Subject of the submission. Due to the nature of the submission and evaluation processes, it is important that a title and/or subject be requested and submitted for each submission in order to ensure the solution is correctly identified with its provider.

Identification of data resources. In many cases, the solution to a problem will require the solution provider to use data resources. Often, the nature of the data sets will be derived from Federal data resources, such as *data.gov*. Evaluations of solutions will often depend on the understanding of the selection of the data resource(s) used in the solution.

Description of methodology. For effective judging and evaluation, a description of the development methods for the solution to the challenge will be requested. For instance, a prize may be awarded to the solution of a challenge to develop an algorithm that enables reliable prediction of a certain event. A responder could submit the correct algorithm, but without the methodology, the evaluation process could not be adequately performed.

ESTIMATED ANNUALIZED BURDEN TABLE

Forms	Number of respondents	Number of responses per respondent	Average burden (in hours) per response	Total burden hours
Individuals or Households	500	1	10/60	83.3
Organizations	500	1	10/60	83.3
Businesses	500	1	10/60	83.3
State, territory, tribal or local governments	30	1	10/60	5
Federal government	30	1	10/60	5
Total	1,560			255

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202)395–5806.

Sheleen Dumas,

Departmental PRA Lead, Office of the Chief Information Officer.

[FR Doc. 2017–13001 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Order Denying Export Privileges

In the Matter of Ali Reza Parsa, Inmate Number: 71600–054, Moshannon Valley Correctional Institution, 555 Geo Drive, Philipsburg, PA 16866, and 518 Starboard Crescent, Waterloo, Ontario, Canada, N2K4G5.

On May 20, 2016, in the U.S. District Court for the Southern District of New York, Ali Reza Parsa (''Parsa'') was convicted of violating the International Emergency Economic Powers Act (50

U.S.C. 1701, *et seq.* (2012)) (''IEEPA''). Specifically, Parsa was convicted of knowingly and willfully conspiring to export, reexport, sell and supply from the United States electronic components to customers located in Iran, without the required U.S. Government authorization. Parsa was sentenced to 36 months of imprisonment and ordered to pay a $100 assessment.

Section 766.25 of the Export Administration Regulation (''EAR'' or ''Regulations'')[1] provides, in pertinent part, that ''[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the EAA [Export Administration Act], the EAR, or any order, license, or authorization issued thereunder; any regulation, license or order issued under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706); 18 U.S.C. 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b))[;] or section 38 of the Arms Export Control Act (22 U.S.C. 2778).'' 15 CFR 766.25(a); *see also* Section 11(h) of the EAA, 50 U.S.C. 4610(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR 766.25(d); *see also* 50 U.S.C. 4610(h). In addition, Section 750.8 of the Regulations states that BIS's Office of Exporter Services may revoke any BIS licenses previously issued pursuant to the Export Administration Act (''EAA'' or ''the Act'') or the Regulations in which the person had an interest at the time of his conviction.

BIS has received notice of Parsa's conviction for violating IEEPA, and has provided notice and an opportunity for Parsa to make a written submission to BIS, as provided in Section 766.25 of the Regulations. BIS has received a submission from Parsa.

Based upon my review and my consultations with BIS's Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Parsa's export privileges under the Regulations for a period of 10 years from the date of Parsa's conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Parsa had an interest at the time of his conviction.

Accordingly, it is hereby *ordered:*

First, from the date of this Order until May 20, 2026, Ali Reza Parsa, Inmate Number: 71600–054, Moshannon Valley, Correctional Institution, 555 Geo Drive, Philipsburg, PA 16866, and 518 Starboard Crescent, Waterloo, Ontario, Canada, N2K4G5, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (the ''Denied Person''), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as ''item'') exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Parsa by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Parsa may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Parsa and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until May 20, 2026.

Issued this 7th day of June, 2017.

Karen H. Nies-Vogel,

Director, Office of Exporter Services.

[FR Doc. 2017–12857 Filed 6–21–17; 8:45 am]

BILLING P

[1] The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2016). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. §§ 4601–4623 (Supp. III 2015) (available at *http://uscode.house.gov*)) (''EAA'' or ''the Act''). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 4, 2016 (81 FR 52587 (Aug. 8, 2016)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)).

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of 10th Annual U.S. Industry Program at the International Atomic Energy Agency (IAEA) General Conference

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice.

Mission Description

The United States Department of Commerce's (DOC) International Trade

Administration (ITA), with participation from the U.S. Departments of Energy and State, is organizing the 10th Annual U.S. Industry Program at the International Atomic Energy Agency (IAEA) General Conference, to be held September 18–19, 2017, in Vienna, Austria. The IAEA General Conference is the premier global meeting of civil nuclear policymakers and typically attracts senior officials and industry representatives from all 162 Member States. The U.S. Industry Program is part of the U.S. Department of Commerce's (DOC) Civil Nuclear Trade Initiative, a U.S. Government effort to help U.S. civil nuclear companies identify and capitalize on commercial civil nuclear opportunities around the world. The purpose of the program is to help the U.S. nuclear industry promote its services and technologies to an international audience, including senior energy policymakers from current and emerging markets as well as IAEA staff.

Representatives of U.S. companies from across the U.S. civil nuclear supply chain are eligible to participate. In addition, organizations providing related services to the industry, such as universities, research institutions, and U.S. civil nuclear trade associations, are eligible for participation. The mission will help U.S. participants gain market insights, make industry contacts, solidify business strategies, and identify or advance specific projects with the goal of increasing U.S. civil nuclear exports to a wide variety of countries interested in nuclear energy.

The schedule includes: Meetings with foreign delegations and discussions with senior U.S. Government officials and IAEA staff on important civil nuclear topics including regulatory, technology and standards, liability, public acceptance, export controls, financing, infrastructure development, and R&D cooperation. Past U.S. Industry Programs have included participation by the U.S. Secretary of Energy, the Chairman of the U.S. Nuclear Regulatory Commission (NRC) and senior U.S. Government officials from the Departments of Commerce, Energy, State, the U.S. Export-Import Bank and the National Security Council.

There are significant opportunities for U.S. businesses in the global civil nuclear energy market. With 60 reactors currently under construction in 15 countries and 158 nuclear plant projects planned in 27 countries over the next 8–10 years, this translates to a market demand for equipment and services totaling $500–740 billion over the next ten years. This mission contributes to DOC's Civil Nuclear Trade Initiative by assisting U.S. businesses in entering or expanding in international markets.

Mission Setting

The IAEA General Conference is the premier global meeting of civil nuclear policymakers, and typically attracts over 1,200 senior officials and industry representatives from all 162 IAEA Member States. As such, it is an opportunity to highlight the breadth and depth of the U.S. civil nuclear sector to foreign energy policymakers and potential customers. The U.S. Industry Program will provide opportunities for U.S. industry representatives to meet with U.S. Government representatives and discuss key issues of interest for civil nuclear exporters. The program will also feature briefings from foreign government representatives, providing opportunities for participants to develop contacts in potential export markets.

Mission Goals

The purpose of the U.S. Industry Program is to highlight the benefits of U.S. civil nuclear technology to foreign decision makers in key export markets and to enable representatives from the U.S. public and private sector to discuss U.S. industry's role in the safe and secure expansion of civil nuclear power worldwide. U.S. participants will also have the opportunity to network and build relationships in the global civil nuclear sector, interact with foreign government and industry officials, and learn more about current and future project opportunities. Foreign government participants will hear about the expertise that the U.S. industry has amassed in this sector and may learn how to better partner with U.S. industry on future nuclear power projects.

Mission Scenario

On Monday, September 18, trade mission participants will begin with a Policymaker's Roundtable and an interagency U.S. Government briefing featuring discussion sessions and remarks by senior officials from the U.S. Departments of Commerce, Energy and State, and the NRC. In addition, on Monday and Tuesday, meetings with foreign delegation officials from some of the top markets for U.S. civil nuclear exports will be scheduled. Approximately ten such meetings will be planned throughout the duration of the event. Throughout the weeklong conference, participants can attend IAEA side meetings using their official IAEA badges, which will be provided as part of the program.

Event Dates and Proposed Agenda

****Note that specific events and meeting times have yet to be confirmed****

Monday, September 18

7:00 a.m. Industry Program breakfast begins
8:00–9:45 a.m. U.S. Policymakers Roundtable
9:45–10:00 a.m. Break
10:00–11:00 a.m. USG Dialogue with Industry
11:00 a.m.–6:00 p.m. IAEA Side Events
11:00 a.m.–12:30 p.m. Break
12:30–6:00 p.m. Country Briefings for Industry Delegation (presented by foreign delegates)
7:30–9:30 p.m. U.S. Mission to the IAEA Reception

Tuesday, September 19

9:00 a.m.–6:00 p.m. Country Briefings for Industry (presented by foreign delegates)
10:00 a.m.–6:00 p.m. IAEA Side Event Meetings

Participation Requirements

Applicants must sign and submit a completed Trade Mission application form and satisfy all of the conditions of participation in order to be eligible for consideration. Applications will be evaluated on the applicant's ability to best satisfy the participation criteria.

A minimum of 15 and maximum of 50 companies and/or trade associations and/or U.S. academic and research institutions will be selected to participate in the mission. The Department of Commerce will evaluate applications and inform applicants of selection decisions on a rolling basis until the maximum number of participants has been selected.

Conditions for Participation

Applicants must submit a completed mission application signed by a company, trade association, or academic or research institution official, together with supplemental application materials, including adequate information on the organization's products and/or services, primary market objectives, and goals for participation. If the DOC receives an incomplete application, the DOC may reject the application, request additional information, or take the lack of information into account in its evaluation.

Each applicant must certify that their organization is not majority owned or controlled by a foreign government entity (or foreign government entities). Each applicant also must certify that the

products or services it seeks to export through the mission are either produced in the United States, or, if not, marketed under the name of a U.S. firm and have demonstrable U.S. content as a percentage of the value of the finished product or service. In the case of a trade association, the applicant must certify that it will only be representing companies during the Trade Mission consistent with the domestic content criteria laid out in this section. In the case of an academic or research institution, the applicant must certify that as part of its activities at the event, it will represent the interests of the organization's staff that meet the criteria above.

Applicants must:

- Certify that the products and services that it wishes to market through the mission would be in compliance with U.S. export controls and regulations;
- Certify that it has identified any matter pending before any bureau or office in the U.S. Department of Commerce;
- Certify that it has identified any pending litigation (including any administrative proceedings) to which it is a party that involves the U.S. Department of Commerce;
- Sign and submit an agreement that it and its affiliates (1) have not and will not engage in the bribery of foreign officials in connection with a company's/participant's involvement in this mission, and (2) maintain and enforce a policy that prohibits the bribery of foreign officials; and
- Certify that it meets the minimum requirements as stated in this announcement.

Applicants from a company, organization or institution that is majority owned or controlled by a foreign government entity will not be considered for participation in the U.S. Industry Program.

Selection Criteria

Selection will be based on the following criteria:

- Suitability of the company's (or, in the case of another organization, represented companies' or constituents') products or services to each of the markets the company or organization has expressed an interest in exporting to as part of this trade mission.
- The company's (or, in the case of another organization, represented companies' or constituents') potential for business in each of the markets the company or organization has expressed an interest in exporting to as part of this trade mission, including likelihood of exports resulting from the mission.
- Consistency of the applicant company's (or, in the case of another organization, represented companies' or constituents') goals and objectives with the stated mission scope.

Referrals from political organizations and any documents containing references to partisan political activities (including political contributions) will be removed from an applicant's submission and will not be considered.

Timeframe for Recruitment and Participation

Recruitment for participation in the U.S. Industry Program as a representative of the U.S. nuclear industry will be conducted in an open and public manner, including publication in the **Federal Register**, posting on the DOC trade mission calendar, notices to industry trade associations and other multiplier groups. Recruitment will begin 2 weeks after publication in the **Federal Register** and conclude no later than July 14, 2017. The ITA will review applications and make selection decisions on a rolling basis. Applications received after July 14, 2017, will be considered only if space and scheduling permit.

Fees and Expenses

After a company or organization has been selected to participate on the mission, a payment to the DOC in the form of a participation fee is required. The fee covers ITA support to register U.S. industry participants for the IAEA General Conference Participants will be able to take advantage of discounted rates for hotel rooms.

- The fee to participate in the event is $1,600 for a large company and $1,200 for a small or medium-sized company (SME), a trade association, or a U.S. university or research institution. The fee for each additional representative (large company, trade association, university/research institution, or SME) is $900.
  - For purposes of this mission, a SME is defined as a company/organization with less than $7 million in average annual receipts and fewer than five hundred employees (Source: U.S. Small Business Administration).
- To apply to the mission, complete the trade mission application at *https://emenuapps.ita.doc.gov/ePublic/TM/7R0W.*

Participants selected for the Trade Mission will be expected to pay for the cost of all personal expenses, including, but not limited to, international travel, lodging, meals, transportation, communication, and incidentals, unless otherwise noted. In the event that the Mission is cancelled, no personal expenses paid in anticipation of a Trade Mission will be reimbursed. However, participation fees for a cancelled Trade Mission will be reimbursed to the extent they have not already been expended in the anticipation of the Mission.

Contacts

Jonathan Chesebro, Industry & Analysis, Office of Energy and Environmental Industries, Washington, DC, Tel: (202) 482–1297, Email: *jonathan.chesebro@trade.gov.*

Devin Horne, Industry & Analysis, Office of Energy and Environmental Industries, Washington, DC, Tel: (202) 482–0775, Email: *devin.horne@trade.gov.*

Dated: June 13, 2017.

Edward A. O'Malley,

Director, Office of Energy and Environmental Industries.

[FR Doc. 2017–12610 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF479

Atlantic Coastal Fisheries Cooperative Management Act Provisions; Summer Flounder Fishery

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

ACTION: Notice of non-compliance referral.

SUMMARY: NMFS announces that on June 12, 2017, we received a letter from the Atlantic States Marine Fisheries Commission finding the State of New Jersey out of compliance with Addendum XXVIII to the Summer Flounder, Scup, and Black Sea Bass Interstate Fishery Management Plan and requesting Federal non-compliance review under the provisions of the Atlantic Coastal Fisheries Cooperative Management Act. This notice is necessary to alert the public that NMFS has received and is reviewing the referral of non-compliance from the Commission. The intended effect of this notice is to inform the public of the Commission's recommendation to the Secretary of Commerce and to outline both the decision-making process that will be used and potential outcomes of the non-compliance review.

FOR FURTHER INFORMATION CONTACT: Emily Gilbert, Fishery Policy Analyst, (978) 281–9244.

SUPPLEMENTARY INFORMATION:

The Atlantic States Marine Fisheries Commission (Commission) developed Addendum XXVIII to the Summer Flounder, Scup, and Black Sea Bass Interstate Fishery Management Plan (ISFMP) to specify 2017 recreational management measures (*i.e.,* regional conservation equivalency) for summer flounder, which is currently experiencing overfishing. Addendum XXVIII, which was adopted by the Commission in February 2017, retained management regions, consistent with those established in 2016: (1) Massachusetts; (2) Rhode Island; (3) Connecticut and New York; (4) New Jersey; (5) Delaware, Maryland, and Virginia; and (6) North Carolina. To provide the maximum amount of flexibility and to continue to adequately address the state-by-state differences in fish availability, each state in a region is required by the Commission to establish identical management measures (*i.e.,* fishing season length, minimum size, and possession limit). Addendum XXVIII requires each state or region, with the exception of North Carolina, to increase the summer flounder minimum size in 2017 by 1 inch (2.5 cm) relative to the 2016 size limit. The 2017 measures also reduce the bag limit for most of the states and regions, while the season length remains the same as in 2016.

These measures were designed to constrain coastwide catch of summer flounder to within the 2017 recreational harvest limit. For New Jersey, Addendum XXVIII requires the following measures:

- *Shore mode for Island Beach State Park only:* 17-inch (43.2-cm) minimum size limit, 2-fish possession limit, and 128-day open season.
- *Delaware Bay only (west of the COLERG line):* 18-inch (45.7-cm) minimum size limit, 3-fish possession limit, and 128-day open season.
- *All other marine waters (east of the COLERG line):* 19-inch (48.3-cm) minimum size limit, 3-fish possession limit, and 128-day open season.

The Commission required New Jersey to implement these measures in state waters by May 25, 2017. Instead, New Jersey implemented size limits that are one-inch lower in each area described in the bullets above and instituted a season of 104 days. The bag limits remain the same as those required under the addendum. On June 1, 2017, the Commission found the State of New Jersey out of compliance for not fully and effectively implementing and enforcing the Addendum XXVIII measures. The Commission notified NMFS of its non-compliance finding by letter on June 12, 2017.

Federal response to a Commission non-compliance referral is governed by the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic Coastal Act). Under the Atlantic Coastal Act, the Secretary of Commerce must make two findings within 30 days after receiving the non-compliance referral. First, the Secretary must determine whether the state in question (in this case, New Jersey) has failed to carry out its responsibilities under the ISFMP. Second, the Secretary must determine whether the measures that the State has failed to implement or enforce are necessary for the conservation of the fishery in question (in this case, summer flounder). If NMFS determines that New Jersey has failed to carry out its responsibilities under the ISFMP, and if the measures it failed to implement are necessary for conservation, then, according to the Atlantic Coastal Act, NMFS must declare a moratorium on summer flounder fishing in New Jersey waters. Further, the moratorium must become effective within six months of the date of the Secretary's non-compliance determination. If New Jersey is found out of compliance by NMFS and later implements Addendum XXVIII measures, the Atlantic Coastal Act allows the state to petition the Commission that it has come back into compliance. If the Commission concurs that New Jersey has come into compliance, the Commission will notify the Secretary. If the Secretary concurs, the moratorium will be withdrawn.

NMFS has notified New Jersey, the Commission, and the Mid-Atlantic Fishery Management Council in separate letters, of its receipt of the Commission's non-compliance referral. NMFS solicits comments from the Commission and Council to the extent either is interested in providing comments on the non-compliance referral. NMFS also indicated to New Jersey that it is entitled to meet with and present its comments directly to NMFS, if so desired.

NMFS intends to make its non-compliance determination, including supporting rationale, on or about July 11, 2017, which is 30 days after receipt of the Commission's non-compliance referral. NMFS will announce its determination by **Federal Register** notice immediately thereafter. To the extent that NMFS makes an affirmative non-compliance finding, NMFS will announce the effective date of the moratorium in that **Federal Register** notice.

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

Dated: June 19, 2017.

Emily H. Menashes,

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

[FR Doc. 2017–13026 Filed 6–19–17; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF464

Nominations to the Marine Mammal Scientific Review Groups

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

ACTION: Notice; request for nominations.

SUMMARY: As required by section 117(d) of the Marine Mammal Protection Act (MMPA), the Secretary of Commerce established three independent regional scientific review groups (SRGs) to provide advice on a range of marine mammal science and management issues. NMFS has conducted a membership review of the Alaska, Atlantic, and Pacific SRGs, and is soliciting nominations for new members to fill vacancies and gaps in expertise.

DATES: Nominations must be received by July 24, 2017.

ADDRESSES: Nominations can be emailed to *Shannon.Bettridge@noaa.gov,* or mailed to: Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3226, Attn: SRGs.

FOR FURTHER INFORMATION CONTACT: Shannon Bettridge, Office of Protected Resources, 301–427–8402, *Shannon.Bettridge@noaa.gov.* Information about the SRGs, including the SRG Terms of Reference, is available at *http://www.nmfs.noaa.gov/pr/sars/group.htm.*

SUPPLEMENTARY INFORMATION:

Section 117(d) of the MMPA (16 U.S.C. 1386(d)) directs the Secretary of Commerce to establish three independent regional SRGs to advise the Secretary (authority delegated to NMFS). The Alaska SRG advises on marine mammals that occur in waters off Alaska that are under the jurisdiction of the United States. The Pacific SRG advises on marine mammals that occur in waters off the U.S. West Coast, Hawaiian Islands, and the U.S. Territories in the Central and Western Pacific that are under the jurisdiction of

the United States. The Atlantic SRG advises on marine mammals that occur in waters off the Atlantic coast, Gulf of Mexico, and U.S. Territories in the Caribbean that are under the jurisdiction of the United States.

SRGs members are highly qualified individuals with expertise in marine mammal biology and ecology, population dynamics and modeling, commercial fishing technology and practices, and stocks taken under section 101(b) of the MMPA. The SRGs provide expert reviews of draft marine mammal stock assessment reports and other information related to the matters identified in section 117(d)(1) of the MMPA, including:

A. Population estimates and the population status and trends of marine mammal stocks;

B. Uncertainties and research needed regarding stock separation, abundance, or trends, and factors affecting the distribution, size, or productivity of the stock;

C. Uncertainties and research needed regarding the species, number, ages, gender, and reproductive status of marine mammals;

D. Research needed to identify modifications in fishing gear and practices likely to reduce the incidental mortality and serious injury of marine mammals in commercial fishing operations;

E. The actual, expected, or potential impacts of habitat destruction, including marine pollution and natural environmental change, on specific marine mammal species or stocks, and for strategic stocks, appropriate conservation or management measures to alleviate any such impacts; and

F. Any other issue which the Secretary or the groups consider appropriate.

SRG members collectively serve as independent advisors to NMFS and the U.S. Fish and Wildlife Service and provide their expert review and recommendations through participation in the SRG. Members attend annual meetings and undertake activities as independent persons providing expertise in their subject areas. Members are not appointed as representatives of professional organizations or particular stakeholder groups, including government entities, and are not permitted to represent or advocate for those organizations, groups, or entities during SRG meetings, discussions, and deliberations.

SRG membership is voluntary, and, except for reimbursable travel and related expenses, service is without pay. The term of service for SRG members is three years, and members may serve up to three consecutive terms if reappointed.

NMFS annually reviews the expertise available on the SRG and identifies gaps in the expertise that is needed to provide advice pursuant to section 117(d) of the MMPA. In conducting the reviews, NMFS attempts to achieve, to the maximum extent practicable, a balanced representation of viewpoints among the individuals on each SRG.

Expertise Solicited

For the Atlantic SRG (including waters off the Atlantic coast, Gulf of Mexico, and U.S. Territories in the Caribbean), NMFS seeks individuals with expertise in one or more of the following areas: Fishing gear and practices, particularly for fisheries in the U.S. mid-Atlantic and southeast (trap/pot and gillnet fisheries), Gulf of Mexico (shrimp trawl fishery), and maritime Canada; quantitative ecology, modeling, population dynamics, statistics, and/or biometry; species-habitat associations; conservation; and Gulf of Mexico oceanic marine mammal species.

For the Pacific SRG (including waters off the Pacific coast, Hawaiian Islands and the U.S. Territories in the Central and Western Pacific), NMFS seeks individuals with expertise in one or more of the following areas: Quantitative ecology, population dynamics, modeling, and statistics; abundance estimation, especially distance sampling and mark-recapture methods and survey design; passive acoustics; oceanography; West Coast fishing gear/techniques; large whales, particularly with regard to entanglement issues; pinnipeds; and sea otters.

For the Alaska SRG, NMFS seeks individuals with expertise in one or more of the following areas, in order of priority: The Alaska commercial fishing industry and commercial fishery methods/gear, particularly fisheries with marine mammal bycatch and/or ecological interactions; pinnipeds; quantitative ecology, population dynamics, modeling, and statistics; abundance estimation, especially distance sampling and mark-recapture methods and survey design; and acoustics. Knowledge of the MMPA and processing of marine mammal stock assessments would be helpful but not essential.

Submitting a Nomination

Nominations for new members should be sent to Dr. Shannon Bettridge in the NMFS Office of Protected Resources (see **ADDRESSES**) and must be received by July 24, 2017. Nominations should be accompanied by the individual's curriculum vitae and detailed information regarding how the recommended person meets the minimum selection criteria for SRG members (see below). Nominations should also include the nominee's name, address, telephone number, and email address. Self-nominations are acceptable.

Selection Criteria

Although the MMPA does not explicitly prohibit Federal employees from serving as SRG members, NMFS interprets MMPA section 117(d)'s reference to the SRGs as ''independent'' bodies that are exempt from Federal Advisory Committee Act requirements to mean that SRGs are intended to augment existing Federal expertise and are not composed of Federal employees or contractors. Therefore, NMFS will not consider any nominee who is currently a Federal employee or a full-time contractor supporting a Federal agency.

When reviewing nominations, NMFS, in consultation with the U.S. Fish and Wildlife Service, will consider the following six criteria:

(1) Ability to make time available for the purposes of the SRG;

(2) Knowledge of the species (or closely related species) of marine mammals in the SRG's region;

(3) Scientific or technical achievement in a relevant discipline, particularly the areas of expertise identified above, to be considered an expert peer reviewer for the topic;

(4) Demonstrated experience working effectively on teams;

(5) Expertise relevant to current and expected needs of the SRG, in particular, expertise required to provide adequate review and knowledgeable feedback on current or developing stock assessment issues, techniques, etc. In practice, this means that each member should have expertise in more than one topic as the species and scientific issues discussed in SRG meetings are diverse; and

(6) No conflict of interest with respect to their duties as a member of the SRG.

Next Steps

Following review, nominees who are identified by NMFS as potential new members must be vetted and cleared in accordance with Department of Commerce policy. NMFS will contact these individuals and ask them to provide written confirmation that they are not registered Federal lobbyists or registered foreign agents, and to complete a confidential financial disclosure form, which will be reviewed by the Ethics Law and Programs

Division within the U.S. Department of Commerce's Office of General Counsel. All nominees will be notified of a selection decision in advance of the 2018 SRG meetings.

Dated: June 16, 2017.

Donna S. Wieting,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2017–12986 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Coral Reef Conservation Program

AGENCY: Coral Reef Conservation Program, Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Notice of public meeting, notice of public comment.

SUMMARY: Notice is hereby given of a public meeting of the U.S. Coral Reef Task Force (USCRTF). The meeting will be held Thursday, August 11, 2017, at 9:00 a.m. at the Harbor Beach Marriott Hotel, 3030 Holiday Dr, Fort Lauderdale, FL 33316, in the Caribbean Salon I–IV meeting room. The meeting provides a forum for coordinated planning and action among federal agencies, state and territorial governments, and nongovernmental partners.

Registration is requested for all events associated with the meeting. This meeting has time allotted for public comment. All public comments must be submitted in written format. A written summary of the meeting will be posted on the USCRTF Web site within two months of occurrence. For information about the meeting, registering and submitting public comments, go to *http://www.coralreef.gov.*

Commenters may address the meeting, the role of the USCRTF, or general coral reef conservation issues. Before including your address, phone number, email address, or other personal identifying information in your comments, you should be aware that your entire comment, including 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.

Established by Presidential Executive Order 13089 in 1998, the U.S. Coral Reef Task Force mission is to lead, coordinate and strengthen U.S. government actions to better preserve and protect coral reef ecosystems. Co-chaired by the Departments of Commerce and Interior, Task Force members include leaders of 12 federal agencies, seven U.S. states and territories and three freely associated states.

FOR FURTHER INFORMATION CONTACT: Jennifer Koss, NOAA USCRTF Steering Committee Point of Contact, NOAA Coral Reef Conservation Program, 1305 East-West Highway, N/OCRM, Silver Spring, MD 20910 at 240–533–0777 or Liza Johnson, USCRTF Executive Secretary, U.S. Department of the Interior, MS–3530–MIB, 1849 C Street NW., Washington, DC 20240 at (202) 208–5004 or visit the USCRTF Web site at *http://www.coralreef.gov*

Dated: June 15, 2017.

Christopher Cartwright,

Chief Financial Officer, National Ocean Service, National Oceanic and Atmospheric Administration.

[FR Doc. 2017–13029 Filed 6–21–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF482

Taking and Importing of Marine Mammals

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

ACTION: Notice; five-year affirmative finding for Peru.

SUMMARY: The NMFS Assistant Administrator (Assistant Administrator) has issued a five-year affirmative finding for the Government of Peru under the Marine Mammal Protection Act (MMPA). This affirmative finding will allow yellowfin tuna and yellowfin tuna products harvested in the eastern tropical Pacific Ocean (ETP) in compliance with the Agreement on the International Dolphin Conservation Program (AIDCP) by Peruvian-flagged purse seine vessels or purse seine vessels operating under Peruvian jurisdiction to be imported into the United States. The affirmative finding determination was based on reviews of documentary evidence submitted by the Government of Peru and by information obtained from the Inter-American Tropical Tuna Commission (IATTC).

DATES: This affirmative finding is effective for the five-year period of April 1, 2017, through March 31, 2022.

FOR FURTHER INFORMATION CONTACT: Justin Greenman, West Coast Region, National Marine Fisheries Service, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802. Phone: 562–980–3264. Email: *justin.greenman@noaa.gov.*

SUPPLEMENTARY INFORMATION: The MMPA, 16 U.S.C. 1361 *et seq.,* allows for importation into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, or the Department of State.

The affirmative finding process requires that the harvesting nation is meeting its obligations under the AIDCP and its obligations of membership in the IATTC. Every five years, the government of the harvesting nation must request a new affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis, NMFS reviews the affirmative finding and determines whether the harvesting nation continues to meet the requirements. A nation may provide information related to compliance with AIDCP and IATTC measures directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS to annually renew an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the AIDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f)(8), the Assistant Administrator considered documentary evidence submitted by the Government of Peru and obtained from the IATTC and has determined that Peru have met the MMPA's requirements to receive an affirmative finding.

After consultation with the Department of State, the Assistant Administrator issued a five-year affirmative finding to Peru, allowing the importation into the United States of

yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by Peruvian-flagged purse seine vessels or purse seine vessels operating under Peruvian jurisdiction for the five-year period of April 1, 2017, through March 31, 2022, subject to subsequent annual reviews by NMFS.

Dated: June 19, 2017.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2017–13044 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Nomination Process for National Marine Sanctuaries.

OMB Control Number: 0648–0682.

Form Number(s): None.

Type of Request: Regular (extension of a currently approved information collection).

Number of Respondents: 10.

Average Hours per Response: Four hours for collecting information for nomination; 20 hours for gathering public support and organizing community meetings; 2 hours each for public meetings; and for writing and submitting nomination request; 30 minutes each for amendments to the nomination and for follow-up requests.

Burden Hours: 290.

Needs and Uses: This request is for extension of a currently approved information collection.

National marine sanctuary regulations provide that the public may nominate special places of the marine environment through the sanctuary nomination process (15 CFR part 922). Persons wanting to submit nominations for consideration should submit information on the qualifying criteria and management considerations for the site to be nominated. The Office of National Marine Sanctuaries reviews the submissions, which could result in the nomination being added to an inventory of areas that NOAA may consider for sanctuary designation at some point in the future. Sanctuary designation is a separate public process that would be conducted pursuant to the requirements of the National Marine Sanctuaries Act, and all other applicable laws and executive orders.

Affected Public: Individuals or households; business or other for-profit organizations; not-for-profit institutions; state, local or tribal governments.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

This information collection request may be viewed at *reginfo.gov.* Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: June 19, 2017.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2017–13068 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–NK–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

United States Integrated Ocean Observing System Advisory Committee

AGENCY: National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice of new member solicitation for the United States Integrated Ocean Observing System (U.S. IOOS) Advisory Committee.

SUMMARY: The National Oceanic and Atmospheric Administration (NOAA) is soliciting applications for membership on the United States Integrated Ocean Observing System Advisory Committee (the Committee), which is a Federal advisory committee. Members of the Committee will fulfill the requirements of the Integrated Coastal and Ocean Observation System Act of 2009 (the Act). The Committee provides advice to the Under Secretary of Commerce for Oceans and Atmosphere and to the Interagency Ocean Observation Committee on the planning, integrated design, operation, maintenance, enhancement, and expansion of the United States Integrated Ocean Observing System (U.S. IOOS). U.S. IOOS promotes research to develop, test, and deploy innovations and improvements in coastal and ocean observation technologies and modeling systems, addresses regional and national needs for ocean information, gathers data on key coastal, ocean, and Great Lakes variables and ensures timely and sustained dissemination and availability of these data for societal benefits. U.S. IOOS benefits national safety, the economy, and the environment through support for national defense, marine commerce and forecasting, navigation safety, weather, climate, energy siting and production, economic development, ecosystem-based management of marine and coastal areas, conservation of ocean and coastal resources and public safety.

The Act requires the establishment and administration of this Committee by the Under Secretary of Commerce for Oceans and Atmosphere. NOAA will hereby accept applications for membership on the Committee through September 20, 2017. Applications received after September 20, 2017 may not be considered during this membership application cycle, but may be considered for future membership cycles. The Act states: ''Members shall be qualified by education, training, and experience to evaluate scientific and technical information related to the design, operation, maintenance, or use of the [Integrated Ocean Observing] System, or use of data products provided through the System.'' NOAA encourages individuals with expertise in oceanographic data, products, and services; coastal management; fisheries management; coastal and marine spatial planning; geodesy; water levels; and other science-related fields to submit applications for Committee membership. To apply for membership on the Committee, applicants should submit a resume as indicated in the **ADDRESSES** section. NOAA is an equal-opportunity employer.

DATES: Application materials should be sent to the address, email address, or fax number specified and must be received by September 20, 2017 for consideration in this membership cycle.

ADDRESSES: Submit an application for Committee membership, in the form of a resume, to Regina Evans via mail, fax, or email. Mail: 1315 East-West Highway, Station 2605, Silver Spring, MD 20910; Fax: 301–713–3281; Email: *regina.evans@noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Regina Evans, 1315 East-West Highway, Station 2605, Silver Spring, MD 20910; Telephone: (240) 533–9468, Fax: 301–713–3281; Email: *regina.evans@noaa.gov.*

SUPPLEMENTARY INFORMATION: This notice responds to the ICOOS Act of 2009 (Pub. L. 111–11, section 12304), which requires the Under Secretary of Commerce for Oceans and Atmosphere to solicit nominations for Committee membership. The Committee will advise the NOAA Administrator or Interagency Ocean Observation Committee on matters related to the responsibilities and authorities set forth in section 12302 of the ICOOS Act of 2009 and other appropriate matters as the Under Secretary refers to the Committee for review and advice.

The United States Integrated Ocean Observing System Advisory Committee will provide advice on:

(a) Administration, operation, management, and maintenance of the System;

(b) Expansion and periodic modernization and upgrade of technology components of the System;

(c) Identification of end-user communities, their needs for information provided by the System, and the System's effectiveness in disseminating information to end-user communities and to the general public; and

(d) Any other purpose identified by the Under Secretary of Commerce for Oceans and Atmosphere or the Interagency Ocean Observation Committee.

The Committee's voting members will be appointed by the Under Secretary of Commerce for Oceans and Atmosphere. Members shall be qualified by education, training, and experience to evaluate scientific and technical information related to the design, operation, maintenance, or use of the System, or the use of data products provided through the System. Members are selected on a standardized basis, in accordance with applicable Department of Commerce guidance. Members will be appointed for three-year terms, renewable once. One Committee member will be designated by the Under Secretary as chairperson. Full-time officers or employees of the United States may not be appointed as a voting member. Members will be appointed as special Government employees (SGEs) for purposes of section 202(a) of title 18, United States Code. Members serve at the discretion of the Under Secretary and are subject to government ethics standards. Members of the Committee will not be compensated for service on the Committee, but they may be allowed travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

The Committee will meet at least once a year, and at other times at the call of the Under Secretary, the Interagency Ocean Observation Committee, or the Committee Chairperson. The Committee has approximately thirteen voting members. This solicitation requests candidate applications for up to thirteen full voting member vacancies. Some voting members whose terms expire August 15, 2018 may be reappointed for a second term if eligible.

If an applicant submitted a resume application for the 2015 **Federal Register** Notice for IOOS Advisory Committee membership solicitation, and is still interested in being considered for membership on the Committee, the applicant needs to confirm his or her interest by contacting Regina Evans as indicated in the **ADDRESSES** section. An applicant who is still interested, may either request that his or her 2015 resume application be resubmitted, or he or she may choose to submit a current resume application for the 2018 selection process.

Individuals Selected for Committee Membership

Upon selection and agreement to serve on the United States Integrated Ocean Observing System Advisory Committee, one becomes a Special Government Employee (SGE) of the United States Government. An SGE is an officer or employee of an agency who is retained, designated, appointed, or employed to perform temporary duties, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, either on a full-time or intermittent basis. After the membership selection process is complete, applicants who are selected to serve on the Committee must complete the following actions before they can be appointed as a Committee member:

(a) Background Check (on-line Background Check process and fingerprinting conducted through NOAA Workforce Management); and

(b) Confidential Financial Disclosure Report: As an SGE, a Confidential Financial Disclosure Report is required to be filed annually to avoid involvement in a real or apparent conflict of interest. This form can be found at the following Web site: *http://www.usoge.gov/forms/form_450.aspx.*

Dated: June 2, 2017.

Carl Gouldman,

Director, U.S. Integrated Ocean Observing System.

[FR Doc. 2017–13031 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF484

Taking and Importing of Marine Mammals

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

ACTION: Notice; affirmative finding annual renewals for Ecuador, El Salvador, Guatemala, Mexico, and Spain.

SUMMARY: The NMFS Assistant Administrator (Assistant Administrator) has issued affirmative finding annual renewals for the Governments of Ecuador, El Salvador, Guatemala, Mexico, and Spain (referred to hereafter as ''The Nations'') under the Marine Mammal Protection Act (MMPA). These affirmative finding annual renewals will continue to allow yellowfin tuna and yellowfin tuna products harvested in the eastern tropical Pacific Ocean (ETP) in compliance with the Agreement on the International Dolphin Conservation Program (AIDCP) by The Nations' flagged purse seine vessels or purse seine vessels operating under The Nations' jurisdiction to be imported into the United States. The affirmative finding annual renewals were based on reviews of documentary evidence submitted by the Governments of The Nations and by information obtained from the Inter-American Tropical Tuna Commission (IATTC).

DATES: These affirmative finding annual renewals are effective for the one-year period of April 1, 2017, through March 31, 2018.

FOR FURTHER INFORMATION CONTACT: Justin Greenman, West Coast Region, National Marine Fisheries Service, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802. Phone: 562–980–3264. Email: *justin.greenman@noaa.gov.*

SUPPLEMENTARY INFORMATION: The MMPA, 16 U.S.C. 1361 *et seq.,* allows for importation into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, or the Department of State.

The affirmative finding process requires that the harvesting nation is

meeting its obligations under the AIDCP and its obligations of membership in the IATTC. Every five years, the government of the harvesting nation must request a new affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis, NMFS reviews the affirmative finding and determines whether the harvesting nation continues to meet the requirements. A nation may provide information related to compliance with AIDCP and IATTC measures directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS to annually renew an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the AIDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f)(8), the Assistant Administrator considered documentary evidence submitted by the governments of The Nations and obtained from the IATTC and has determined that The Nations have met the MMPA's requirements to receive affirmative finding annual renewals.

After consultation with the Department of State, the Assistant Administrator issued affirmative finding annual renewals to The Nations, allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by The Nations' flagged purse seine vessels or purse seine vessels operating under The Nations' jurisdiction for the one-year period of April 1, 2017, through March 31, 2018.

El Salvador's five-year affirmative finding will remain valid through March 31, 2018, and Ecuador, Guatemala, Mexico, and Spain's five-year affirmative findings will remain valid through March 31, 2020, subject to subsequent annual reviews by NMFS.

Dated: June 19, 2017.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2017–13045 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

[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; extension of comment period.

SUMMARY: In response to requests for additional time, the Department of Commerce is extending the closing deadline for submitting comments to a request for public comments entitled ''Promoting Stakeholder Action Against Botnets and Other Automated Threats.'' In the request for comment, the 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. Through this notice, the Department extends the comment period to July 28, 2017.

DATES: Comments are due on July 28, 2017, at 5:00 p.m. Eastern Daylight Time (EDT).

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. Please see the original notice (82 FR 27042 (June 13, 2017)) for more detailed questions to which NTIA is inviting feedback on this subject. The notice is available on NTIA's Web site at *https://www.ntia.doc.gov/federal-register-notice/2017/rfc-promoting-stakeholder-action-against-botnets-and-other-automated-threats.*

The original deadline for submission of comments was July 13, 2017. With this notice, NTIA announces that the closing deadline for submission of

[1] *Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure,* Exec. Order 13800, 82 FR 22391 (May 11, 2017).

[2] *See generally United States* versus *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.*

comments has been extended until July 28, 2017, at 5:00 p.m. EDT.

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 19, 2017.

Kathy Smith,

Chief Counsel, National Telecommunications and Information Administration.

[FR Doc. 2017–13034 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–60–P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

[Docket No.: PTO–C–2017–0024]

Notice of Public Meeting on Voluntary Initiatives To Combat Infringement of Intellectual Property in the Online Environment

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of public meeting.

SUMMARY: The United States Patent and Trademark Office (USPTO) will host a public meeting at its headquarters in Alexandria, Virginia, on July 17, 2017, on measuring the impact of voluntary initiatives undertaken to reduce intellectual property infringement, such as copyright piracy and trademark counterfeiting, that occurs online.

DATES: The public meeting will be held on July 17, 2017, from 9 a.m. to 4 p.m.

ADDRESSES: The public meeting will be held at the United States Patent and Trademark Office, Madison Building, Global Intellectual Property Academy, 600 Dulany Street, Alexandria, Virginia 22314. All major entrances to the building are accessible to people with disabilities.

FOR FURTHER INFORMATION CONTACT: For further information regarding the public meeting, please contact Peter Fowler, Charisma Hampton, or Nadine Herbert at the Office of Policy and International Affairs, by telephone at (571) 272–9300, by email at *peter.fowler@uspto.gov, charisma.hampton@uspto.gov,* and *nadine.herbert@uspto.gov,* or by postal mail addressed to: Mail Stop OPIA, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450, ATTN: Peter Fowler, Charisma Hampton, or Nadine Herbert. Please direct all media inquiries to the Office of the Chief Communications Officer, USPTO, at (571) 272–8400.

SUPPLEMENTARY INFORMATION: The rapid growth of the online marketplace for goods and services has been accompanied by a rise in online infringement of intellectual property, including copyright piracy and trademark infringement. In response, the private sector has undertaken a range of voluntary initiatives to help reduce that infringement.

The Executive Branch has supported these voluntary initiatives. The 2013 *Joint Strategic Plan on Intellectual Property Enforcement* (JSP) encouraged their development, and the FY 2017–2019 JSP (available at *https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/IPEC/2016jointstrategicplan.pdf*) identified four research-related ''action items'' to be taken to enhance the initiatives, as well as broadly-directed ''calls for research'' on their impact and effectiveness.'' (See Action Nos. 2.2., 2.3, 2.5, and 2.6, at pp. 63 and 65–66 of the FY 2017–2019 JSP, and the ''calls for research'' on the initiatives, at pp. 145–146 of the FY 2017–2019 JSP).

On June 20, 2013, the United States Patent and Trademark Office requested input from the public on the impact of the initiatives (78 FR 37210, June 20, 2013). The USPTO has also convened meetings with content creators and Internet service providers, brand owners and payment processing companies, representatives of the advertising community and third-party content and brand owners, as well as with Internet service providers and technology companies to discuss existing voluntary efforts to reduce infringement on commercial platforms that facilitate illicit activities.

To continue this outreach, and as part of the Executive Branch's implementation of the FY 2017–2019 JSP's action items and calls for research, the USPTO will conduct a public meeting on Voluntary Initiatives in the Digital Environment on July 17, 2017. Topics will include methods and metrics for conducting empirical research on the digital economy; evaluating the effectiveness of self-regulatory regimes; case studies of certain private sector initiatives; the role of voluntary undertakings in raising consumer awareness; stemming revenue flows to bad actors; and lessons learned and next steps.

Instructions and Information on the Public Meeting

The public meeting will be held at the United States Patent and Trademark Office, Madison Building, Global Intellectual Property Academy, 600 Dulany Street, Alexandria, Virginia 22314. The public meeting will begin at 9 a.m. and end at 4 p.m. The agenda will be available a week before the meeting on the USPTO Web site, *https://www.uspto.gov/learning-and-resources/ip-policy/enforcement/voluntary-initiatives-combat-infringement-intellectual.* Registration is also available at the same URL. Attendees may also register at the door one half-hour prior to the beginning of the meeting.

The public meeting will be physically accessible to people with disabilities. Individuals requiring accommodation, such as sign language interpretation or other ancillary aids, should communicate their needs to Nadine Herbert at the Office of Policy and International Affairs, by telephone at (571) 272–9300, by email at *nadine.herbert@uspto.gov,* or by postal mail addressed to: Mail Stop OPIA, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450, ATTN: Nadine Herbert, at least seven (7) business days prior to the symposium.

Dated: June 16, 2017.

Joseph Matal,

Performing the Functions and Duties of the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2017–12992 Filed 6–21–17; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF DEFENSE

Department of the Army

Army Science Board Closed Meeting Notice

AGENCY: Department of the Army, DoD.

ACTION: Notice of a partially closed meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act of, the Government in the Sunshine Act of 1976 and Ttile 41 of he Code of Federal Regulations (CFR, the Department of the Army announces the meeting of the: Army Science Board (ASB) Summer Voting Session.

FOR FURTHER INFORMATION CONTACT: Army Science Board, Designated Federal Officer, 2530 Crystal Drive, Suite 7098, Arlington, VA 22202; MAJ Sean M. Madden, the committee's Designated Federal Officer (DFO), at (703)–545–8652 or email: *sean.m.madden.mil@mail.mil,* or Mr. Paul Woodward at (703)–695–8344 or email: *paul.j.woodward2.civ@mail.mil.*

SUPPLEMENTARY INFORMATION:

Name of Committee: Army Science Board (ASB) Summer Voting Session.

Date: Thursday, July 20, 2017.

Time: 0930–1530.

Location: Arnold and Mabel Beckman Center of the National Academies of Sciences and Engineering, 100 Academy Way, Irvine, CA 92617.

Purpose of Meeting: The purpose of the meeting is for ASB members to review, deliberate, and vote on the findings and recommendations presented for four Fiscal Year 2017 (FY17) ASB studies.

Agenda: The board will present findings and recommendations for deliberation and vote on the following FY17 studies:

Capabilities To Operate in Megacities and Dense Urban Areas. This study is classified and will be presented in a closed meeting at 1300–1400. The objective of the study is to assess operational approaches and capabilities (leveraging technology, partnerships, and local populations) which would enable Army units to operate effectively in megacities and dense urban areas in the 2025–2030 timeframe.

Improving Transition of Laboratory Programs into Warfighting Capabilities through Experimentation. This study is not classified and will be presented during an open portion of the meeting at 1045–1145. The objective of the study is to assess if early integration of concept experimentation (BA 6.4) with Applied (BA 6.2) and Advanced (BA 6.3) Development helps avoid the ''valley of death'' for emerging, innovative technologies and capabilities.

Multi-Domain Battle. This study is classified and will be presented in the closed meeting at 0930–1030. The objective of the study is to assess how expanding and re-balancing the Army's focus on AirLand Battle (ALB) to fighting more effectively in all five Department of Defense (DoD)-recognized military warfighting domains (henceforth referred to simply as ''domains,'' which include land, air, sea (maritime), space, and cyberspace, as well as operational environments which could emerge as more important ''battlefields,'' such as the electromagnetic spectrum (EMS) and cognitive) could significantly enhance tactical, operational, and strategic outcomes.

The Future Character of Warfare and Required Capabilities. This study is classified and will be presented in a closed meeting at 1415–1515. The objective of the study is to assess the character of warfare in the 2030–2050 timeframe and identify solution strategies for capability development that the Army could initiate in the near-term in order to ensure ground combat forces are better prepared to achieve national objectives and sustainable political outcomes in the volatile, uncertain, complex, and ambiguous battlefields of the future.

Public's Accessibility to the Meeting: The Department of the Army has determined that the closed meeting is properly closed in accordance with 5 U.S.C. 552b(c)(1), which permits Federal Advisory Committee meetings to be closed which are likely to ''disclose matters that are (A) specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and (B) in fact properly classified pursuant to such Executive Order.''

Filing Written Statement: Pursuant to 41 CFR 102–3.140d, the Committee is not obligated to allow the public to speak; however, interested persons may submit a written statement for consideration by the Subcommittees. Individuals submitting a written statement must submit their statement to the DFO at the address listed above. Written statements not received at least 10 calendar days prior to the meeting may not be considered by the Board prior to its scheduled meeting.

The DFO will review all timely submissions with the Board's executive committee and ensure they are provided to the specific study members as necessary before, during, or after the meeting. After reviewing written comments, the study chairs and the DFO may choose to invite the submitter of the comments to orally present their issue during a future open meeting.

The DFO, in consultation with the executive committee, may allot a specific amount of time for members of the public to present their issues for discussion.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 2017–13035 Filed 6–21–17; 8:45 am]

BILLING CODE 5001–03–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0011]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Evaluation of the ESSA Title I, Part C, Migrant Education Programs (Recruitment Phase)

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 July 24, 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–0011. 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 216–34, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carlos Martinez, 202–260–1440.

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 ESSA Title I, Part C, Migrant Education Programs (Recruitment phase).

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: 450.

Total Estimated Number of Annual Burden Hours: 236.

Abstract: The purpose of this study is to examine how state agencies, school districts, local operating agencies, and schools implement education and transition programs for children and youth who are migratory students under the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), Title I, Part C. This is the recruitment phase. The actual evaluation and study instruments will be submitted in a separate collection at a later date.

Dated: June 16, 2017.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–13004 Filed 6–21–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0088]

Agency Information Collection Activities; Comment Request; Report of Infants and Toddlers Receiving Early Intervention Services and of Program Settings Where Services Are Provided in Accordance With Part C, and Report on Infants and Toddlers

AGENCY: Office of Special Education and Rehabilitative Services (OSERS), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before August 21, 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–0088. 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 Amanda Hoffman, (202) 245–6951.

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: Report of Infants and Toddlers Receiving Early Intervention Services and of Program Settings Where Services are Provided in Accordance with Part C, and Report on Infants and Toddlers.

OMB Control Number: 1820–0557.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 56.

Total Estimated Number of Annual Burden Hours: 5,311.

Abstract: This data collection provides instructions and forms necessary for States to report the number of children receiving early intervention services under Part C of Individuals with Disabilities Education Act (IDEA), the settings in which these children are provided services, and the reasons by which these children exit Part C of IDEA. The form satisfies reporting requirements and is used by OSEP to monitor State agencies and for Congressional reporting.

Dated: June 16, 2017.

Tomakie Washington,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–13002 Filed 6–21–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0089]

Agency Information Collection Activities; Comment Request; Report of Dispute Resolution Under Part C of the Individuals With Disabilities Education Act

AGENCY: Department of Education (ED), Office of Special Education and Rehabilitative Services (OSERS).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before August 21, 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–0089. 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 Amanda Hoffman, 202–245–6951.

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: Report of Dispute Resolution Under Part C of the Individuals with Disabilities Education Act.

OMB Control Number: 1820–0678.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 56.

Total Estimated Number of Annual Burden Hours: 2,240.

Abstract: This data collection provides instructions and forms necessary for States to report the number of written, signed complaints; mediation requests; and hearing requests and the status of these actions with regards to children served under Part C of Individuals with Disabilities Education Act (IDEA) initiated during the reporting year. The form satisfies reporting requirements and is used by OSEP to monitor SEAs and for Congressional reporting.

Dated: June 16, 2017.

Tomakie Washington,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–13003 Filed 6–21–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER17–1812–000.

Applicants: Oregon Clean Energy, LLC.

Description: Request for Waiver of Competitive Entry Exemption Deadline and Expedited Action of Oregon Clean Energy, LLC.

Filed Date: 6/13/17.

Accession Number: 20170613–5152.

Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1816–000.

Applicants: New York Independent System Operator, Inc.

Description: Notice of cancellation of a conforming Small Generator Interconnection Service Agreement No. 2090 of New York Independent System Operator, Inc.

Filed Date: 6/14/17.

Accession Number: 20170614–5095.

Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1817–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: Tie-Line Facilities Agreement True-Up Amendment Brea Power II, LLC to be effective 8/14/2017.

Filed Date: 6/14/17.

Accession Number: 20170614–5104.

Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1818–000.

Applicants: Triton Energy, Inc.

Description: Tariff Cancellation: Cancellation of MBR Tariff to be effective 6/15/2017.

Filed Date: 6/14/17.

Accession Number: 20170614–5123.

Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1819–000.

Applicants: Celerity Energy Partners San Diego LLC.

Description: Tariff Cancellation: Cancellation of MBR Tariff to be effective 6/15/2017.

Filed Date: 6/14/17.

Accession Number: 20170614–5139.

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 14, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017–13006 Filed 6–21–17; 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: ER17–1803–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 1883R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5008.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1804–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1886R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5009.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1805–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 2891 AECC and Entergy Arkansas Attachment AO Cancellation to be effective 6/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5010.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1806–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1891R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5011.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1807–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1890R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5020.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1808–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1887R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5034.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1809–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1888R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5037.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1810–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2017–06–14_SA 2928 ITCTransmission-Tuscola Wind III Amended GIA (J301) to be effective 5/31/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5038.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1811–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1889R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5046.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1813–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1892R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5049.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1814–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1893R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5051.
Comments Due: 5 p.m. ET 7/5/17.

Docket Numbers: ER17–1815–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1894R6 Westar Energy, Inc. NITSA and NOA to be effective 9/1/2017.
Filed Date: 6/14/17.
Accession Number: 20170614–5053.
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 14, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017–13005 Filed 6–21–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Effectiveness of Exempt Wholesale Generator Status

	Docket Nos.
Playa Solar 1, LLC	EG17–71–000
Playa Solar 2, LLC	EG17–72–000
Midway Solar, LLC	EG17–73–000
Radford's Run Wind Farm, LLC	EG17–74–000
Bruenning's Breeze Wind Farm, LLC	EG17–75–000
Techren Solar, LLC	EG17–76–000
Sweetwater Solar, LLC	EG17–77–000
83WI 8me, LLC	EG17–78–000
Gulf Coast Solar Center I, LLC	EG17–79–000
Gulf Coast Solar Center II, LLC	EG17–80–000
Gulf Coast Solar Center III, LLC	EG17–81–000
PPA Grand Johanna LLC	EG17–82–000
Willow Springs Windfarm, LLC	EG17–83–000
Midlothian Energy, LLC	EG17–84–000
Hays Energy, LLC	EG17–85–000
Coleto Creek Power, LP	EG17–86–000
Callahan Wind Divide, LLC	EG17–87–000
Horse Hollow Wind I, LLC	EG17–88–000
Red Pine Wind Project, LLC	EG17–89–000

Take notice that during the month of May 2017, the status of the above-captioned entities as Exempt Wholesale Generators became effective by operation of the Commission's regulations. 18 CFR 366.7(a) (2016).

Dated: June 14, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017–13007 Filed 6–21–17; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[CERCLA–04–2017–3756; FRL–9962–93–Region 4]

Stony Hill Road Site; Wake Forest, Wake County, North Carolina; Notice of Settlement

AGENCY: Environmental Protection Agency.

ACTION: Notice of settlement.

SUMMARY: Under 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency has entered into a settlement with Donald and Catherine Albright, concerning the Stony Hill Road Site located in Wake Forest, Wake County, North Carolina. The settlement addresses recovery of

CERCLA costs for a cleanup action performed by the EPA at the Site.

DATES: The Agency will consider public comments on the settlement until July 24, 2017 The Agency will consider all comments received and may modify or withdraw its consent to the proposed settlement if comments received disclose facts or considerations which indicate that the proposed settlement is inappropriate, improper, or inadequate.

ADDRESSES: Copies of the settlement are available from the Agency by contacting Ms. Paula V. Painter, Program Analyst, using the contact information provided in this document. Comments may also be submitted by referencing the site's name through one of the following methods:

Internet: https://www.epa.gov/aboutepa/about-epa-region-4-southeast#r4-public-notices.

- *U.S. Mail:* U.S. Environmental Protection Agency, Superfund Division, Attn: Paula V. Painter, 61 Forsyth Street SW., Atlanta, Georgia 30303.
- *Email: painter.paula@epa.gov.*

FOR FURTHER INFORMATION CONTACT: Paula V. Painter at (404) 562–8887.

Dated: February 8, 2017.

Anita L. Davis,

Chief, Enforcement and Community Engagement Branch, Superfund Division.

[FR Doc. 2017–13063 Filed 6–21–17; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Savings and Loan Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Home Owners' Loan Act (12 U.S.C. 1461 *et seq.*) (HOLA), Regulation LL (12 CFR part 238), and Regulation MM (12 CFR part 239), and all other applicable statutes and regulations to become a savings and loan holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a savings association and nonbanking companies owned by the savings and loan holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the HOLA (12 U.S.C. 1467a(e)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 10(c)(4)(B) of the HOLA (12 U.S.C. 1467a(c)(4)(B)). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 18, 2017.

A. Federal Reserve Bank of Philadelphia (William Spaniel, Senior Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105–1521. Comments can also be sent electronically to *Comments.applications@phil.frb.org:*

1. *Seneca Financial MHC,* Baldwinsville, New York; to become a federal mutual holding company, and Seneca Financial Corp., Baldwinsville, New York, to become a savings and loan holding company, by acquiring 100 percent of Seneca Savings Bank, Baldwinsville, New York, following the conversion of Seneca Federal Savings and Loan Association, Baldwinsville, New York, from a federal mutual savings association to a federal stock savings association to be called Seneca Savings Bank, Baldwinsville, New York.

Board of Governors of the Federal Reserve System, June 19, 2017.

Ann E. Misback,

Secretary of the Board.

[FR Doc. 2017–13046 Filed 6–21–17; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–116]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by August 21, 2017.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number ____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' Web site address at *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html.*

2. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov.*

3. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement

and associated materials (see **ADDRESSES**).

CMS–116 Clinical Laboratory Improvement Amendments (CLIA) Application Form and Supporting Regulations

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Clinical Laboratory Improvement Amendments (CLIA) Application Form and Supporting Regulations; *Use:* The application must be completed by entities performing laboratory's testing specimens for diagnostic or treatment purposes. This information is vital to the certification process. In this revision, the majority of changes were minor changes to the form and accompanying instructions to facilitate the completion and data entry of the form. However, we added the collection of identifying the non-waived testing to be performed to section VIII of the form. We anticipate that the change to section VIII will take an average of 15 additional minutes to complete. *Form Number:* CMS–116 (OMB Control Number: 0938–0581); *Frequency:* Biennially and Occasionally; *Affected Public:* Private Sector—Business or other for-profits and Not-for-profit institutions; *Number of Respondents:* 42,000; Total *Annual Responses:* 51,000; *Total Annual Hours:* 51,000. (For policy questions regarding this collection contact Kathleen Todd at 410–786–3385.)

Dated: June 19, 2017.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2017–13070 Filed 6–21–17; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[OMB No.: New]

Proposed Information Collection Activity; Comment Request; Medical Complaint Form, Contact Investigation Form: Non-TB Illness, and Contact Investigation Form: Active/Suspect TB

Description: The Administration for Children and Families' Office of Refugee Resettlement (ORR) places unaccompanied minors in their custody in licensed care provider facilities until reunification with a qualified sponsor. Care provider facilities are required to provide children with services such as classroom education, mental health services, and health care. Pursuant to Exhibit 1, part A.2 of the Flores Settlement Agreement (Jenny Lisette Flores, et al., v. Janet Reno, Attorney General of the United States, et al., Case No. CV 85–4544–RJK (C.D. Cal. 1996), care provider facilities, on behalf of ORR, shall arrange for appropriate routine medical and dental care, family planning services, and emergency health care services, including a complete medical examination (including screening for infectious disease) within 48 hours of admission, excluding weekends and holidays, unless the minor was recently examined at another facility; appropriate immunizations in accordance with the U.S. Public Health Service (PHS), Center for Disease Control; administration of prescribed medication and special diets; appropriate mental health interventions when necessary for each minor in their care.

The forms are to be used as worksheets for healthcare providers and health departments to compile information that would otherwise have been collected during a medical evaluation. Once completed, the forms will be given to care provider program staff for data entry into ORR's electronic data repository known as 'The UAC Portal'. Data will be used to record UC health conditions/illnesses and for case management of any identified illnesses/conditions.

Respondents: Office of Refugee Resettlement Grantee staff.

ANNUAL BURDEN

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Medical Complaint Form	120	2,507	.13	39,109
Contact Investigation Form: Non-TB Illness	120	4	.08	38
Contact Investigation Form: Suspect or Active TB	120	2	.08	19

Estimated Total Annual Burden Hours: 39,166.

In compliance with the requirements of the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. Chap 35), the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 330 C Street SW., Washington DC 20201. Attn: ACF Reports Clearance Officer. Email address: *infocollection@acf.hhs.gov.* All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2017–13013 Filed 6–21–17; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[OMB No.: 0970–0123]

Proposed Information Collection Activity; Comment Request

Proposed Projects: Runaway and Homeless Youth—Homeless Management Information System (RHY–HMIS)

Description: The Runaway and Homeless Youth (RHY) Act, as amended by Public Law 106–71 (42 U.S.C. 5701 *et seq.*), mandates that the Department of Health and Human Services (HHS) report regularly to Congress on the status of HHS-funded programs serving runaway and homeless youth. Such reporting is similarly mandated by the Government Performance and Results Act Modernization Act of 2010. Organizations funded under the Runaway and Homeless Youth program are required by statute (42 U.S.C. 5712, 42 U.S.C. 5714–2) to meet certain data collection and reporting requirements. These requirements include maintenance of client statistical records on the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project, and the services provided to such youth by the project.

Respondents: The respondents are the youth who are recipients of services from RHY program grants, which are made up of States, localities, private entities and coordinated networks of such entities. Typical respondents are the youth that participate in the Basic Center, Transitional Living/Maternity Group Home, and Street Outreach programs.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
RHY–HMIS: Basic Center Program (Intake)	41,000	1	0.38	15,580
RHY–HMIS: Basic Center Program (Exit)	36,900	1	0.26	9,594
RHY–HMIS: Transitional Living Program (including Maternity Group Home program and TLP Demonstration Programs; Intake)	6,000	1	0.38	2,280
RHY–HMIS: Transitional Living Program (including Maternity Group Home program and TLP Demonstration Programs; Exit)	5,400	1	0.26	1,404
RHY–HMIS: Street Outreach Program (Contact)	36,000	1	0.22	7,920
RHY–HMIS: Street Outreach Program (Engagement)	14,400	1	0.28	4,032

Estimated Total Annual Burden Hours: 40,810.

In compliance with the requirements of Section 506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Family and Youth Services Bureau within the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Family and Youth Services Bureau, Switzer Building 330 C Street SW., Washington, DC 20201, Attn: ACF Reports Clearance Officer. Email address: *infocollection@acf.hhs.gov.* All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2017–13017 Filed 6–21–17; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Title: State Plan for Grants to States for Refugee Resettlement.

OMB No.: 0970–0351.

Description: A State Plan is required by 8 U.S.C. 1522 of the Immigration and Nationality Act (the Act) [Title IV, Sec. 412 of the Act] for each State agency requesting Federal funding for refugee resettlement under 8 U.S.C. 524 [Title IV, Sec. 414 of the Act], including Refugee Cash and Medical Assistance, Unaccompanied Minor Refugee Program, Refugee Social Services, and Targeted Assistance program funding. The State Plan is a comprehensive narrative description of the nature and scope of a States programs and provides assurances that the programs will be administered in conformity with the specific requirements stipulated in 45 CFR 400.4–400.9. The State Plan must include all applicable State procedures, designations, and certifications for each requirement as well as supporting documentation.

The plan assures ORR that the State is capable of administering refugee assistance and coordinating employment and other social services for eligible caseloads in conformity with specific requirements. ORR proposes organizational and formatting changes to make the checklist more accessible to the user. Additionally, ORR proposes streamlining language to make the checklist easier to read. These proposed changes include technical corrections to regulatory citations. ORR proposes removing a number of requirements, including an assurance regarding the

inclusion of refugee resettlement programs in pandemic influenza emergency plans and a basic description of providers conducting medical screening. ORR proposes to remove a requirement that all states describe a plan for the care, supervision of, and legal responsibility for, refugee children who become unaccompanied in the state. ORR also proposes to remove requirements specific to the Cuban/Haitian entrants and replace them with an assurance that states will provide all ORR-eligible populations with the benefits and services described in the State Plan.

ORR proposes adding language to clarify the following requirements related to the Unaccompanied Refugee Minors (URM) program: State policy on education and training vouchers, medical coverage, the location of URM providers, monitoring procedures, the process for establishing legal responsibility, and information about sub-contractors.

States must use a pre-print format for required components of State Plans for ORR- funded refugee resettlement services and benefits prepared by the Office of Refugee Resettlement (ORR) of the Administration for Children and Families (ACF).

States must submit by August 15 each year new or amended State Plan for the next Federal fiscal year. For previously approved plan, States must certify no later than October 31 each year that the approved State plan is current and continues in effect.

Respondents: State Agencies, Replacement Designees under 45 CFR 400.301(c), and Wilson-Fish Grantees (State 2 Agencies) administering or supervising the administration of programs under Title IV of the Act.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Title IV State Plan	55	1	15	750

Estimated Total Annual Burden Hours: 750.

In compliance with the requirements of the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. Chap 35), the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 330 C Street SW., Washington DC 20201. Attn: ACF Reports Clearance Officer. Email address: *infocollection@acf.hhs.gov.* All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2017–13033 Filed 6–21–17; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Revision of a Currently Approved Collection (ICR Rev); National Survey of Older Americans Act Participants (NSOAAP)

AGENCY: Administration for Community Living, HHS.

ACTION: Notice.

SUMMARY: The Administration for Community Living (ACL) is announcing that the proposed collection of information listed below has been submitted to the Office of Management and Budget (OMB) for review and clearance as required under the Paperwork Reduction Act of 1995 (the PRA). This 30-Day notice collects comments on the information collection requirements related to a Revision of a Currently Approved Collection (ICR Rev) (OMB approval number 0985–0023).

DATES: Submit written comments on the collection of information by July 24, 2017.

ADDRESSES: Submit written comments on the collection of information by fax 202–395–5806 or by email to *OIRA_submission@omb.eop.gov,* Attn: OMB Desk Officer for ACL.

FOR FURTHER INFORMATION CONTACT: Heather Menne at 202–795–7733 or *Heather.Menne@acl.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, ACL has submitted the following proposed collection of information to OMB for review and clearance. ACL is requesting approval for three years of an extension of the currently approved data collection with modifications.

The National Survey of Older Americans Act (OAA) Participants information collection will include consumer assessment surveys for the Congregate and Home-delivered meal nutrition programs; Case Management, Homemaker, and Transportation Services; and the National Family Caregiver Support Program. This survey builds on earlier national pilot studies and surveys, as well as performance measurement tools developed by ACL grantees in the Performance Outcomes Measures Project (POMP). Changes identified as a result of these initiatives were incorporated into the last data collection package that was approved by OMB and are included in this proposed extension with modifications of a currently approved collection. This information will be used by ACL to track performance outcome measures; support budget requests; comply with the GPRA Modernization Act of 2010 (GPRAMA) reporting requirements; provide national benchmark information; and inform program development and management initiatives.

Comments in Response to the 60 Day Federal Register Notice

A 60-Day notice was published in the **Federal Register** in Vol. 82, No. 13457 on March 13, 2017. A Notice of Correction was published in the **Federal Register** in Vol. 82, No. 15062 on March 24, 2017, announcing that ACL was requesting approval of a proposed extension with modifications of a currently approved data collection. A second Notice of Correction was published in the **Federal Register** in Vol. 82, No. 20896 on May 4, 2017, announcing that the web location of the proposed information collection would change due to an update of the *ACL.gov* Web site.

ACL received comments from eighty-nine (89) organizations and just over 13,900 individuals about the National Survey of Older Americans Act Participants (NSOAAP). ACL reviewed all of the comments. Eight (8) of the comments were deemed not relevant because they were: (a) Programmatic in nature and not survey-related; (b) referencing other data collections and not the NSOAAP (*e.g.,* Census); or (c) commentary without reference to the NSOAAP. The majority of the comments that ACL received expressed the need to retain demographic questions on sexual orientation/gender identity. In addition, comments addressed: (a) Methodological, survey design, and sampling considerations; (b) concern about the survey length; and (c) recommendations to modify and/or add clarifying questions throughout the survey. ACL has made minor changes to the survey based on some suggested changes, including retaining the primary question regarding sexual orientation. This survey has remained essentially the same since the last OMB approval on 7/17/2014 (OMB Control Number 0985–0023), and the sampling methodology and the data collection procedures are identical to the previous survey approved in 2014.

Burden Estimates

Descriptions of previous National Surveys of OAA Participants can be found under the section on OAA Performance Information on ACL's Web site at: *https://www.acl.gov/programs/oaa-performance-information.* Copies of the survey instruments and data from previous National Surveys of OAA Participants can be found and queried using the AGing Integrated Database (AGID) at *https://agid.acl.gov/.* The proposed National Survey entitled National Survey of Older Americans Act Participants 2017 Revised may be found on the ACL Web site at: *https://www.acl.gov/about-acl/public-input.* The revisions, including the reinstatement of the primary question on sexual orientation, represent minor changes in terms of data collection burden that do not change the overall estimated burden on respondents.

ANNUAL BURDEN ESTIMATES

Respondent/data collection activity	Number of respondents	Responses per respondent	Hours per response	Annual burden hours
Area Agency on Aging: Respondent selection process	250	1	4.0	1,000
Service Recipients (i.e., Congregate and Home-delivered meal nutrition programs; Case Management, Homemaker, and Transportation Services).	4,000	1	.6667	2,666.80
National Family Caregiver Support Program Clients	2,000	1	.6667	1,333.40
Total	6,250	1	.80 (weighted mean)	5,000

Estimated Total Annual Burden Hours: 5,000.

Dated: June 16, 2017.

Daniel P. Berger,

Acting Administrator and Assistant Secretary for Aging.

[FR Doc. 2017–13030 Filed 6–21–17; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–0086]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Potential Tobacco Product Violations Reporting Form

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax written comments on the collection of information by July 24, 2017.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–0716. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Amber Sanford, Office of Operations, Food and Drug Administration, Three White Flint North, 10A63, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Potential Tobacco Product Violations Reporting Form OMB Control Number 0910–0716—Extension

On June 22, 2009, the President signed the Family Smoking Prevention and Tobacco Control Act (the Tobacco Control Act) (Pub. L. 111–31) into law. The Tobacco Control Act amended section 201 *et seq.* of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 321 *et seq.*) by adding a new chapter granting FDA important new authority to regulate the manufacture, marketing, and distribution of tobacco products to protect the public health generally and to reduce tobacco use by minors. FDA is requesting an extension of OMB approval for the collection of information to accept consumer and

other stakeholder feedback and notification of potential violations of the FD&C Act, as amended by the Tobacco Control Act.

FDA created a Tobacco Call Center (with a toll-free number: 1–877–CTP–1373). Callers are able to report potential violations of the Tobacco Control Act, and FDA may conduct followup investigations based on information received. When callers report a violation, the caller will be asked to provide as much certain information as they can recall, including: The date the potential violation occurred; product type (*e.g.,* cigarette, smokeless, roll-your-own, cigar, e-cigarette, hookah, pipe tobacco); tobacco brand; potential violation type; type of potentially violative promotional materials; who potentially violated; and the name, address, phone number, and email address of the potential violator. The caller will also be asked to list the potential violator's Web site (if available), describe the potential violation, and provide any additional files or information pertinent to the potential violation.

FDA currently provides a form that may be used to solicit this information from the caller (Form FDA 3779, Potential Tobacco Product Violations Report), and seeks renewal of Form FDA 3779. This form is posted on FDA's Web site. The public and interested stakeholders are also able to report information regarding possible violations of the Tobacco Control Act through the following methods: Calling the Tobacco Call Center using the Center for Tobacco Products' (CTP) toll-free number; using a fillable Form FDA 3779 found on FDA's Web site; downloading a PDF version of the form to send via email or mail to FDA; requesting a copy of Form FDA 3779 by contacting CTP and sending by mail to FDA; and sending a letter to FDA's CTP.

In the **Federal Register** of November 7, 2016 (81 FR 78166), FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity and FDA Form 3779	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Reporting violations of the FD&C Act, as amended by the Tobacco Control Act via telephone, Internet form, mail, smartphone application, or email.	750	2	1,500	0.25 (15 minutes)	375

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

FDA estimates that submitting the information (by telephone, Internet form, paper form by mail, or email) will take 0.25 hour (*i.e.,* 15 minutes) per response. Based on the type and rate of reporting that has been submitted through the Potential Tobacco Violation Reporting Form in the past, in addition to the increase that FDA has recently experienced in the rate of reporting due to the recent rule, ''Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act,'' FDA estimates the number of annual respondents to this collection of information will be 750, who will each submit 2 reports by telephone, Internet form, paper form, or email. Each report is expected to take 0.25 hour to complete and submit; therefore, total burden hours for this collection of information is estimated to be 375 hours (1,500 responses x 0.25 hour per response).

Dated: June 12, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–13018 Filed 6–21–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–N–3615]

Administering the Hatch-Waxman Amendments: Ensuring a Balance Between Innovation and Access; Public Meeting; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public meeting; request for comments.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is announcing the following meeting: ''The Hatch-Waxman Amendments: Ensuring a Balance Between Innovation and Access.'' This public meeting is intended to provide the public an opportunity to submit comments concerning administration of the Hatch-Waxman Amendments to the Federal Food, Drug, and Cosmetic Act (FD&C Act) to help ensure the intended balance between encouraging innovation in drug development and accelerating the availability to the public of lower cost alternatives to innovator drugs is maintained.

DATES: The meeting will be held on July 18, 2017, from 9 a.m. to 5 p.m. The deadline for submitting comments regarding this meeting is September 18, 2017.

ADDRESSES: The meeting will be held at the FDA White Oak Campus, 10903 New Hampshire Ave., Bldg. 31 Conference Center, the Great Room (Rm. 1503), Silver Spring, MD 20993. Entrance for the public meeting participants (non-FDA employees) is through Building 1, where routine security check procedures will be performed. For parking and security information, please refer to *http://www.fda.gov/AboutFDA/WorkingatFDA/BuildingsandFacilities/WhiteOakCampusInformation/ucm241740.htm.*

You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before September 18, 2017. The *https://www.regulations.gov* electronic filing system will accept comments until midnight Eastern Time at the end of September 18, 2017. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov*.

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2017–N–3615 for ''Administering the Hatch-Waxman Amendments: Ensuring a Balance Between Innovation and Access; Public Meeting; Request for Comments.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov*. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf*.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT:

Philip Bonforte, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 1668, Silver Spring, MD 20993, 240–402–6980, email: *GenericDrugPolicy@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

With the Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) (Hatch-Waxman Amendments), Congress intended to strike a balance between encouraging innovation in drug development and accelerating the availability to the public of lower cost alternatives to innovator drugs. See H.R. Rep. No. 98–857 (Part I), 98th Cong, 2d Sess. At 14–15 (1984), reprinted in 1984 U.S.C.C.A.N. 2647–48; see also, *e.g., Teva Pharmaceutical Industries Ltd.* v. *Crawford,* 410 F.3d 51, 54 (D.C. Cir. 2005). To provide incentives intended to encourage the development of innovative new drugs and new uses of approved drugs, the Hatch-Waxman Amendments provided sponsors of innovator drugs with exclusivity and protections based on patent listings that protect certain aspects of innovator drugs from generic competition for certain periods of time. To ensure the availability of generic drugs, the Hatch-Waxman Amendments created an abbreviated new drug application (ANDA) process that allows sponsors of generic drugs to rely on the Agency's finding of safety and effectiveness for innovator drugs in seeking approval of their generic products after patent or marketing exclusivity protections held by the innovator expire or are otherwise removed.

FDA's generic drug program has dramatically expanded access to quality, affordable generic medicines. According to the IMS Institute for Healthcare Informatics, generic drugs saved the U.S healthcare system $1.68 trillion from 2005–2014.[1]

Over the past several years, the Agency has undertaken major initiatives to expand access to quality, affordable generic medicines. For example, pursuant to the Generic Drug User Fee Amendments of 2012 (GDUFA I), FDA modernized the ANDA review program, and adopted metric goals to promote timely and predictable ANDA review. As a result, in Fiscal Year 2016, combined ANDA approvals and tentative approvals reached record highs. Pursuant to the proposed GDUFA II,[2] FDA would further enhance the ANDA review program by clarifying regulatory expectations early in product development, helping applicants develop more complete submissions, and giving applicants more opportunities to address deficiencies within a review cycle, all with the goal of reducing the number of review cycles necessary to obtain ANDA approval.

The development and approval of an innovator drug, and the subsequent approval and marketing of a generic version, together make up the life cycle of that drug product as contemplated by the Hatch-Waxman Amendments.

At the front end of the life cycle, innovation in drug products—including improvements to approved innovator drug products—provides life-changing and oftentimes life-saving therapeutic benefits to patients. In enacting the Hatch-Waxman Amendments, Congress recognized the importance of providing incentives to develop new products, and

[1] IMS Health Institute for Healthcare Informatics (April 2015), available at *http://www.imshealth.com/en/thought-leadership/quintilesims-institute/reports.*

[2] GDUFA Reauthorization Performance Goals and Program Enhancements Fiscal Years 2018–2022 (October 2016), available at *https://www.fda.gov/downloads/forindustry/userfees/genericdruguserfees/ucm525234.pdf.*

new conditions of use for approved products. To further incentivize innovation, Congress subsequently established additional incentives in the form of exclusivity periods for drug products studied in pediatric populations, rare diseases, and new antibiotic treatments. Congress also provided a period of 180-day exclusivity for certain first generic applications as an incentive for generic manufacturers to challenge patents on innovator drugs that might otherwise prevent approval or delay generic entry into the market. These exclusivities, which are generally designed to reward sponsors with finite periods of limited or no generic or follow-on competition, were intended to expand the availability of safe and effective medicines for which insufficient or no treatment previously existed or to encourage generic drug development that might not have been profitable otherwise.

In some cases, however, the legal framework surrounding these exclusivities may have been applied to delay generic competition to an extent that may not have been intended by the Hatch-Waxman Amendments, and in ways that may not serve the public health. Relatedly, certain elements of the approval process for both innovator and generic drugs have been used in ways that may (depending on the circumstances) inappropriately hinder generic competition. For example, innovators in some cases have made late changes in patent use codes that create new obstacles to previously acceptable labeling carve-outs. The entry of generic products to the marketplace is also affected by factors external to regulation under the FD&C Act—*e.g.,* the outcome of private party patent litigation, and commercial decisions not to market approved innovator or generic products. In other cases, restrictions on the distribution of innovator drug products, whether voluntarily adopted by the innovator or imposed as a requirement of FDA regulation, have prevented developers from accessing the product samples needed for testing to support ANDAs or other follow-on applications.

FDA will hold a public meeting on July 18, 2017, 9 a.m. to 5 p.m., to provide an opportunity for all interested stakeholders to submit comments concerning the appropriate balance between encouraging innovation in drug development and accelerating the availability to the public of lower cost alternatives to innovator drugs.

The format of the meeting involves presentations from the public only. The Agency will not be inviting specific presenters; rather, with this document, FDA is soliciting presentations from interested stakeholders. FDA also invites interested persons to submit written comments to the docket on the topics described in section II.

II. Topics for This Public Meeting

FDA is soliciting input from the public concerning how best to preserve the balance Congress intended to strike in the Hatch-Waxman Amendments between encouraging innovation in drug development and accelerating the availability to the public of lower cost alternatives to innovator drugs. Preserving this balance is critical to the public health, and innovators, generic drug manufacturers, and FDA (among others) all have a role to play in maintaining it. This public meeting is part of an effort to create a broader understanding of the interplay between the existing legal and regulatory framework, available incentives and marketplace practices, and consumer access to generic drugs.

The Agency welcomes any relevant information that stakeholders wish to share. We are particularly interested in stakeholder input on the following questions:

1. How has the balance struck in the Hatch-Waxman Amendments been affected by practices and trends related to the following:

a. Exclusivity periods,

b. Patents (including patent listing procedures),

c. Innovator drug product labeling,

d. Post-approval changes to innovator drug products, *e.g.,* reformulations, and

e. Other regulatory processes, including the citizen petition process?

2. The drugs described in more than half of all FDA-approved ANDAs are never marketed, marketed only after a substantial delay after approval, or marketed only intermittently. Such failures to market contribute to drug shortages, and hinder consumer access to approved products. What marketplace dynamics dis-incentivize the marketing of approved generic products? What should FDA do, within its statutory authority, to help more approved generics reach consumers?

3. For approximately 10 percent of all innovator drugs, patent and exclusivity protections have expired, but FDA has not received an ANDA. Are there market niches where the Hatch-Waxman Amendments incentives to develop an ANDA are insufficient? Similarly, are there niches where the incentives are insufficient to seek new drug approval of a marketed unapproved drug product that in turn could serve as a Reference Listed Drug? What should FDA do, consistent with its legal authority, to encourage submission development in any such market niches?

4. The statutory requirement that Risk Evaluation and Mitigation Strategies (REMS) that include elements to assure safe use (ETASU) be implemented through a ''single shared system'' relies on brand and generic companies agreeing on such a system before generic drugs may come to market. In some cases, challenges in reaching such an agreement between the parties may cause delays to generic competition. How should FDA apply its statutory authority to waive this requirement to implement a ''single shared system,'' or develop other administrative tools, to avoid these delays?

5. Restrictions on distribution, either required by innovators or as part of a REMS ETASU, can prevent generic companies from obtaining drug products for bioequivalence and other testing to support ANDA submissions. FDA published a draft guidance for industry, entitled ''How to Obtain a Letter from the Food and Drug Administration Stating That Bioequivalence Study Protocols Contain Safety Protections Comparable to Applicable Risk and Evaluation Mitigation Studies for Reference Listed Drugs,'' in December 2014. Despite this draft guidance, generic companies have reported continuing difficulties obtaining sufficient samples of drug products for testing. What additional actions should FDA take, within its legal authority, to promote access to these drug products for generic companies seeking to conduct studies required to support ANDA submissions?

6. What other elements of drug product development, regulation, and marketing have the potential to disrupt the Hatch-Waxman Amendments' balance between innovation and generic availability, and how should the Agency and other stakeholders address them?

Registration and Requests for Oral Presentations: Send registration information (including name, title, firm name, address, telephone, email address, and fax number), and written material and requests to make oral presentations, to the contact person by July 3, 2017.

If you need special accommodations due to a disability, please contact Philip Bonforte (see **FOR FURTHER INFORMATION CONTACT**) at least 7 days in advance.

Transcripts: Please be advised that as soon as a transcript is available, it will be accessible at *https://www.regulations.gov*. It may be viewed at the Dockets Management Staff (see **ADDRESSES**).

Dated: June 14, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–12641 Filed 6–21–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Information Collection Request Title: Rural Health Network Development Planning Performance Improvement and Measurement System Database, OMB No. 0915–0384—Extension

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA has submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period.

DATES: Comments on this ICR should be received no later than July 24, 2017.

ADDRESSES: Submit your comments, including the ICR Title, to the desk officer for HRSA, either by email to *OIRA_submission@omb.eop.gov* or by fax to 202–395–5806.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email the HRSA Information Collection Clearance Officer at *paperwork@hrsa.gov* or call (301) 443–1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference, in compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995.

Information Collection Request Title: Rural Health Network Development Planning Performance Improvement and Measurement System Database, OMB No. 0915–0384—Extension.

Abstract: The purpose of the Rural Health Network Development Planning (Network Planning) program is to assist in the development of an integrated health care network, specifically for entities that do not have a history of formal collaborative efforts. Health care networks can be an effective approach to help smaller rural health care providers and health care service organizations align resources, achieve economies of scale and efficiency, and address challenges more effectively as a group than as single providers. The Network Planning program promotes the planning and development of healthcare networks to: (1) Achieve efficiencies; (2) expand access to, coordinate, and improve the quality of essential health care services; and (3) strengthen the rural health care system as a whole.

Need and Proposed Use of the Information: Performance measures for the Network Planning program serve the purpose of quantifying awardee-level data that conveys the successes and challenges associated with the grant award. These measures and aggregate data substantiate and inform the objectives of the program. The approved measures encompass the following principal topic areas: network infrastructure, network collaboration, sustainability, and network assessment.

Likely Respondents: The respondents for these measures are Network Planning award recipients.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours, which are unchanged from the currently approved form, are summarized in the table below.

Total Estimated Annualized Burden Hours:

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Rural Health Network Development Planning Program Performance Improvement Measurement System	21	1	21	1	21
Total	21		21		21

Jason E. Bennett,

Director, Division of the Executive Secretariat.

[FR Doc. 2017–13019 Filed 6–21–17; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Committee on Vital and Health Statistics: Meeting

Pursuant to the Federal Advisory Committee Act, the Department of Health and Human Services (HHS) announces the following special workgroup activity.

Name: National Committee on Vital and Health Statistics (NCVHS), Subcommittee on Standards Meeting.

Date and Time: Monday, August 21, 2017: 9:00 a.m.–4:00 p.m.

Place: U.S. Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue SW., Room 800, Washington, DC 20201, (202) 690–7100.

Status: Open.

Purpose: The National Committee on Vital and Health Statistics (NCVHS) is the advisory body to the U.S. Department of Health and Human Services (HHS) Secretary on health data, statistics, privacy, and national health information policy. NCVHS' role includes advising HHS in the implementation of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Patient Protection and Affordable Care Act of 2010 (ACA). The Standards Subcommittee of NCVHS makes recommendations to the full Committee on health data standards, including

implementation of the Administrative Simplification provisions of HIPAA and ACA.

The purpose of this meeting is for the Standards Subcommittee to gain a clear understanding of the current update and adoption process for standards and operating rules for electronic administrative transactions (*e.g.* claims, eligibility, electronic funds transfer) with invited representatives of the Standards Development Organizations: X12, HL7, NCPDP [1] and NACHA,[2] the Operating Rule Authoring Entity, CAQH CORE,[3] and Health and Human Services (HHS). The objectives of convening this workgroup specifically are to: (1) Gain a clear understanding of the procedures and processes each organization follows to update the standards and operating rules; (2) understand challenges with the current update and adoption process; (3) understand what options are available through the regulatory process for a more predictable schedule for the adoption of updated standards and operating rules; and (4) obtain recommendations for improvements to the update and adoption process. The findings will be used to inform development of a future NCVHS hearing to gather additional input from HIPAA-covered entities and their business associates for the purpose of making recommendations to the Secretary of HHS. There will be time at the end of the day for public comment.

Contact Person for More Information: Substantive program information may be obtained from Rebecca Hines, Executive Secretary, NCVHS, National Center for Health Statistics, Centers for Disease Control and Prevention, 3311 Toledo Road, Hyattsville, Maryland 20782, telephone (301) 458–4715. Information pertaining to meeting content may be obtained from Lorraine Doo, Centers for Medicare & Medicaid Services, Division of National Standards, 7500 Security Boulevard, Baltimore, Maryland, 21244, telephone (410) 786–6597. Summaries of meetings and a roster of Committee members are available on the NCVHS home page of the HHS Web site: *http://www.ncvhs.hhs.gov/,* where further information including an agenda will be posted when available. Should you require reasonable accommodation, please contact the CDC Office of Equal Employment Opportunity on (301) 458–4EEO (4336) as soon as possible.

[1] National Council on Prescription Drug Programs (NCPDP).

[2] National Automated Clearinghouse Association (NACHA).

[3] Coalition for Affordable and Quality Health Care, Committee for Operating Rules for Information Exchange.

Dated: June 15, 2017.

Laina Bush,

Deputy Assistant Secretary for Planning and Evaluation, Office of the Assistant Secretary for Planning and Evaluation.

[FR Doc. 2017–13023 Filed 6–21–17; 8:45 am]

BILLING CODE 4151–05–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; Nephrology Small Business.

Date: July 18–19, 2017.

Time: 9:00 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: Atul Sahai, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2188, MSC 7818, Bethesda, MD 20892, 301–435–1198, *sahaia@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business Hematology.

Date: July 18–19, 2017.

Time: 9:00 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: Bukhtiar H Shah, DVM, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4120, MSC 7802, Bethesda, MD 20892, 301–806–7314, *shahb@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Immune Mechanism.

Date: July 18, 2017.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Scott Jakes, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4198, MSC 7812, Bethesda, MD 20892, 301–495–1506, *jakesse@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: Asthma, Host Defense, and Cystic Fibrosis.

Date: July 19–20, 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: Ghenima Dirami, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4122, MSC 7814, Bethesda, MD 20892, 240–498–7546, *diramig@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM–17–003: SPARC Foundational Peripheral Neuroanatomy and Functional Neurobiology.

Date: July 19, 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.

Contact Person: Robert C Elliott, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3130, MSC 7850, Bethesda, MD 20892, 301–435–3009, *elliotro@csr.nih.gov.*

Date: Center for Scientific Review Special Emphasis Panel; Member Conflict: Neuropathologies of Brain Viral Infection, Degeneration, and Glioma.

Date: July 19, 2017.

Time: 10:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Wei-Qin Zhao, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5181, MSC 7846, Bethesda, MD 20892–7846, 301–827–7238, *zhaow@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Endocrine and Reproductive Biology.

Date: July 19, 2017.

Time: 1:00 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Gregory S Shelness, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6156, Bethesda, MD 20892–7892, (301) 435–0492, *shelnessgs@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowship: Infectious Diseases and Microbiology.
Date: July 20–21, 2017.
Time: 8:30 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Embassy Row Hotel, 2015 Massachusetts Ave. NW., Washington, DC 20036.
Contact Person: Tamara Lyn McNealy, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3188, Bethesda, MD 20747, 301–827–2372, *tamara.mcnealy@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Cancer Member Conflicts.
Date: July 20, 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: Amy L Rubinstein, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5152, MSC 7844, Bethesda, MD 20892, 301–408–9754, *rubinsteinal@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Topics in drug discovery and clinical field studies.
Date: July 21, 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: Liangbiao Zheng, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3202, MSC 7808, Bethesda, MD 20892, 301–996–5819, *zhengli@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 16, 2017.

Anna Snouffer,

Deputy Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12978 Filed 6–21–17; 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; Small Business: Respiratory Sciences.
Date: July 10–11, 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: Sara Ahlgren, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, RM 4136, Bethesda, MD 20892, 301–435–0904, *sara.ahlgren@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Respiratory Sciences.
Date: July 11–12, 2017.
Time: 9:00 a.m. to 3:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).
Contact Person: George M. Barnas, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4220, MSC 7818, Bethesda, MD 20892, 301–435–0696, *barnasg@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Societal and Ethical Issues in Research.
Date: July 11, 2017.
Time: 11:00 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, (Telephone Conference Call).
Contact Person: Lisa Steele, Ph.D., Scientific Review Officer, PSE IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3139, MSC 7770, Bethesda, MD 20892, 301–594–6594, *steeleln@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Special Fellowship Review Panel.
Date: July 13, 2017.
Time: 8:00 a.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Courtyard by Marriott, 5520 Wisconsin Avenue, Chevy Chase, MD 20815.
Contact Person: C–L Albert Wang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4146, MSC 7806, Bethesda, MD 20892, 301–435–1016, *wangca@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Topics in Bacterial Pathogenesis.
Date: July 18, 2017.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Richard G. Kostriken, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3192, MSC 7808, Bethesda, MD 20892, 240–519–7808, *kostrikr@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: Pulmonary Diseases.
Date: July 18–19, 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: Bradley Nuss, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4142, MSC 7814, Bethesda, MD 20892, 301–451–8754, *nussb@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Using the NIMH Research Domain Criteria (RDoC) Approach to Understand Psychosis.
Date: July 18, 2017.
Time: 2:00 p.m. to 4:00 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: Julius Cinque, MS, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5186, MSC 7846, Bethesda, MD 20892, (301) 435–1252, *cinquej@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Panel Neural Regulation of Cancer.
Date: July 18, 2017.
Time: 12:00 p.m. to 4:30 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).
Contact Person: Rolf Jakobi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6187, MSC 7806, Bethesda, MD 20892, 301–495–1718, *jakobir@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Neural Regulation of Cancer.
Date: July 18, 2017.
Time: 12:00 p.m. to 4:30 p.m.
Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Angela Y. Ng, Ph.D., MBA, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6200, MSC 7804, Bethesda, MD 20892, 301–435–1715, *nga@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR 16–380: Fundamental Mechanisms of Affective and Decisional Processes in Cancer Control.

Date: July 18, 2017.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Michael John McQuestion, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3114, Bethesda, MD 20892, 301–480–1276, *mike.mcquestion@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 16, 2017.

Anna Snouffer,

Deputy Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12977 Filed 6–21–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Precise Asthma Network Clinical Centers.

Date: July 13–14, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Susan Wohler Sunnarborg, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National, Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7182, Bethesda, MD 20892, (301) 827–7987, *susan.sunnarborg@nih.gov.*

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Conference Grant Review (R13).

Date: July 13, 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, Room 7184, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: YingYing Li-Smerin, MD, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7184, Bethesda, MD 20892–7924, 301–827–7942, *lismerin@nhlbi.nih.gov.*

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Bold New Bio Engineering Methods and Approaches.

Date: July 13, 2017.

Time: 8:30 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.

Contact Person: Kristin Goltry, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7198, Bethesda, MD 20892, 301–827–7930, *goltrykl@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: June 16, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12980 Filed 6–21–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Target for Aortic Aneurysm.

Date: July 13, 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, Room 7204, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: David A. Wilson, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7204, Bethesda, MD 20892–7924, 301–827–7993, *wilsonda2@nhlbi.nih.gov.*

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Circadian Mechanisms Contributing to Obesity.

Date: July 14, 2017.

Time: 11:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Westin Crystal City, 1800 Jefferson Davis Highway, Arlington, VA 22202.

Contact Person: Keith A. Mintzer, Ph.D., Scientific Review Officer, Office of Review Branch/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7186, Bethesda, MD 20892–7924, 301–827–7949, *mintzerk@nhlbi.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: June 16, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12981 Filed 6–21–17; 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; Small Business: HIV/AIDS Innovative Research Applications.

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: Mark P Rubert, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, MSC 7852, Bethesda, MD 20892, 301–435–1775, *rubertm@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Preclinical Research on Model Organisms to Predict Treatment Outcomes for Disorders Associated with Intellectual and Developmental Disabilities.

Date: July 14, 2017.

Time: 3:00 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 (Telephone Conference Call).

Contact Person: Biao Tian, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3089B, MSC 7848, Bethesda, MD 20892, (301) 402–4411, *tianbi@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Language and Communication.

Date: July 17, 2017.

Time: 8:00 a.m. to 9:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Biao Tian, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3089B, MSC 7848, Bethesda, MD 20892, (301) 402–4411, *tianbi@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Cell and Molecular Biology.

Date: July 18–19, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Doubletree Hotel Bethesda, (Formerly Holiday Inn Select), 8120 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Amy Kathleen Wernimont, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6198, Bethesda, MD 20892, 301–827–6427, *amy.wernimont@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Early-Stage Preclinical Validation of Therapeutic Leads for Diseases of Interest to the NIDDK.

Date: July 18, 2017.

Time: 4:00 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: Raul Rojas, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6185, Bethesda, MD 20892, (301)451–6319, *rojasr@mail.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 16, 2017.

Anna Snouffer,

Deputy Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12979 Filed 6–21–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Center for Substance Abuse Treatment; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given that the Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Substance Abuse Treatment (CSAT) National Advisory Council (NAC) will meet on August 10, 2017, 8:30 a.m.–5:00 p.m. (EDT).

The meeting is open and will include consideration of minutes from the SAMHSA CSAT NAC meeting of February 1, 2017, the Director's Report, a budget update, discussions of the 90/90/90 targets, discussion of quality improvement, SAMHSA Leadership Discussion with CSAT Council Members, an update on the 21st Century Cures Act implementation.

The meeting will be held at the SAMHSA 5600 Fishers Lane, Conference Room 5W37, Rockville, MD 20857. Attendance by the public will be limited to space available and will be limited to the open sessions of the meeting. Interested persons may present data, information, or views, orally or in writing, on issues pending before the Council. Written submissions should be forwarded to the contact person on or before August 1, 2017. Oral presentations from the public will be scheduled at the conclusion of the meeting. Individuals interested in making oral presentations are encouraged to notify the contact person on or before August 1, 2017. Five minutes will be allotted for each presentation.

The open meeting session may be accessed via telephone. To attend on site, obtain the call-in number and access code, submit written or brief oral comments, or request special accommodations for persons with disabilities, please register on-line at *http://nac.samhsa.gov/Registration/meetingsRegistration.aspx,* or communicate with the CSAT National Advisory Council Designated Federal Officer; Tracy Goss (see contact information below).

Meeting information and a roster of Council members may be obtained by accessing the SAMHSA Committee Web site at *http://www.samhsa.gov/about-us/advisory-councils/csat-national-advisory-council* or by contacting the CSAT National Advisory Council Designated Federal Officer; Tracy Goss (see contact information below).

Council Name: SAMHSA's Center for Substance Abuse Treatment, National Advisory Council

Date/Time/Type: August 10, 2017, 8:30 a.m.—5:00 p.m. EDT, OPEN.

Place: SAMHSA, 5600 Fishers Lane, Rockville, Maryland 20857.

Contact: Tracy Goss, Designated Federal Officer, CSAT National Advisory Council, 5600 Fishers Lane, Rockville, Maryland 20857 (mail), Telephone: (240) 276–0759, Fax: (240) 276–2252, Email: *tracy.goss@samhsa.hhs.gov.*

Carlos Castillo,

Committee Management Officer, SAMHSA.

[FR Doc. 2017–13054 Filed 6–21–17; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Center for Substance Abuse Treatment; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given that the Substance Abuse and Mental Health Services Administration's (SAMHSA's) Center for Substance Abuse Treatment (CSAT) National Advisory Council will meet on July 24, 2017, 2:00 p.m.–3:00

p.m. (EDT) in a closed teleconference meeting.

The meeting will include discussions and evaluations of grant applications reviewed by SAMHSA's Initial Review Groups, and involve an examination of confidential financial and business information as well as personal information concerning the applicants. Therefore, the meeting will be closed to the public as determined by the SAMHSA Acting Deputy Assistant Secretary for Mental Health and Substance Use in accordance with Title 5 U.S.C 552b(c)(4) and (6) and Title 5 U.S.C. App. 2, 10(d).

Meeting information and a roster of Council members may be obtained by accessing the SAMHSA Committee Web site at *http://www.samhsa.gov/about-us/advisory-councils/csat-national-advisory-council* or by contacting the CSAT National Advisory Council Designated Federal Officer; Tracy Goss (see contact information below).

Council Name: SAMHSA's Center for Substance Abuse Treatment National Advisory Council

Date/Time/Type: July 24, 2017, 2:00 p.m.–3:00 p.m. EDT, CLOSED.

Place: SAMHSA, 5600 Fishers Lane, Rockville, Maryland 20857.

Contact: Tracy Goss, Designated Federal Officer, CSAT National Advisory Council, 5600 Fishers Lane, Rockville, Maryland 20857 (mail), Telephone: (240) 276–0759, Fax: (240) 276–2252, Email: *tracy.goss@samhsa.hhs.gov.*

Carlos Castillo,

Committee Management Officer, SAMHSA.

[FR Doc. 2017–13051 Filed 6–21–17; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Approval of Altol Petroleum Products Services, Inc., as a Commercial Gauger

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of approval of Altol Petroleum Products Services, Inc., as a commercial gauger.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Altol Petroleum Products Services, Inc., has been approved to gauge petroleum and petroleum products for customs purposes for the next three years as of June 23, 2016.

DATES: The approval of Altol Petroleum Products Services, Inc., as commercial gauger became effective on June 23, 2016. The next triennial inspection date will be scheduled for June 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Cassata, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.13, that Altol Petroleum Products Services, Inc., Parque Industrial Sabanetas, Edificio M–1380–01–02, Ponce, PR 00731, has been approved to gauge petroleum and petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.13. Altol Petroleum Products Services, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3	Tank gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurements.

Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: June 13, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–13020 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Intertek USA, Inc., as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc., as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc., has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes for the next three years as of April 5, 2016.

DATES: *Effective Dates:* The accreditation and approval of Intertek USA, Inc., as commercial gauger and laboratory became effective on April 5, 2016. The next triennial inspection date will be scheduled for April 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Cassata, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 327 Erickson Ave., Essington, PA 19029, has been approved to gauge and accredited to test petroleum and petroleum products in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Intertek USA, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3	Gauging.
5	Manual of Petroleum Measurement Standards.
7	Temperature Determination.
8	Sampling.
11	Density Determination.
12	Calculation of Petroleum Quantities.
14	Natural Gas Fluids Measurement.
17	Marine Measurements.

Intertek USA, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL)

and American Society for Testing and Materials (ASTM):

CBPL No.	Method	Title
27–01	ASTM D 287	Standard test method for API Gravity of crude petroleum products and petroleum products (Hydrometer Method).
27–05	ASTM D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	ASTM D 473	Standard test method for sediment in crude oils and fuel oils by the extraction method.
27–08	ASTM D 86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27–13	ASTM D 4294	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov*. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories: *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*.

Dated: June 13, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services.

[FR Doc. 2017–13025 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Camin Cargo Control, Inc., as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Camin Cargo Control, Inc., as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Camin Cargo Control, Inc., has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of September 28, 2016.

DATES: The accreditation and approval of Camin Cargo Control, Inc., as commercial gauger and laboratory became effective on September 28, 2016. The next triennial inspection date will be scheduled for September 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Cassata, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Camin Cargo Control, Inc., 2304 East Burton Street, Sulphur, LA 70663, has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Camin Cargo Control, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API Chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Property.
12	Calculations.
17	Maritime Measurements.

Camin Cargo Control, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	Method	Title
27–01	ASTM D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–02	ASTM D1298	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27–03	ASTM D4006	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27–04	ASTM D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	ASTM D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	ASTM D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	ASTM D86	Standard Test Method for Distillation of Petroleum Products.
27–11	ASTM D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–13	ASTM D4294	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27–14	ASTM D2622	Standard Test Method for Sulfur in Petroleum Products (X-Ray Spectrographic Methods).
27–46	ASTM D5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27–48	ASTM D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–50	ASTM D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.
27–53	ASTM D2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27–57	ASTM D7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.

CBPL No.	Method	Title
27–58	ASTM D5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for the current CBP Approved Gaugers and Accredited Laboratories List. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: June 13, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–13014 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Camin Cargo Control, Inc., as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Camin Cargo Control, Inc., as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Camin Cargo Control, Inc., has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of August 11, 2016.

DATES: The accreditation and approval of Camin Cargo Control, Inc., as commercial gauger and laboratory became effective on August 11, 2016. The next triennial inspection date will be scheduled for August 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Cassata, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Camin Cargo Control, Inc., 5013 Pacific Hwy East, Unit 2, Fife, WA products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Camin Cargo Control, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
2	Tank Calibration.
7	Temperature Determination.
8	Sampling.
11	Physical Property.
12	Calculations.
17	Maritime Measurements.

Camin Cargo Control, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	Method	Title
27–01	ASTM D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–05	ASTM D4928	Standard test method for water in crude oils by Coulometric Karl Fischer Titration.
27–07	ASTM D4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27–13	ASTM D4294	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27–48	ASTM D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for the current CBP Approved Gaugers and Accredited Laboratories List. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: June 13, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–13015 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0048]

Agency Information Collection Activities: Declaration of Person Who Performed Repairs

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the

following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and will be accepted (no later than August 21, 2017) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0048 in the subject line and the agency name. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Email.* Submit comments to: *CBP_PRA@cbp.dhs.gov.*

(2) *Mail.* Submit written comments to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Declaration of Person Who Performed Repairs.

OMB Number: 1651–0048.

Form Number: N/A.

Current Actions: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

Type of Review: Extension (without change)

Abstract: The ''Declaration of Persons Who Performed Repairs or Alterations,'' as required by 19 CFR 10.8, is used in connection with the entry of articles entered under subheadings 9802.00.40 and 9802.00.50, Harmonized Tariff Schedule of the United States (HTSUS). Articles entered under these HTSUS provisions are articles that were in the U.S. and were exported temporarily for repairs. Upon their return, duty is only assessed on the value of the repairs performed abroad and not on the full value of the article. The declaration under 19 CFR 10.8 includes information such as a description of the article and the repairs; the value of the article and the repairs; and a declaration by the owner, importer, consignee, or agent having knowledge of the pertinent facts. The information in this declaration is used by CBP to determine the value of the repairs and assess duty only on the value of those repairs.

Affected Public: Businesses.

Estimated Number of Respondents: 10,236.

Estimated Number of Total Annual Responses: 20,472.

Estimated Number of Annual Responses per Respondent: 2.

Estimated Time per Response: 30 minutes.

Estimated Total Annual Burden Hours: 10,236.

Dated: June 16, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–13042 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Camin Cargo Control, Inc., as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Camin Cargo Control, Inc., as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Camin Cargo Control, Inc., has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of August 9, 2016.

DATES: The accreditation and approval of Camin Cargo Control, Inc., as commercial gauger and laboratory became effective on August 9, 2016. The next triennial inspection date will be scheduled for August 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Cassata, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Camin Cargo Control, Inc., 1301 Fraser Street, Unit #A2, Bellingham, WA 98229, has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Camin Cargo Control, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API Chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Property.
12	Calculations.
17	Maritime Measurements.

Camin Cargo Control, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	Method	Title
27–01	ASTM D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–02	ASTM D1298	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27–04	ASTM D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–06	ASTM D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	ASTM D86	Standard Test Method for Distillation of Petroleum Products.
27–11	ASTM D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–13	ASTM D4294	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27–20	ASTM D4057	Standard Practice for Manual Sampling of Petroleum and Petroleum Products.
27–21	ASTM D4177	Standard Practice for the Automatic Sampling of Petroleum and Petroleum Products.
27–48	ASTM D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–50	ASTM D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.
27–57	ASTM D7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27–58	ASTM D5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for the current CBP Approved Gaugers and Accredited Laboratories List. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: June 13, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–13016 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0078]

Agency Information Collection Activities: Automated Clearinghouse

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than August 21, 2017) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0078 in the subject line and the agency name. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Email.* Submit comments to: *CBP_PRA@cbp.dhs.gov.*

(2) *Mail.* Submit written comments to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Automated Clearinghouse.

OMB Number: 1651–0078.

Form Number: CBP Form 400.

Current Actions: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Abstract: The Automated Clearinghouse (ACH) allows participants in the Automated Broker Interface (ABI) to transmit daily statements, deferred tax, and bill payments electronically through a financial institution directly to a CBP account. ACH debit allows the payer to exercise more control over the payment

process. In order to participate in ACH debit, companies must complete CBP Form 400, *ACH Application.* Participants also use this form to notify CBP of changes to bank information or contact information. The ACH procedure is authorized by 19 U.S.C. 58a–58c and 19 U.S.C. 66, and provided for by 19 CFR 24.25. CBP Form 400 is accessible at *https://www.cbp.gov/sites/default/files/documents/CBP%20Form%20400_0.pdf.*

Affected Public: Businesses.

Estimated Number of Respondents: 1,443.

Estimated Number of Annual Responses per Respondent: 2.

Estimated Number of Total Annual Responses: 2,886.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 240.

Dated: June 16, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–13041 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation of SGS North America, Inc., as a Commercial Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation of SGS North America, Inc., as a commercial laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that SGS North America, Inc., has been accredited to test petroleum, petroleum products, organic chemicals and vegetable oils for customs purposes for the next three years as of August 11, 2016.

DATES: The accreditation of SGS North America, Inc., as commercial laboratory became effective on August 11, 2016. The next triennial inspection date will be scheduled for August 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Cassata, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. (202) 344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12, that SGS North America, Inc., 1201 W. 8th St., Deer Park, TX 77536, has been accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12. SGS North America, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	ASTM D–287	Standard test method for API Gravity of crude petroleum products and petroleum products (Hydrometer Method).
27–03	ASTM D–4006	Standard test method for water in crude oil by distillation.
27–04	ASTM D–95	Standard test method for water in petroleum products and bituminous materials by distillation.
27–05	ASTM D–4928	Standard Test Method for Water in crude oils by Coulometric Karl Fischer Titration.
27–06	ASTM D–473	Standard test method for sediment in crude oils and fuel oils by the extraction method.
27–11	ASTM D–445	Standard test method for kinematic viscosity of transparent and opaque liquids (and calculations of dynamic viscosity).
27–13	ASTM D–4294	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27–14	ASTM D–2622	Standard Test Method for Sulfur in Petroleum Products (X-Ray Spectrographic Methods)..
27–48	ASTM D–4052	Standard test method for density and relative density of liquids by digital density meter.
27–50	ASTM D–93	Standard test methods for flash point by Penske-Martens Closed Cup Tester.
27–54	ASTM D–1796	Standard test method for water and sediment in fuel oils by the centrifuge method (Laboratory procedure).
27–57	ASTM D–7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.

Anyone wishing to employ this entity to conduct laboratory analyses should request and receive written assurances from the entity that it is accredited by the U.S. Customs and Border Protection to conduct the specific test requested. Alternatively, inquiries regarding the specific test this entity is accredited to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.*

Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: June 13, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services.

[FR Doc. 2017–13021 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0022]

Agency Information Collection Activities: Entry Summary

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and will be accepted (no later than August 21, 2017) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s)

contained in this notice must include the OMB Control Number 1651–0022 in the subject line and the agency name. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Email.* Submit comments to: *CBP_PRA@cbp.dhs.gov.*

(2) *Mail.* Submit written comments to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Entry Summary.
OMB Number: 1651–0022.
Form Number: 7501, 7501A.
Current Actions: This submission is being made to extend the expiration date of this information collection with a decrease in burden hours due to increased automation. There is no change to the information collected on Form 7501 or 7501A.
Type of Review: Extension (without change).
Abstract: CBP Form 7501, Entry Summary, is used to identify merchandise entering the commerce of the United States, and to document the amount of duty and/or tax paid. CBP Form 7501 is submitted by the importer, or the importer's agent, for each import transaction. The data on this form is used by CBP as a record of the import transaction; to collect the proper duty, taxes, certifications and enforcement information; and to provide data to the U.S. Census Bureau for statistical purposes. CBP Form 7501 must be filed within 10 working days from the time of entry of merchandise into the United States.

CBP Form 7501A, Document/Payment Transmittal, is used to reconcile a supplemental payment after an initial Automated Clearinghouse payment with the associated entry so the respondent's account is properly credited.

Collection of the data on these forms is authorized by 19 U.S.C. 1484 and provided for by 19 CFR 142.11 and CFR 141.61. CBP Form 7501 and accompanying instructions can be found at *http://www.cbp.gov/newsroom/publications/forms.*
Affected Public: Businesses.

CBP Form 7501—Formal Entries (Electronic Submission)

Estimated Number of Respondents: 2,336.
Estimated Number of Responses per Respondent: 9,903.
Estimated Total Annual Responses: 23,133,408.
Estimated Time per Response: 5 minutes.
Estimated Total Annual Burden Hours: 1,920,072.86.

CBP Form 7501—Formal Entries (Paper Submission)

Estimated Number of Respondents: 28.
Estimated Number of Responses per Respondents: 9,903.
Estimated Total Annual Responses: 277,284.
Estimated Time per Response: 20 minutes.
Estimated Total Annual Burden Hours: 92,335.57.

CBP Form 7501—Formal Entries With Softwood Lumber Act

Estimated Number of Respondents: 210.
Estimated Number of Responses per Respondent: 1,905.
Estimated Total Annual Responses: 400,050.
Estimated Time per Response: 40 minutes.
Estimated Total Annual Burden Hours: 266,433.

CBP Form 7501—Informal Entries (Electronic Submission)

Estimated Number of Respondents: 1,883.
Estimated Number of Responses per Respondent: 2,582.
Estimated Total Annual Responses: 4,861,906.
Estimated Time per Response: 5 minutes.
Estimated Total Annual Burden Hours: 403,538.20.

CBP Form 7501—Informal Entries (Paper Submission)

Estimated Number of Respondents: 19.
Estimated Number of Responses per Respondent: 2,582.
Estimated Total Annual Responses: 49,058.
Estimated Time per Response: 15 minutes.
Estimated Total Annual Burden Hours: 12,264.5.

CBP Form 7501A—Document/Payment Transmittal

Estimated Number of Respondents: 20.
Estimated Number of Responses per Respondent: 60.
Estimated Total Annual Responses: 1,200.
Estimated Time per Response: 15 minutes.
Estimated Total Annual Burden Hours: 300.

Dated: June 16, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–13043 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of SGS North America, Inc., as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that SGS North America, Inc., has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes for the next three years as of January 14, 2017.

DATES: The accreditation and approval of SGS North America, Inc., as commercial gauger and laboratory became effective on January 18, 2017. The next triennial inspection date will be scheduled for January 2020.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Cassata, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. (202) 344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that SGS North America, Inc., 4575 Jerry Ware Drive, Beaumont, TX 77705, has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. SGS North America, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3	Tank gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurements.

SGS North America, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	ASTM D–287	Standard test method for API Gravity of crude petroleum products and petroleum products (Hydrometer Method).
27–03	ASTM D–4006	Standard test method for water in crude oil by distillation.
27–04	ASTM D–95	Standard test method for water in petroleum products and bituminous materials by distillation.
27–05	ASTM D–4928	Standard Test Method for Water in crude oils by Coulometric Karl Fischer Titration.
27–06	ASTM D–473	Standard test method for sediment in crude oils and fuel oils by the extraction method.
27–11	ASTM D–445	Standard test method for kinematic viscosity of transparent and opaque liquids (and calculations of dynamic viscosity).
27–13	ASTM D–4294	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27–14	ASTM D–2622	Standard Test Method for Sulfur in Petroleum Products (X-Ray Spectrographic Methods).
27–48	ASTM D–4052	Standard test method for density and relative density of liquids by digital density meter.
27–50	ASTM D–93	Standard test methods for flash point by Penske-Martens Closed Cup Tester.
27–54	ASTM D–1796	Standard test method for water and sediment in fuel oils by the centrifuge method (Laboratory procedure).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories: *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: June 13, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services.

[FR Doc. 2017–13022 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0033]

Agency Information Collection Activities: Bonded Warehouse Proprietor's Submission

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments; Extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than July 24, 2017) to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center

at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). This proposed information collection was previously published in the **Federal Register** (82 FR 13464) on March 13, 2017, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection:

Title: Bonded Warehouse Proprietor's Submission.

OMB Number: 1651–0033.

Form Number: CBP Form 300.

Current Actions: CBP proposes to extend the expiration date of this information collection with a reduction to the burden hours. There is no change to the information collected or CBP Form 300.

Type of Review: Extension (without change).

Abstract: CBP Form 300, *The Bonded Warehouse Proprietor's Submission,* is filed annually by each warehouse proprietor. The information on CBP Form 300 is used by CBP to evaluate warehouse activity for the year. This form must be filed within 45 days of the end of his business year, pursuant to the provisions of the Tariff Act of 1930, as amended, 19 U.S.C. 66, 1311, 1555, 1556, 1557, 1623 and 19 CFR 19.12(g). The information collected on this form helps CBP determine all bonded merchandise that was entered, released, and manipulated in the warehouse. CBP Form 300 is accessible at *http://forms.cbp.gov/pdf/CBP_Form_300.pdf.*

Affected Public: Businesses.

Estimated Number of Respondents: 1,800.

Estimated Number of Total Annual Responses: 1,800.

Estimated Time per Response: 10 hours.

Estimated Total Annual Burden Hours: 18,000.

Dated: June 19, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–13057 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Approval of SGS North America, Inc., as a Commercial Gauger

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of approval of SGS North America, Inc., as a commercial gauger.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that SGS North America, Inc., has been approved to gauge petroleum and certain petroleum products for customs purposes for the next three years as of August 28, 2016.

DATES: *Effective Dates:* The approval of SGS North America, Inc., as commercial gauger became effective on August 28, 2016. The next triennial inspection date will be scheduled for August 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Cassata, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.13, that SGS North America, Inc., 900B Georgia Ave., Deer Park, TX 77536, has been approved to gauge petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.13. SGS North America, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API Chapters	Title
3	Tank gauging
7	Temperature Determination
8	Sampling
12	Calculations
17	Maritime Measurements

Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger service this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: June 13, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services.

[FR Doc. 2017–13024 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0002]

Agency Information Collection Activities: General Declaration

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments; Extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than July 24, 2017) to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on

this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). This proposed information collection was previously published in the **Federal Register** (82 FR 13463) on March 13, 2017, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection:

Title: General Declaration (Outward/Inward) Agriculture, Customs, Immigration, and Public Health.

OMB Number: 1651–0002.

Form Number: Form 7507.

Action: CBP proposes to extend the expiration date of this information collection with a change to the burden hours due to agency estimates. There is no change to the information collected or CBP Form 7507.

Type of Review: Extension (without change).

Abstract: An aircraft commander or agent must file CBP Form 7507, *General Declaration (Outward/Inward) Agriculture, Customs, Immigration, and Public Health* at the time of arrival for all aircraft required to enter pursuant to 19 CFR 122.41 and at the time of clearance for all aircraft departing to a foreign area with commercial airport cargo pursuant to 19 CFR 122.72. This form is used to document clearance and inspections by appropriate regulatory agency staffs. CBP Form 7507 collects information about the flight routing, the number of passengers embarking and disembarking, the number of crew members, a declaration of health for the persons on board, and details about disinfecting and sanitizing treatments during the flight. This form also includes a declaration attesting to the accuracy, completeness, and truthfulness of all statements contained in the form and in any document attached to the form.

CBP Form 7507 is authorized by 19 U.S.C. 1431, 1433, and 1644a; and provided for by 19 CFR 122.43, 122.54, 122.73, and 122.144. This form is accessible at: *http://www.cbp.gov/sites/default/files/documents/CBP%20Form%207507.pdf.*

Affected Public: Businesses.

Estimated Number of Respondents: 500.

Estimated Number of Total Annual Responses: 1,322,000.

Estimated Time per Response: 5 minutes.

Estimated Annual Burden Hours: 110,122.6.

Dated: June 19, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–13058 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0041]

Agency Information Collection Activities: Bonded Warehouse Regulations

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and will be accepted (no later than August 21, 2017) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0041 in the subject line and the agency name. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) Email. Submit comments to: *CBP_PRA@cbp.dhs.gov.*

(2) Mail. Submit written comments to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other

Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Bonded Warehouse Regulations.

OMB Number: 1651–0041.

Current Actions: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Abstract: Owners or lessees desiring to establish a bonded warehouse must make written application to the CBP port director of the port where the warehouse is located. The application must include the warehouse location, a description of the premises, and an indication of the class of bonded warehouse permit desired. Owners or lessees desiring to alter or to relocate a bonded warehouse may submit an application to the CBP port director of the port where the facility is located. The authority to establish and maintain a bonded warehouse is set forth in 19 U.S.C. 1555, and provided for by 19 CFR 19.2, 19 CFR 19.3, 19 CFR 19.6, 19 CFR 19.14, and 19 CFR 19.36.

Affected Public: Businesses.

Estimated Number of Respondents: 198.

Estimated Number of Responses per Respondent: 46.7.

Estimated Total Annual Responses: 9,254.

Estimated Time per Response: 32 minutes.

Estimated Total Annual Burden Hours: 4,932.

Dated: June 16, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–13040 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4312–DR: Docket ID FEMA–2017–0001]

Resighini Rancheria; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the Resighini Rancheria (FEMA–4312–DR), dated May 2, 2017, and related determinations.

DATES: Effective June 12, 2017.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the Resighini Rancheria is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of May 2, 2017.

The Resighini Rancheria for debris removal [Category A] (already designated for permanent work [Categories C–G] under the Public Assistance program).

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Robert J. Fenton,

Acting Administrator, Federal Emergency Management Agency.

[FR Doc. 2017–12997 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1720]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before September 20, 2017.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online

through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1720, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov*.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html*.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *http://floodsrp.org/pdfs/srp_fact_sheet.pdf*.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: May 24, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

I. Non-watershed-based studies:

Community	Community map repository address
Los Angeles County, California and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 16–09–2548S Preliminary Date: September 30, 2016	
City of Culver City	City Hall, 9770 Culver Boulevard, 2nd Floor, Culver City, CA 90232.
City of Los Angeles	Department of Public Works, 1149 South Broadway, Suite 810, Los Angeles, CA 90015.
Unincorporated Areas of Los Angeles County	Los Angeles County Watershed Management, 900 South Fremont Avenue, Alhambra, CA 91803.
Kane County, Illinois and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–05–1526S Preliminary Date: October 8, 2015	
City of St. Charles	St. Charles City Hall, 2 East Main Street, St. Charles, IL 60174.
Unincorporated Areas of Kane County	Kane County Government Center Building A, Water Resources Department, 719 Batavia Avenue, Geneva, IL 60134.
Johnson County, Indiana and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 17–05–0798S Preliminary Date: August 19, 2014	
City of Franklin	City Hall Planning Department, 70 East Monroe Street, Franklin, IN 46131.
City of Greenwood	City Center Planning Department, 300 South Madison Avenue, Greenwood, IN 46142.

Community	Community map repository address
Unincorporated Areas of Johnson County	Johnson County Courthouse Annex Building, 86 West Court Street, Franklin, IN 46131.
Jefferson County, Missouri and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–07–1077S Preliminary Date: October 28, 2016	
City of Arnold	City Hall, 2101 Jeffco Boulevard, Arnold, MO 63010.
City of Byrnes Mill	City Hall, 141 Osage Executive Circle, Byrnes Mill, MO 63051.
City of Crystal City	City Hall, 130 Mississippi Avenue, Crystal City, MO 63019.
City of De Soto	City Hall, 17 Boyd Street, De Soto, MO 63020.
City of Festus	City Hall, 711 West Main Street, Festus, MO 63028.
City of Herculaneum	City Hall, 1 Parkwood Court, Herculaneum, MO 63048.
City of Hillsboro	City Hall, 101 Main Street, Hillsboro, MO 63050.
City of Kimmswick	City Hall, 6041 3rd Street, Kimmswick, MO 63053.
City of Olympian Village	Olympian Village City Hall, 205 Kronos Drive, De Soto, MO 63020.
City of Pevely	City Hall, 401 Main Street, Pevely, MO 63070.
Town of Scotsdale	Jefferson County Annex, 725 Maple Street, Hillsboro, MO 63050.
Unincorporated Areas of Jefferson County	Jefferson County Annex, 725 Maple Street, Hillsboro, MO 63050.
Village of Cedar Hill Lakes	Cedar Hill Lakes Village Office, 7344B Springdale Drive, Cedar Hill, MO 63016.
Miami County, Ohio and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 14–05–9582S Preliminary Date: August 5, 2016	
City of Piqua	City Hall, 201 West Water Street, Piqua, OH 45356.
City of Troy	City Hall, 100 South Market Street, Troy, OH 45373.
Unincorporated Areas of Miami County	Miami County Safety Building, 201 West Main Street, Troy, OH 45373.

[FR Doc. 2017–12976 Filed 6–21–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1723]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before September 20, 2017.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1723, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *http://floodsrp.org/pdfs/srp_fact_sheet.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: May 24, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

I. Non-watershed-based studies:

Community	Community map repository address
Jasper County, Iowa and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 16–07–0182S Preliminary Date: June 30, 2016	
City of Colfax	City Hall, 19 East Howard Street, Colfax IA 50054.
City of Kellogg	City Clerk's Office, 224 High Street, Kellogg, IA 50135.
City of Lynnville	City Hall, 308 East Street, Lynnville, IA 50153.
City of Mingo	City Hall, 100 North Station Street, Mingo, IA 50168.
City of Monroe	City Hall, 206 West Sherman Street, Monroe, IA 50170.
City of Newton	Public Works Building, 1700 North 4th Avenue West, Newton, IA 50208.
City of Prairie City	City Hall, 203 East Jefferson Street, Prairie City, IA 50228.
City of Reasnor	City Hall, 312 North Street, Reasnor, IA 50232.
City of Valeria	Valeria City Hall, 13922 Center Street, Colfax, IA 50054.
Unincorporated Areas of Jasper County	Jasper County Planning and Zoning Department, 115 North 2nd Avenue East, Newton, IA 50208.
Marion County, Kansas and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 15–07–2372S Preliminary Date: January 13, 2017	
City of Marion	City Hall, 203 North 3rd Street, Marion, KS 66861.
Unincorporated Areas of Marion County	Marion County Planning and Zoning, 230 East Main Street, Marion, KS 66861.

[FR Doc. 2017–12990 Filed 6–21–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1725]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR). The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and

revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: May 24, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Colorado:						
Arapahoe	City of Aurora (16–08–0957P).	The Honorable Steve Hogan, Mayor, City of Aurora, 15151 East Alameda Parkway, Aurora, CO 80012.	Public Works Department, Engineering Division, 15151 East Alameda Parkway, Aurora, CO 80012.	*http://www.msc.fema.gov/lomc.*	Aug. 11, 2017	080002
El Paso	City of Colorado Springs (17–08–0131P).	The Honorable John Suthers, Mayor, City of Colorado Springs, 30 South Nevada Avenue, Colorado Springs, CO 80901.	City Hall, 30 South Nevada Avenue, Colorado Springs, CO 80901.	*http://www.msc.fema.gov/lomc.*	Aug. 22, 2017	080060
Weld	Town of Severance (17–08–0609X).	The Honorable Don Brookshire, Mayor, Town of Severance, P.O. Box 339, Severance, CO 80546.	Town Hall, 3 South Timber Ridge Parkway, Severance, CO 80546.	*http://www.msc.fema.gov/lomc.*	Aug. 11, 2017	080317
Connecticut:						
Hartford	Town of East Hartford (17–01–0668P).	The Honorable Marcia A. Leclerc, Mayor, Town of East Hartford, 740 Main Street, East Hartford, CT 06108.	Town Hall, 740 Main Street, East Hartford, CT 06108.	*http://www.msc.fema.gov/lomc.*	Aug. 16, 2017	090026
Florida:						
Lee	City of Sanibel (17–04–0549P).	The Honorable Kevin Ruane, Mayor, City of Sanibel, 800 Dunlop Road, Sanibel, FL 33957.	Planning and Code Enforcement Department, 800 Dunlop Road, Sanibel, FL 33957.	*http://www.msc.fema.gov/lomc.*	Aug. 18, 2017	120402
Martin	City of Stuart (17–04–3100P).	The Honorable Tom Campenni, Mayor, City of Stuart, 121 Southwest Flagler Avenue, Stuart, FL 34994.	Development Department, 121 Southwest Flagler Avenue, Stuart, FL 34994.	*http://www.msc.fema.gov/lomc.*	Aug. 23, 2017	120165
Miami-Dade	City of Doral (17–04–1147P).	The Honorable Juan Carlos Bermudez, Mayor, City of Doral, 8401 Northwest 53rd Terrace, Doral, FL 33166.	City Hall, 8401 Northwest 53rd Terrace, Doral, FL 33166.	*http://www.msc.fema.gov/lomc.*	Aug. 16, 2017	120041

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Miami-Dade	City of Doral (17–04–1148P).	The Honorable Juan Carlos Bermudez, Mayor, City of Doral, 8401 Northwest 53rd Terrace, Doral, FL 33166.	City Hall, 8401 Northwest 53rd Terrace, Doral, FL 33166.	*http://www.msc.fema.gov/lomc.*	Aug. 18, 2017	120041
Monroe	Unincorporated areas of Monroe County (17–04–2646P).	The Honorable George Neugent, Mayor, Monroe County, Board of Commissioners, 500 Whitehead Street, Suite 102, Key West, FL 33040.	Monroe County Building Department, 2798 Overseas Highway, Suite 300, Marathon, FL 33050.	*http://www.msc.fema.gov/lomc.*	Aug. 17, 2017	125129
Massachusetts:						
Essex	City of Gloucester (17–01–0572X).	The Honorable Sefatia Romeo Theken, Mayor, City of Gloucester, 9 Dale Avenue, Gloucester, MA 01930.	City Hall, 9 Dale Avenue, Gloucester, MA 01930.	*http://www.msc.fema.gov/lomc.*	Jul. 25, 2017	250082
Essex	City of Salem (17–01–0158P).	The Honorable Kimberley Driscoll, Mayor, City of Salem, 93 Washington Street, Salem, MA 01970.	Department of Planning and Community Development, 93 Washington Street, Salem, MA 01970.	*http://www.msc.fema.gov/lomc.*	Jul. 25, 2017	250102
Essex	Town of Manchester-by-the-Sea (17–01–0572X).	The Honorable Eli G. Boling, Chairman, Town of Manchester-by-the-Sea, Board of Selectmen, 10 Central Street, Manchester-by-the-Sea, MA 01944.	Town Hall, 10 Central Street, Manchester-by-the-Sea, MA 01944.	*http://www.msc.fema.gov/lomc.*	Jul. 25, 2017	250090
North Carolina:						
Onslow	Town of North Topsail Beach (17–04–0912P).	The Honorable Fred J. Burns, Mayor, Town of North Topsail Beach, 2008 Loggerhead Court, North Topsail Beach, NC 28460.	Planning Department, 2008 Loggerhead Court, North Topsail Beach, NC 28460.	*http://www.msc.fema.gov/lomc.*	Jul. 21, 2017	370466
Oklahoma:						
Tulsa	City of Tulsa (17–06–0736P).	The Honorable G. T. Bynum, Mayor, City of Tulsa, 175 East 2nd Street, 15th Floor, Tulsa, OK 74103.	Planning and Engineering Department, 175 East 2nd Street, 4th Floor, Tulsa, OK 74103.	*http://www.msc.fema.gov/lomc.*	Aug. 25, 2017	405381
Pennsylvania:						
Berks	Township of Robeson (17–03–0500P).	The Honorable Christopher Smith, Chairman, Township of Robeson Board of Supervisors, 8 Boonetown Road, Birdsboro, PA 19508.	Township Municipal Building, 8 Boonetown Road, Birdsboro, PA 19508.	*http://www.msc.fema.gov/lomc.*	Aug. 21, 2017	420146
Chester	Township of West Whiteland (16–03–1541P).	Ms. Mimi Gleason, Manager, Township of West Whiteland, 101 Commerce Drive, Exton, PA 19341.	Township Hall, 101 Commerce Drive, Exton, PA 19341.	*http://www.msc.fema.gov/lomc.*	Oct. 2, 2017	420295
South Dakota:						
Lincoln	Unincorporated areas of Lincoln County (16–08–0908P).	The Honorable Dan King, Chairman, Lincoln County, Board of Commissioners, 104 North Main Street, Suite 110, Canton, SD 57013.	Lincoln County Commission, 104 North Main Street, Suite 240, Canton, SD 57013.	*http://www.msc.fema.gov/lomc.*	Aug. 11, 2017	460277
Texas:						
Collin	City of Allen (16–06–4233P).	The Honorable Stephen Terrell, Mayor, City of Allen, 305 Century Parkway, Allen, TX 75013.	Engineering Department, 305 Century Parkway, Allen, TX 75013.	*http://www.msc.fema.gov/lomc.*	Aug. 18, 2017	480131
Collin	City of Allen (17–06–0212P).	The Honorable Stephen Terrell, Mayor, City of Allen, 305 Century Parkway, Allen, TX 75013.	Engineering Department, 305 Century Parkway, Allen, TX 75013.	*http://www.msc.fema.gov/lomc.*	Aug. 18, 2017	480131
Fort Bend	City of Houston (17–06–1036P).	The Honorable Sylvester Turner, Mayor, City of Houston, P.O. Box 1562, Houston, TX 77251.	Floodplain Management Department, 1002 Washington Avenue, Houston, TX 77002.	*http://www.msc.fema.gov/lomc.*	Aug. 21, 2017	480296
Fort Bend	City of Sugar Land (17–06–1036P).	The Honorable Joe R. Zimmerman, Mayor, City of Sugar Land, P.O. Box 110, Sugar Land, TX 77479.	Engineering Department, 2700 Town Center Boulevard, Sugar Land, TX 77479.	*http://www.msc.fema.gov/lomc.*	Aug. 21, 2017	480234
Fort Bend	Fort Bend County M.U.D. #2 (17–06–1036P).	Mr. Robert Yack, President, Fort Bend County M.U.D. #2, Board of Directors, Allen Boone Humphreys Robinson, LLP, 3200 Southwest Freeway, Suite 2600, Houston, TX 77027.	Pate Engineers, Inc., 13333 Northwest Freeway, Suite 300, Houston, TX 77040.	*http://www.msc.fema.gov/lomc.*	Aug. 21, 2017	481272

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Fort Bend	Unincorporated areas of Fort Bend County (17–06–1036P).	The Honorable Robert Hebert, Fort Bend County Judge, 401 Jackson Street, Richmond, TX 77469.	Fort Bend County Engineering Department, 401 Jackson Street, Richmond, TX 77469.	*http://www.msc.fema.gov/lomc.*	Aug. 21, 2017	480228
Fort Bend	West Keegans Bayou Improvement District (17–06–1036P).	Ms. Sandra Weider, President, West Keegans Bayou Improvement District, 15014 Traymore Drive, Houston, TX 77083.	AECOM, 5444 Westheimer, Suite 400, Houston, TX 77056.	*http://www.msc.fema.gov/lomc.*	Aug. 21, 2017	481602
Goliad	Unincorporated areas of Fort Bend County (16–06–4108P).	The Honorable P.T. Calhoun, Goliad County Judge, P.O. Box 677, Goliad, TX 77963.	Goliad County Court House, 127 North Courthouse Square, Goliad, TX 77963.	*http://www.msc.fema.gov/lomc.*	Aug. 11, 2017	480827
Harris	Unincorporated areas of Harris County (17–06–0430X).	The Honorable Edward M. Emmett, Harris County Judge, 1001 Preston Street, Houston, TX 77002.	Harris County Permit Office, 10555 Northwest Freeway, Houston, TX 77092.	*http://www.msc.fema.gov/lomc.*	Aug. 14, 2017	480287
Tarrant	City of Fort Worth (17–06–0630P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102.	*http://www.msc.fema.gov/lomc.*	Aug. 17, 2017	480596
Webb	Unincorporated areas of Webb County (16–06–2463P).	The Honorable Tano E. Tijerina, Webb County Judge, 1000 Houston Street, 3rd Floor, Laredo, TX 78040.	Webb County Planning and Physical Development Department, 1110 Washington Street, Suite 302, Laredo, TX 78040.	*http://www.msc.fema.gov/lomc.*	Aug. 24, 2017	481059
Utah:						
Davis	City of Farmington City (16–08–1270P).	The Honorable Jim Talbot, Mayor, City of Farmington City, 130 North Main Street, Farmington, UT 84025.	City Hall, 130 North Main Street, Farmington, UT 84025.	*http://www.msc.fema.gov/lomc.*	Aug. 18, 2017	490044
Davis	Unincorporated areas of Davis County (16–08–1270P).	The Honorable P. Bret Millburn, Chairman, Davis County, Board of Commissioners, 61 South Main Street, Suite 301, Farmington, UT 84025.	Davis County Administration Building, 61 South Main Street, Suite 304, Farmington, UT 84025.	*http://www.msc.fema.gov/lomc.*	Aug. 18, 2017	490038
Virginia:						
Prince William.	Unincorporated areas of Prince William County (16–03–1619P).	Mr. Christopher E. Martino, Prince William County Executive, 1 County Complex Court, Prince William, VA 22192.	Prince William County Development Services Department, Environmental Services Division, 5 County Complex Court, Prince William, VA 22192.	*http://www.msc.fema.gov/lomc.*	Aug. 24, 2017	510119
Spotsylvania	Unincorporated areas of Spotsylvania County (17–03–0692P).	Mr. Mark B. Taylor, Spotsylvania County Administrator, P.O. Box 99, Spotsylvania, VA 22553.	Spotsylvania County Zoning Department, 9019 Old Battlefield Boulevard, Suite 300, Spotsylvania, VA 22553.	*http://www.msc.fema.gov/lomc.*	Aug. 14, 2017	510308
Stafford	Unincorporated areas of Stafford County (16–03–1916P).	Mr. Thomas C. Foley, Stafford County Administrator, P.O. Box 339, Stafford, VA 22555.	Stafford County Planning and Zoning Department, 1300 Courthouse Road, Stafford, VA 22554.	*http://www.msc.fema.gov/lomc.*	Aug. 3, 2017	510154

[FR Doc. 2017–12974 Filed 6–21–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4304–DR; Docket ID FEMA–2017–0001]

Kansas; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Kansas (FEMA–4304–DR), dated February 24, 2017, and related determinations.

DATES: *Effective Date:* June 13, 2017.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the

Administrator, under Executive Order 12148, as amended, David G. Samaniego, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Michael L. Parker as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Robert J. Fenton,

Acting Administrator, Federal Emergency Management Agency.

[FR Doc. 2017–12999 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1718]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before September 20, 2017.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1718, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *http://floodsrp.org/pdfs/srp_fact_sheet.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: May 24, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

I. Watershed-based studies:

Community	Community map repository address
Etowah Watershed	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Bartow County, Georgia and Incorporated Areas	
City of Adairsville	City Hall, 116 Public Square, Adairsville, GA 30103.
City of Cartersville	Planning and Zoning Department, 10 North Public Square, Cartersville, GA 30120.
City of Emerson	City Hall, 700 Highway 293, Emerson, GA 30137.
City of Euharlee	City Hall, 30 Burge's Mill Road, Euharlee, GA 30145.
City of Kingston	City Hall, 30 West Main Street, Kingston, GA 30145.
City of Taylorsville	Mayor's Office, 11 Euharlee Street, Taylorsville, GA 30178.
City of White	City Hall, 29 West Rocky Street, White, GA 30184.
Unincorporated Areas of Bartow County	Bartow County Engineering Department, 135 West Cherokee Avenue, Suite 124, Cartersville, GA 30120.
Cobb County, Georgia and Incorporated Areas	
City of Acworth	City Hall, 4415 Senator Russell Avenue, Acworth, GA 30101.
City of Kennesaw	Public Works Department, 3080 Moon Station Road, Kennesaw, GA 30144.
City of Marietta	Public Works Department, 205 Lawrence Street, Marietta, GA 30060.
City of Smyrna	City Engineer's Office, Public Works Complex, 2190 Atlanta Road, Smyrna, GA 30080.
Unincorporated Areas of Cobb County	Cobb County Water System Stormwater Management, 680 South Cobb Drive, Marietta, GA 30060.
Upper Tombigbee Watershed	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Itawamba County, Mississippi and Incorporated Areas	
City of Fulton	City Hall, 213 West Wiygul Street, Fulton, MS 38843.
Town of Mantachie	Town Hall, 3256 Highway 371 North, Mantachie, MS 38855.
Town of Tremont	Town Hall, 12761 Highway 23 North, Tremont, MS 38876.
Unincorporated Areas of Itawamba County	Itawamba County Courthouse, Chancery Clerk's Office, 201 West Main Street, Fulton, MS 38843.
Monroe County, Mississippi and Incorporated Areas	
City of Aberdeen	City Hall, 125 West Commerce Street, Aberdeen, MS 39730.
City of Amory	City Hall, 109 Front Street South, Amory, MS 38821.
Town of Smithville	Town Hall, 63443 Highway 25 North, Smithville, MS 38870.
Unincorporated Areas of Monroe County	Monroe County Emergency Management Office, 50058 Airport Road, Aberdeen, MS 39730.
Village of Gattman	Mayor's Office, 50005 Mayor Street, Gattman, MS 38844.

II. Non-watershed-based studies:

Community	Community map repository address
Duval County, Florida (All Jurisdictions)	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–1761S Preliminary Date: July 29, 2016	
City of Atlantic Beach	City Hall, 800 Seminole Road, Atlantic Beach, FL 32233.
City of Jacksonville	Edward Ball Building, Development Services, Room 2100, 214 North Hogan Street, Jacksonville, FL 32202.
City of Jacksonville Beach	City Hall, 11 North 3rd Street, Jacksonville Beach, FL 32250.
City of Neptune Beach	City Hall, 116 1st Street, Neptune Beach, FL 32266.
Beaufort County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–0730S Preliminary Date: June 30, 2016	
City of Washington	City Hall, 102 East 2nd Street, Washington, NC 27889.
Town of Aurora	Town Hall, 295 Main Street, Aurora, NC 27806.

Community	Community map repository address
Town of Bath	Town Hall, 103 South King Street, Bath, NC 27808.
Town of Belhaven	Building and Inspection Department, 315 East Main Street, Belhaven, NC 27810.
Town of Chocowinity	Public Works Department, 3391 Highway 17 South, Chocowinity, NC 27817.
Town of Pantego	Town Hall, 142 Swamp Road, Pantego, NC 27860.
Town of Washington Park	Washington Park Town Office, 408 Fairview Avenue, Washington, NC 27889.
Unincorporated Areas of Beaufort County	Beaufort County Inspections Department, 220 North Market Street, Washington, NC 27889.
Cabarrus County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 13–04–6162S Preliminary Date: August 30, 2016	
City of Concord	GIS Division, 35 Cabarrus Avenue West, Concord, NC 28025.
City of Kannapolis	City Hall, 401 Laureate Way, Kannapolis, NC 28081.
City of Locust	City Hall, 186 Ray Kennedy Drive, Locust, NC 28097.
Town of Harrisburg	Town Hall, 4100 Main Street, Suite 101, Harrisburg, NC 28075.
Town of Midland	Town Hall, 4293–B Highway 24/27 East, Midland, NC 28107.
Town of Mount Pleasant	Town Hall, 8590 Park Drive, Mount Pleasant, NC 28124.
Unincorporated Areas of Cabarrus County	Cabarrus County Planning Services, 65 Church Street Southeast, Concord, NC 28025.
Carteret County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–0730S Preliminary Date: June 30, 2016	
Town of Atlantic Beach	Town Hall, 125 West Fort Macon Road, Atlantic Beach, NC 28512.
Town of Beaufort	Town Hall, 701 Front Street, Beaufort, NC 28516.
Town of Bogue	Town Hall, 121 Chimney Branch Road, Bogue, NC 28570.
Town of Cape Carteret	Town Hall, 102 Dolphin Street, Cape Carteret, NC 28584.
Town of Cedar Point	Town Hall, 427 Sherwood Avenue, Cedar Point, NC 28584.
Town of Emerald Isle	Town Hall, 7500 Emerald Drive, Emerald Isle, NC 28594.
Town of Indian Beach	Town Hall, 1400 Salter Path Road, Indian Beach, NC 28512.
Town of Morehead City	Municipal Building, 706 Arendell Street, Morehead City, NC 28557.
Town of Newport	Town Hall, 200 Howard Boulevard, Newport, NC 28570.
Town of Peletier	Town Hall, 1603 Highway 58, Peletier, NC 28584.
Town of Pine Knoll Shores	Town Hall, 100 Municipal Circle, Pine Knoll Shores, NC 28512.
Unincorporated Areas of Carteret County	Carteret County Planning and Inspections Department, 402 Broad Street, Beaufort, NC 28516.
Craven County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–7660S Preliminary Date: June 30, 2016	
City of Havelock	Planning Department, 199 Cunningham Boulevard, Havelock, NC 28532.
City of New Bern	City Hall, 300 Pollock Street, New Bern, NC 28560.
Town of Bridgeton	Town Hall, 202 B Street, Bridgeton, NC 28519.
Town of River Bend	Town Hall, 45 Shoreline Drive, River Bend, NC 28562.
Town of Trent Woods	Town Hall, 898 Chelsea Road, Trent Woods, NC 28562.
Unincorporated Areas of Craven County	Craven County GIS and Mapping Department, 226 Pollock Street, New Bern, NC 28560.
Dare County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–8218S Preliminary Date: June 30, 2016	
Town of Duck	Administrative Office, 1200 Duck Road, Duck, NC 27949.
Town of Kill Devil Hills	Planning and Inspections, 102 Town Hall Drive, Kill Devil Hills, NC 27948.
Town of Kitty Hawk	Town Hall, 101 Veterans Memorial Drive, Kitty Hawk, NC 27949.
Town of Manteo	Town Hall, 407 Budleigh Street, Manteo, NC 27954.
Town of Nags Head	Planning Department, 5401 South Croatan Highway, Nags Head, NC 27959.

Community	Community map repository address
Town of Southern Shores	Town Hall, 5375 North Virginia Dare Trail, Southern Shores, NC 27949.
Unincorporated Areas of Dare County	Dare County Tax Mapping Department, 962 Marshall C. Collins Drive, Manteo, NC 27954.
Hyde County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–0730S Preliminary Date: June 30, 2016	
Unincorporated Areas of Hyde County	Hyde County Building Inspections Department, 1223 Main Street, Swan Quarter, NC 27885.
Iredell County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 16–04–7682S Preliminary Date: August 30, 2016	
Unincorporated Areas of Iredell County	Iredell County Planning Department, 349 North Center Street, Statesville, NC 28687.
Jones County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–7660S Preliminary Date: June 30, 2016	
Town of Pollocksville	Town Hall, 103 Main Street, Pollocksville, NC 28573.
Unincorporated Areas of Jones County	Jones County Government Office Complex, 418 Highway 58 North, Trenton, NC 28585.
Lenoir County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 16–04–4756S Preliminary Date: June 30, 2016	
Unincorporated Areas of Lenoir County	Lenoir County Administration Building, 130 South Queen Street, Kinston, NC 28502.
Mecklenburg County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 13–04–6162S Preliminary Date: August 30, 2016	
City of Charlotte	Charlotte-Mecklenburg Storm Water Services, 2145 Suttle Avenue, Charlotte, NC 28208.
Town of Cornelius	Town Hall, 21445 Catawba Avenue, Cornelius, NC 28031.
Town of Davidson	Planning Department, 216 South Main Street, Davidson, NC 28036.
Town of Huntersville	Planning Department, 101 Huntersville-Concord Road, Huntersville, NC 28078.
Unincorporated Areas of Mecklenburg County	Charlotte-Mecklenburg Storm Water Services, 2145 Suttle Avenue, Charlotte, NC 28208.
Onslow County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–0817S Preliminary Date: June 30, 2016	
City of Jacksonville	City Hall, 815 New Bridge Street, Jacksonville, NC 28540.
Town of Holly Ridge	Town Hall, 212 North Dyson Street, Holly Ridge, NC 28445.
Town of North Topsail Beach	Town Hall, 2008 Loggerhead Court, North Topsail Beach, NC 28460.
Town of Richlands	Town Hall, 302 South Wilmington Street, Richlands, NC 28574.
Town of Surf City	Building Inspection Department, 214 North New River Drive, Surf City, NC 28445.
Town of Swansboro	Town Hall, Zoning Department, 601 West Corbett Avenue, Swansboro, NC 28584.
Unincorporated Areas of Onslow County	Onslow County Floodplain Administration, 234 Northwest Corridor Boulevard, Jacksonville, NC 28540.

Community	Community map repository address
Pamlico County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–0730S Preliminary Date: June 30, 2016	
Town of Alliance	Pamlico County Building Inspection Department, 202 Main Street, Bayboro, NC 28515.
Town of Bayboro	Town Hall, 208 North Street, Bayboro, NC 28515.
Town of Grantsboro	Pamlico County Building Inspection Department, 202 Main Street, Bayboro, NC 28515.
Town of Mesic	Pamlico County Building Inspection Department, 202 Main Street, Bayboro, NC 28515.
Town of Minnesott Beach	Town Hall, 11758 Highway 306 South, Minnesott Beach, NC 28510.
Town of Oriental	Town Hall, 507 Church Street, Oriental, NC 28571.
Town of Stonewall	Town Hall, 74 Spain Farm Road, Stonewall, NC 28583.
Unincorporated Areas of Pamlico County	Pamlico County Building Inspection Department, 202 Main Street, Bayboro, NC 28515.
Pitt County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 16–04–4756S Preliminary Date: June 30, 2016	
City of Greenville	City Hall, 200 West 5th Street, Greenville, NC 27858.
Town of Grimesland	Town Hall, 7592 Pitt Street, Grimesland, NC 27837.
Unincorporated Areas of Pitt County	Pitt County Planning Department, 1717 West 5th Street, Greenville, NC 27834.
Village of Simpson	Village Hall, 2768 Thompson Street, Simpson, NC 27879.
Rowan County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 16–04–7124S Preliminary Date: August 30, 2016	
Unincorporated Areas of Rowan County	Rowan County Planning and Development Department, 402 North Main Street, #204, Salisbury, NC 28144.
Stanly County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 16–04–7682S Preliminary Date: August 30, 2016	
Town of Stanfield	Town Hall, 103 West Stanly Street, Stanfield, NC 28163.
Unincorporated Areas of Stanly County	Stanly County Planning and Zoning Department, 1000 North 1st Street, Albemarle, NC 28001.
Tyrrell County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–04–8218S Preliminary Date: June 30, 2016	
Town of Columbia	Municipal Building, 103 Main Street, Columbia, NC 27925.
Unincorporated Areas of Tyrrell County	Tyrrell County Administration Building, 108 South Water Street, Columbia, NC 27925.
Union County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project:16–04–7682S Preliminary Date: August 30 2016	
Town of Fairview	Fairview Land Use Office, 7400 Concord Highway, Monroe, NC 28110.
Unincorporated Areas of Union County	Union County Planning Department, 500 North Main Street, Suite 70, Monroe, NC 28112.

Community	Community map repository address
Washington County, North Carolina and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 16–04–4756S Preliminary Date: June 30, 2016	
Unincorporated Areas of Washington County	Washington County Permits, Inspections and Emergency Management Department, 205 East Main Street, Plymouth, NC 27962.
Summit County, Utah and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 12–08–0134S Preliminary Date: November 17, 2016	
City of Coalville	City Hall, 10 North Main Street, Coalville, UT 84017.
City of Kamas	City Hall, 170 North Main Street, Kamas, UT 84036.
City of Oakley	City Hall, 960 West Center Street, Oakley, UT 84055.
City of Park City	City Hall, 445 Marsac Avenue, Park City, UT 84060.
Unincorporated Areas of Summit County	Summit County Courthouse, 60 North Main Street, Coalville, UT 84017.

[FR Doc. 2017–12973 Filed 6–21–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4315–DR; Docket ID FEMA–2017–0001]

Oklahoma; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Oklahoma (FEMA–4315–DR), dated May 26, 2017, and related determinations.

DATES: *Effective Date:* May 26, 2017.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated May 26, 2017, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Oklahoma resulting from severe storms, tornadoes, and flooding during the period of April 28 to May 2, 2017, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Oklahoma.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Charles Maskell, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Oklahoma have been designated as adversely affected by this major disaster:

Adair, Beaver, Caddo, Cherokee, Cimarron, Craig, Delaware, Haskell, Kiowa, Lincoln, Logan, Mayes, Muskogee, Ottawa, Pittsburg, Sequoyah, Texas, and Washita Counties for Public Assistance.

All areas within the State of Oklahoma are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Robert J. Fenton,

Acting Administrator, Federal Emergency Management Agency.

[FR Doc. 2017–12996 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4316–DR: Docket ID FEMA–2017–0001]

New Hampshire; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of New Hampshire (FEMA–4316–DR), dated June 1, 2017, and related determinations.

DATES: Effective June 1, 2017.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated June 1, 2017, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of New Hampshire resulting from a severe winter storm during the period of March 14–15, 2017, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of New Hampshire.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Albert Lewis, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of New Hampshire have been designated as adversely affected by this major disaster:

Belknap and Carroll Counties for Public Assistance.

All areas within the State of New Hampshire are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Robert J. Fenton,

Acting Administrator, Federal Emergency Management Agency.

[FR Doc. 2017–12998 Filed 6–21–17; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1721]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR). The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required.

They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: May 24, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Colorado: Denver	City and County of Denver (17–08–0150P).	The Honorable Michael Hancock, Mayor, City and County of Denver, 1437 Bannock Street, Room 350, Denver, CO 80202.	Department of Public Works, 201 West Colfax Avenue, Denver, CO 80202.	*http://www.msc.fema.gov/lomc*	Aug. 11, 2017	080046
Florida:						
Duval	City of Jacksonville (17–04–0145P).	The Honorable Lenny Curry, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	Development Services Department, 214 North Hogan Street, Suite 2100, Jacksonville, FL 32202.	*http://www.msc.fema.gov/lomc*	Jul. 19, 2017	120077
Lee	City of Bonita Springs (17–04–0901P).	The Honorable Peter Simmons, Mayor, City of Bonita Springs, 9101 Bonita Beach Road, Bonita Springs, FL 34135.	Community Development Department, 9220 Bonita Beach Road, Bonita Springs, FL 34135.	*http://www.msc.fema.gov/lomc*	Aug. 9, 2017	120680
Lee	City of Bonita Springs (17–04–2066P).	The Honorable Peter Simmons, Mayor, City of Bonita Springs, 9101 Bonita Beach Road, Bonita Springs, FL 34135.	Community Development Department, 9220 Bonita Beach Road, Bonita Springs, FL 34135.	*http://www.msc.fema.gov/lomc*	Aug. 11, 2017	120680
Lee	City of Sanibel (17–04–0705P).	The Honorable Kevin Ruane, Mayor, City of Sanibel, 800 Dunlop Road, Sanibel, FL 33957.	Planning and Code Enforcement Department, 800 Dunlop Road, Sanibel, FL 33957.	*http://www.msc.fema.gov/lomc*	Aug. 11, 2017	120402
Monroe	Unincorporated areas of Monroe County (17–04–0652P).	The Honorable George Neugent, Mayor, Monroe County Board of Commissioners, 25 Ships Way, Big Pine Key, FL 33043.	Monroe County Building Department, 2798 Overseas Highway, Marathon, FL 33050.	*http://www.msc.fema.gov/lomc*	Aug. 4, 2017	125129
St. Johns	Unincorporated areas of St. Johns County (17–04–0145P).	The Honorable James K. Johns, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL, 32084.	St. Johns County Building Services Division, 4040 Lewis Speedway, St. Augustine, FL, 32084.	*http://www.msc.fema.gov/lomc*	Jul. 19, 2017	125147
Oklahoma:						
Oklahoma	City of Edmond (16–06–3164P).	The Honorable Charles Lamb, Mayor, City of Edmond, P.O. Box 2970, Edmond, OK 73083.	Engineering Department, 10 South Littler Avenue, Edmond, OK 73084.	*http://www.msc.fema.gov/lomc*	Aug. 7, 2017	400252
Tulsa	City of Bixby (16–06–2420P).	The Honorable John Easton, Mayor, City of Bixby, P.O. Box 70, Bixby, OK 74008.	City Hall, 116 West Needles Avenue, Bixby, OK 74008.	*http://www.msc.fema.gov/lomc*	Aug. 14, 2017	400207
South Carolina: Clarendon.	Unincorporated areas of Clarendon County (16–04–7377P).	The Honorable Dwight L. Stewart, Chairman, Clarendon County Council, 411 Sunset Drive, Manning, SC 29102.	Clarendon County Planning Commission, 411 Sunset Drive, Manning, SC 29102.	*http://www.msc.fema.gov/lomc*	Jul. 14, 2017	450051
Texas:.						
Bexar	City of San Antonio (17–06–0117P).	The Honorable Ivy R. Taylor, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Transportation and Capital Improvements Department, Stormwater Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	*http://www.msc.fema.gov/lomc*	Aug. 10, 2017	480045

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Bexar	Unincorporated areas of Bexar County (17–06–0117P).	The Honorable Nelson W. Wolff, Bexar County Judge, 101 West Nueva Street, 10th Floor, San Antonio, TX 78205.	Bexar County Public Works Department, 233 North Pecos-La Trinidad Street, Suite 420, San Antonio, TX 78207.	*http://www.msc.fema.gov/lomc*	Aug. 10, 2017	480035
Dallas	City of Rowlett (16–06–3341P).	The Honorable Todd W. Gottel, Mayor, City of Rowlett, 4000 Main Street, Rowlett, TX 75088.	City Hall, 4000 Main Street, Rowlett, TX 75088.	*http://www.msc.fema.gov/lomc*	Aug. 11, 2017	480185
Ellis	City of Waxahachie (17–06–0456P).	The Honorable Kevin Strength, Mayor, City of Waxahachie, 401 South Rogers Street, Waxahachie, TX 75165.	Municipal Court, 101 West Main Street, Waxahachie, TX 75165.	*http://www.msc.fema.gov/lomc*	Aug. 9, 2017	480211
Rockwall	City of Rockwall (17–06–0142P).	The Honorable Jim Pruitt, Mayor, City of Rockwall, 385 South Goliad Street, Rockwall, TX 75087.	City Hall, 385 South Goliad Street, Rockwall, TX 75087.	*http://www.msc.fema.gov/lomc*	Aug. 14, 2017	480547
Utah:.						
Kane	City of Kanab (16–08–1149P).	The Honorable Robert D. Houston, Mayor, City of Kanab, 26 North 100 East, Kanab, UT 84741.	City Hall, 26 North 100 East, Kanab, UT 84741.	*http://www.msc.fema.gov/lomc*	Aug. 11, 2017	490085
Kane	Unincorporated areas of Kane County (16–08–1149P).	The Honorable Dirk Clayson, Chairman, Kane County Board of Commissioners, 76 North Main Street, Kanab, UT 84741.	Kane County Recorders Office, 76 North Main Street, Kanab, UT 84741.	*http://www.msc.fema.gov/lomc*	Aug. 11, 2017	490083

[FR Doc. 2017–12989 Filed 6–21–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R7–ES–2016–N155; FF07CAMM00–FXES111607MPB00]

Marine Mammal Protection Act; Stock Assessment Reports

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability of draft revised marine mammal stock assessment reports for two stocks of polar bears; request for comments.

SUMMARY: In accordance with the Marine Mammal Protection Act of 1972, as amended and its implementing regulations, we, the U.S. Fish and Wildlife Service, have developed draft revised marine mammal stock assessment reports for each of the two polar bear (*Ursus maritimus*) stocks in Alaska: The Southern Beaufort Sea polar bear stock and the Chukchi/Bering Seas polar bear stock. These two draft stock assessment reports are available for public review and comment.

DATES: We must receive comments by September 20, 2017.

ADDRESSES: To obtain the draft Stock Assessment Report for either polar bear stock, and to submit comments, see Document Availability and Public Comment, respectively, under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Patrick Lemons, Marine Mammals Management Office, (800) 362–5148 or via email *r7_mmm_comment@fws.gov.*

SUPPLEMENTARY INFORMATION:

Background

Under the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.,* MMPA) and its implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 18, the U.S. Fish and Wildlife Service (Service) regulates the taking; import; and under certain conditions, possession; transportation; purchasing; selling; and offering for sale, purchase, or export of marine mammals. One of the MMPA's goals is to ensure that stocks of marine mammals occurring in waters under U.S. jurisdiction do not experience a level of human-caused mortality and serious injury that is likely to cause the stock to be reduced below its *optimum sustainable population level* (OSP). The OSP is defined under the MMPA as ''the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element'' (16 U.S.C. 1362(9)).

To help accomplish the goal of maintaining marine mammal stocks at their OSPs, section 117 of the MMPA requires us and the National Marine Fisheries Service (NMFS) to prepare a Stock Assessment Report (SAR) for each marine mammal stock that occurs in waters under U.S. jurisdiction. A SAR must be based on the best scientific information available; therefore, we prepare it in consultation with regional scientific review groups (SRG) established under section 117(d) of the MMPA. Each SAR must include:

1. A description of the stock and its geographic range;
2. A minimum population estimate, current and maximum net productivity rates, and current population trend;
3. An estimate of the annual human-caused mortality and serious injury by source and, for a strategic stock, other factors that may be causing a decline or impeding recovery;
4. A description of commercial fishery interactions;
5. A categorization of the status of the stock; and
6. An estimate of the *potential biological removal* (PBR) level.

The MMPA defines the PBR as ''the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its OSP'' (16 U.S.C. 1362(20)). The PBR is the product of the minimum population estimate of the stock (N_{min}); one-half the maximum theoretical or estimated net productivity

rate of the stock at a small population size (R_{max}); and a recovery factor (F_r) of between 0.1 and 1.0, which is intended to compensate for uncertainty and unknown estimation errors. This can be written as:

PBR = (N_{min})(½ of the R_{max})(F_r).

Section 117 of the MMPA also requires the Service and NMFS to review the SARs (a) at least annually for stocks that are specified as strategic stocks, (b) at least annually for stocks for which significant new information is available, and (c) at least once every 3 years for all other stocks. If our review of the status of a stock indicates that it has changed or may be more accurately determined, then the SAR must be revised accordingly.

A *strategic stock* is defined in the MMPA as a marine mammal stock (a) for which the level of direct human-caused mortality exceeds the PBR level; (b) which, based on the best available scientific information, is declining and is likely to be listed as a threatened species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.;* ESA), within the foreseeable future; or (c) which is listed as a threatened or endangered species under the ESA, or is designated as depleted under the MMPA (16 U.S.C. 1362(19).

Stock Assessment Report History for the Two Polar Bear Stocks

Both polar bears SARs were last revised in January 2010. Because the polar bear is listed as a threatened species under the ESA, both the Southern Beaufort Sea and the Chukchi/Bering Seas polar bear stocks are considered strategic. Therefore, the Service considered all available new information on these stocks in 2011, 2012, and 2013, and determined that no new information was available that indicated the status of the stocks had changed or could be more accurately determined. However, as new information became available in 2014, the Service initiated revision of the SARs and obtained advice from the Alaska SRG. Therefore, these draft SARs incorporate the comments and suggestions provided to the Service by the Alaska SRG as appropriate.

Summary of Draft Revised Stock Assessment Reports for the Two Polar Bear Stocks in Alaska

The following table summarizes some of the information contained in the draft revised SARs for the Southern Beaufort Sea polar bear and the Chukchi/Bering Seas polar bear stocks, which includes each stock's N_{min}, R_{max}, F_r, PBR, annual estimated human-caused mortality and serious injury, and status. After consideration of any public comments we receive, we will revise and finalize these SARs, as appropriate. We will publish a notice of availability and summary of the final SARs, including responses to comments we received.

TABLE 1—SUMMARY: DRAFT REVISED STOCK ASSESSMENT REPORTS FOR THE SOUTHERN BEAUFORT SEA POLAR BEAR AND CHUKCHI/BERING SEAS POLAR BEAR STOCKS

Polar bear stock	N_{min}	R_{max}	F_r	PBR	Annual estimated human-caused mortality and serious injury, 2006–2015	Stock status
Southern Beaufort Sea	782	0.075	0.5	14	Annual estimated removals for each stock are provided in the SARs.	Strategic.
Chukchi/Bering Seas	2,000	0.0603	0.5	30		Strategic.

Document Availability

Draft Revised SARs for Southern Beaufort Sea Polar Bear and Chukchi/Bering Seas Polar Bear Stocks

You may obtain copies by any one of the following methods:

- Internet: *http://alaska.fws.gov/fisheries/mmm/polarbear/reports.htm* (for both polar bear stocks).
- Write to or call (during normal business hours from 8 a.m. to 4:30 p.m. Monday through Friday) Patrick Lemons, Chief, U.S. Fish and Wildlife Service, Marine Mammals Management Office, 1011 East Tudor Road, Anchorage, Alaska 99503; telephone: (800) 362–3800.

Public Comment

Draft Revised SARs for Southern Beaufort Sea Polar Bear and Chukchi/Bering Seas Polar Bear Stocks

You may submit a written comment by any one of the following methods:

- *Email: r7_mmm_comment@fws.gov.*
- *Mail or hand-delivery:* Chief, Marine Mammals Management Office (see address above).
- *Fax:* (907) 786–3816.

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.

References

In accordance with section 117(b)(1) of the MMPA, we include in this notice a list of the sources of information or published reports upon which we based the draft revised SARs. The Service consulted technical reports, conference proceedings, refereed journal publications, and scientific studies prepared or issued by federal agencies, non-governmental organizations, and individuals with expertise in the fields of marine mammal biology and ecology, population dynamics, Alaska Native subsistence use of marine mammals, modeling, and commercial fishing technology and practices.

These agencies and organizations include: The Service, the U.S. Geological Survey, the National Oceanic and Atmospheric Administration, the National Park Service, the Arctic Institute, the North American Wildlife and Natural Resource Conference, the Marine Mammals of the Holarctic V Conference, and the Outer Continental Shelf Environmental Assessment Program. In addition, the Service consulted publications such as the Journal of Wildlife Management, Conservation Biology, Marine Mammal Science, Ecological Applications, Biological Conservation, Aquatic Mammals, Journal of Zoology, Marine Mammal Science and other refereed journal literature, technical reports, and data sources in the development of these SARs.

A complete list of citations to the scientific literature relied on for each of the two revised SARs is available from the Service by visiting the Service's Marine Mammal Management office's species information page at: *http://alaska.fws.gov/fisheries/mmm/*

reports.htm. These citations are likewise part of each draft SAR and may be reviewed with the documents (see Document Availability).

Authority: The authority for this action is the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et al.*).

Dated: April 27, 2017.

James W. Kurth,

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

[FR Doc. 2017–13060 Filed 6–21–17; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket ID: BOEM–2017–0016]; [OMB Control Number 1010–0081]

Agency Information Collection Activities: Operations in the Outer Continental Shelf for Minerals Other Than Oil, Gas, and Sulphur MMAA104000

ACTION: Notice.

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Ocean Energy Management (BOEM) is notifying the public that we have submitted an information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval. The ICR pertains to the paperwork requirements in the regulations under 30 CFR part 582, Operations in the Outer Continental Shelf for Minerals Other than Oil, Gas, and Sulphur. This notice provides the public a second opportunity to comment on the paperwork burden of this collection.

DATES: Submit written comments by July 24, 2017.

ADDRESSES: Please send your comments on this ICR to the Desk Officer for the Department of the Interior at OMB–OIRA at (202) 395–5806 (fax) or *OIRA_submission@omb.eop.gov* (email). Please provide a copy of your comments to the BOEM Information Collection Clearance Officer, Anna Atkinson, Bureau of Ocean Energy Management, 45600 Woodland Road, VAM–DIR, Sterling, Virginia 20166 (mail); or *anna.atkinson@boem.gov* (email). Please reference ICR 1010–0081 in your comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Anna Atkinson, Office of Policy, Regulations, and Analysis at *anna.atkinson@boem.gov* (email) or (703) 787–1025. You may review the ICR online at *http://www.reginfo.gov.* Follow the instructions to review Department of the Interior collections under review by OMB.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 1010–0081.

Title: 30 CFR 582, Operations in the Outer Continental Shelf for Minerals Other than Oil, Gas, and Sulphur.

Abstract: The Outer Continental Shelf Lands Act (43 U.S.C. 1334 and 43 U.S.C. 1337(k)(1)) authorizes the Secretary of the Interior to issue regulations to grant to qualified persons who offer the highest cash bonus on a basis of competitive bidding, leases of any mineral other than oil, gas, and sulphur in any area of the Outer Continental Shelf not then under lease for such mineral upon such royalty, rental, and other terms and conditions as the Secretary may prescribe at the time of offering the area for lease.

Regulations at 30 CFR part 582 carry out these statutory requirements by governing mining operations within the OCS for minerals other than oil, gas, and sulphur and establishing a comprehensive regulatory program for such minerals.

There has been no competitive leasing activity in the OCS for minerals other than oil, gas, and sulphur for many years. Accordingly, BOEM has not generally collected information under this part of its regulations. However, since these are regulatory requirements, the potential exists for information to be collected. Therefore, we are renewing OMB approval for this information collection.

We will use the information required by 30 CFR part 582 to determine if lessees are complying with the regulations for mining minerals other than oil, gas, and sulphur. BOEM will also use the information to ensure that such operations are conducted in a manner that will result in orderly resource recovery, development, and the protection of the human, marine, and coastal environments and for technical and environmental evaluations which provide a basis for BOEM to make informed decisions to approve, disapprove, or require modification of the proposed activities.

We protect proprietary information according to the Freedom of Information Act (5 U.S.C. 552) and the Department's implementing regulations (43 CFR part 2), 30 CFR 582.5 and 582.6, and applicable sections of 30 CFR parts 580 and 581. No items of a sensitive nature are collected. Responses are mandatory.

Frequency: Monthly; quarterly; on occasion.

Estimated Number and Description of Respondents: As there are no active respondents, we estimated the potential annual number of respondents to be one. Potential respondents are OCS lessees.

Estimated Reporting and Recordkeeping Hour Burden: We expect the burden estimate for the renewal will be 212 hours. The following table details the individual BOEM components and respective hour burden estimates of this ICR. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

BURDEN TABLE

Citation 30 CFR 582	Reporting or recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
Subpart A—General				
4; 21(b)	Governors, other Federal/State agencies, lessees, interested parties, and others review and provide comments/recommendations on all plans and environmental information.	10	1	10
4(b); 12(b)(2); 21; 22; 25; 26; 28.	Submit delineation plan, including environmental information, contingency plan, monitoring program, and various requests for approval referred to throughout; submit modifications and required information.	40	1	40

BURDEN TABLE—Continued

Citation 30 CFR 582	Reporting or recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
4(c); 12(c)(2); 21; 23; 25; 26; 28.	Submit testing plan, including environmental information, contingency plan, monitoring program, and various requests for approval referred to throughout; submit modifications and required information.	40	1	40
4(d); 12(d)(2); 21; 24; 25; 26; 28.	Submit mining plan, including environmental information, contingency plan, monitoring program, and various requests for approval referred to throughout; submit modifications and required information.	40	1	40
5	Request non-disclosure of G&G info; provide consent; demonstrate loss of competitive position.	10	1	10
6	Governors of adjacent States request proprietary data, samples, etc., and disclosure agreement with BOEM.	10	1	10
7	Governor of affected State initiates negotiations on jurisdictional controversy, etc., and enters agreement with BOEM.	10	1	10
Subtotal			7 Responses	160 Hours
Subpart B—Jurisdiction and Responsibilities of Director				
11(c); 20(h); 30	Apply for right-of-use and easement; submit confirmations, demonstrations, and notifications.	30	1	30
11(d)	Request consolidation/splitting of two or more OCS mineral leases or portions.	1	1	1
20(h)	Request approval of operations or departure from operating requirements.	Burden included with applicable plans		0
14	Submit response copy of form BOEM–1832 indicating date violations (INCs) corrected.	2	1	2
Subtotal			3 Responses	33 Hours
Subpart C—Obligations and Responsibilities of Lessees				
20(a), (g); 29(i)	Make available all mineral resource or environmental data and information; submit reports and maintain records, as specified.	Burden included with individual reporting requirements below		0
20(b) thru (e)	Submit designation of payor, operator, or local representative; submit changes, terminations, notifications.	1	1	1
21(d)	Notify BOEM of preliminary activities	1	1	1
29(a)	Submit monthly report of minerals produced; request extension.	1	1	1
29(b), (c)	Submit quarterly status and final report on exploration and/or testing activities.	5	1	5
29(d)	Submit results of environmental monitoring activities	5	1	5
29(e)	Submit marked and certified maps annually or as required.	1	1	1
29(f)	Maintain rock, minerals, and core samples for 5 years and make available upon request.	1	1	1
29(g)	Maintain original data and information and navigation tapes as long as lease is in effect and make available upon request.	1	1	1
29(h)	Maintain hard mineral records and make available upon request.	1	1	1
Subtotal			9 Responses	17 Hours
Subpart D—Payments				
40	Submit surety, personal bond, or approved alternative.	2	1 Response	2 Hours

BURDEN TABLE—Continued

Citation 30 CFR 582	Reporting or recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
Subpart E—Appeals				
50; 15	File an appeal	Burden exempt under 5 CFR 1320.4(a)(2), (c)		0
Total Burden			20 Responses	212 Hours

Estimated Reporting and Recordkeeping ''Non-Hour Cost'' Burden: There are no non-hour cost burdens associated with this collection.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number.

Comments: We invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- the accuracy of the burden estimates;
- ways to enhance the quality, utility, and clarity of the information to be collected; and
- ways to minimize the burden on respondents.

As required at 5 CFR 1320.8(d), BOEM published a 60-day notice in the **Federal Register** (82 FR 18005, April 14, 2017) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. We received no comments.

Public Availability of Comments: Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold such information, which we will honor to the extent allowable by law. If you wish us to withhold this information, you must state this prominently at the beginning of your comment. However, we will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Authorities: The authorities for this action are the OCS Lands Act, as amended (43 U.S.C. 1334 and 43 U.S.C. 1337(k)(1)), and the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et. seq.*).

Dated: June 13, 2017.

Deanna Meyer-Pietruszka,

Chief, Office of Policy, Regulations, and Analysis.

[FR Doc. 2017–12982 Filed 6–21–17; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF JUSTICE

[OMB Number 1110–0057]

Agency Information Collection Activities; Proposed eCollection; eComments Requested Uniform Crime Reporting Data Collection Instrument Pretesting and Burden Estimation General Clearance

AGENCY: Federal Bureau of Investigation, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: Department of Justice (DOJ), Federal Bureau of Investigation, Criminal Justice Information Services (CJIS) Division will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until July 24, 2017.

FOR FURTHER INFORMATION CONTACT: Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to Mrs. Amy C. Blasher, Unit Chief, Federal Bureau of Investigation, CJIS Division, Module E–3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306; facsimile (304) 625–3566. Written comments and/or suggestions can also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this Information Collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Uniform Crime Reporting Data Collection Instrument Pretesting and Burden Estimation General Clearance.

(3) *Agency form number, if any, and the applicable component of the Department sponsoring the collection:* Agency form number: 1110–0057. Sponsoring component: Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: City, county, state, federal, and tribal law enforcement agencies. Abstract: This clearance provides the UCR Program the ability to conduct pretests which evaluate the validity and reliability of information

collection instruments and determine the level of burden state and local agencies have in reporting crime data to the FBI. The Paperwork Reduction Act only allows for nine respondents in pretesting activities. This clearance request expands the pretesting sample to 30 persons for each of the twelve information collections administered by the UCR Program. Further, the clearance will allow for a brief 5-minute cost and burden assessment for the 18,000 law enforcement agencies participating in the UCR Program.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* There are approximately 18,000 law enforcement agency respondents; calculated estimates indicate 5 minutes for the agency participation cost and burden assessments. There are 300 respondents calculated estimates indicate 60 minutes for the UCR forms pretesting assessments.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are approximately 1,800 hours, annual burden, associated with this information collection.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Suite 3E.405B, Washington, DC 20530.

Dated: June 19, 2017.

Melody Braswell,

Department Clearance Officer, PRA, U.S. Department of Justice.

[FR Doc. 2017–13037 Filed 6–21–17; 8:45 am]

BILLING CODE 4410–02–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[17–038]

Notice of Information Collection

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections.

DATES: All comments should be submitted within 60 calendar days from the date of this publication.

ADDRESSES: All comments should be addressed to Frances Teel, National Aeronautics and Space Administration, 300 E Streets SW., Washington, DC 20546–0001.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA Clearance Officer, NASA Headquarters, 300 E Street SW., JF0000, Washington, DC 20546, (202) 358–2225.

SUPPLEMENTARY INFORMATION:

I. Abstract

Homeland Security Presidential Directive 12 (HSPD–12) established a mandatory requirement for a Government-wide identify verification standard. In compliance with HSPD–12 and the National Institute of Standards and Technology (NIST) Federal Information Processing Standard (FIPS) 201: Personal Identity Verification of Federal Employees and Contractors, and OMB Policy memorandum M–05–24 Implementation of Homeland Security Presidential Directive 12, NASA must collect information from members of the public to: (1) Validate identity and (2) issue secure and reliable federal credentials to enable access to NASA facilities/sites and NASA information systems. Information collected is consistent with background investigation data to include but not limited to name, date of birth, citizenship, social security number (SSN), address, employment history, biometric identifiers (*e.g.,* fingerprints), signature, digital photograph.

NASA collects information from U.S. Citizens requiring access 30 or more days in a calendar year. NASA also collects information from foreign nationals regardless of their affiliation time.

NASA collects, stores, and secures information from individuals identified above in the NASA Identify Management System (IdMAX) in a manner consistent with the Constitution and applicable laws, including the Privacy Act (5 U.S.C. 552a.)

Information is collected via a combination of electronic and paper processes and stored in the NASA Identify Account Exchange (IdMAX) System.

II. Method of Collection

Electronic (90%) and paper (10%).

III. Data

Title: Personal Identity Validation for Routine and Intermittent Access to NASA Facilities, Sites, and Information Systems.

OMB Number: 2700–0158.

Type of Review: Extension without change of a currently approved information collection.

Affected Public: Individuals.

Estimated Number of Respondents: 52,000.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Public Burden Hours: 8,667.

Estimated Total Annual Government Cost: $756,000.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (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 respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Frances Teel,

NASA PRA Clearance Officer.

[FR Doc. 2017–13028 Filed 6–21–17; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[17–037]

Notice of Information Collection

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on the ''Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery''. This collection was developed as part of a Federal Government-wide effort to streamline the process for seeking feedback from the public on service delivery. This notice announces our intent to submit this collection to OMB for approval and solicits comments on

specific aspects for the proposed information collection.

DATES: Consideration will be given to all comments received within 60 calendar days from the date of this publication.

ADDRESSES: All comments should be addressed to Frances Teel, National Aeronautics and Space Administration, Code JF000, Washington, DC 20546–0001, *frances.c.teel@nasa.gov.* Please do not include information of a confidential nature, such as sensitive personal information or proprietary information, in your comments.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA PRA Clearance Officer, NASA Headquarters, 300 E Street SW., Mail Code JF0000, Washington, DC 20546 or *frances.c.teel@nasa.gov*

SUPPLEMENTARY INFORMATION:

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

Abstract: This is an active information collection. The proposed information collection activity provides a means to garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. By qualitative feedback we mean information that provides useful insights on perceptions and opinions, but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management.

The solicitation of feedback will target areas such as: timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, and resolution of issues with service delivery. Responses will be assessed to plan and inform efforts to improve or maintain the quality of service offered to the public. If this information is not collected, vital feedback from customers and stakeholders on the Agency's services will be unavailable.

The Agency will only submit a collection for approval under this generic clearance if it meets the following conditions:

- The collections are voluntary;
- The collections are low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government;
- The collections are non-controversial and do not raise issues of concern to other Federal agencies;
- Any collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future;
- Personally identifiable information (PII) is collected only to the extent necessary and is not retained;
- Information gathered will be used only internally for general service improvement and program management purposes and is not intended for release outside of the agency;
- Information gathered will not be used for the purpose of substantially informing influential policy decisions; and
- Information gathered will yield qualitative information; the collections will not be designed or expected to yield statistically reliable results or used as though the results are generalizable to the population of study.

Feedback collected under this generic clearance provides useful information, but it does not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: the target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

As a general matter, information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Current Actions: Extension of a currently approved collection.

Type of Review: Regular.

Affected Public: Individuals and Households, Businesses or other for-profit, Not-for-profit institutions, State, Local, or Tribal Government.

Average Expected Annual Number of Activities: 1,720.

Average Number of Respondents per Activity: Variable.

Annual Responses: Variable.

Frequency of Response: Variable.

Average Minutes per Response: Variable.

Burden Hours: 142,000.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. 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. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

All written comments will be available for public inspection at: *Regulations.gov*.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information

unless it displays a currently valid Office of Management and Budget control number.

Frances Teel,

NASA PRA Clearance Officer.

[FR Doc. 2017–13027 Filed 6–21–17; 8:45 am]

BILLING CODE 7510–13–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on the Medical Uses of Isotopes: Call for Nominations

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Call for nominations.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is advertising for nominations for the positions of Agreement State representative, nuclear medicine physicist, and Health Care Administrator on the Advisory Committee on the Medical Uses of Isotopes (ACMUI).

DATES: Nominations are due on or before August 21, 2017.

FOR FURTHER INFORMATION CONTACT: Ms. Sophie Holiday, U.S. Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards; (301) 415–7865; *Sophie.Holiday@nrc.gov.*

SUPPLEMENTARY INFORMATION: The ACMUI advises the NRC on policy and technical issues that arise in the regulation of the medical use of byproduct material. Responsibilities include providing comments on changes to the NRC regulations and guidance; evaluating certain non-routine uses of byproduct material; providing technical assistance in licensing, inspection, and enforcement cases; and bringing key issues to the attention of the NRC staff, for appropriate action.

ACMUI members are selected based on their educational background, certification(s), work experience, involvement and/or leadership in professional society activities, and other information obtained in letters or during the selection process.

ACMUI members possess the medical and technical skills needed to address evolving issues. The current membership is comprised of the following professionals: (a) Nuclear medicine physician; (b) nuclear cardiologist; (c) two radiation oncologists; (d) diagnostic radiologist; (e) therapy medical physicist; (f) nuclear medicine physicist; (g) nuclear pharmacist; (h) Health Care Administrator; (i) radiation safety officer; (j) patients' rights advocate; (k) Food and Drug Administration representative; and (l) Agreement State representative.

The NRC is inviting nominations for the positions of Agreement State representative, nuclear medicine physicist, and the Health Care Administrator to the ACMUI. The Agreement State representative position is currently vacant. The terms of the individuals currently occupying the nuclear medicine physicist position and the Health Care Administrator position will end March 08, 2018, and March 23, 2018, respectively. Committee members currently serve a 4-year term and may be considered for reappointment to an additional term.

Nominees must be U.S. citizens and be able to devote approximately 160 hours per year to Committee business. Members who are not Federal employees are compensated for their service. In addition, members are reimbursed for travel (including per-diem in lieu of subsistence) and are reimbursed secretarial and correspondence expenses. Full-time Federal employees are reimbursed for travel expenses only.

Nomination Process: Submit an electronic copy of resume or curriculum vitae to Ms. Sophie Holiday, *Sophie.Holiday@nrc.gov.* Please ensure that the resume or curriculum vitae includes the following information, if applicable: Education; certification; current state regulatory experience; professional association membership and committee membership activities; duties and responsibilities in current and previous clinical, research, and/or academic position(s); and leadership activities. Nominees for the Agreement State representative position must currently be an employee of an Agreement State Radiation Control Program. Nominees for the nuclear medicine physicist position should have professional experience with the application of medical physics in nuclear medicine. Nominees for the Health Care Administrator position should have professional or personal experience with or knowledge about Health Care Administration.

Security Background Check: The selected nominee will undergo a thorough security background check. Security paperwork may take the nominee several weeks to complete. Nominees will also be required to complete a financial disclosure statement to avoid conflicts of interest.

Dated at Rockville, Maryland this 19th day of June, 2017.

For the U.S. Nuclear Regulatory Commission.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 2017–13038 Filed 6–21–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–250, 50–260, and 50–296; NRC–2015–0288]

Browns Ferry Nuclear Plant, Units 1, 2, and 3

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; withdrawal by applicant.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has granted the request of the Tennessee Valley Authority (TVA, the licensee) to withdraw its license amendment request (LAR) dated September 16, 2015, as supplemented by letters dated April 15, April 29, May 11, May 25, June 16, August 24, and September 15, 2016, for a proposed amendment to Renewed Facility Operating License (RFOL) Nos. DPR–33, DPR–52, and DPR–68, for the Browns Ferry Nuclear Plant (BFN), Units 1, 2, and 3. The proposed amendment would have revised the BFN, Units 1 and 2 Technical Specifications (TSs) by adding a new specification governing the safety functions for the emergency core cooling system preferred pump logic, common accident signal logic, and the unit priority re-trip logic. In addition, the LAR relocated the BFN, Unit 3, requirements for common accident signal logic and unit priority re-trip logic to a new specification governing the safety functions for the common accident signal logic and the unit priority re-trip logic for consistency with the changes to the BFN, Units 1 and 2, TSs.

DATES: June 22, 2017.

ADDRESSES: Please refer to Docket ID NRC–2015–0288 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0288. 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: Farideh Saba, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001; telephone: 301–415–1447; email: *Farideh.Saba@nrc.gov.*

SUPPLEMENTARY INFORMATION: The NRC has granted the request of the TVA to withdraw its September 16, 2015, application for the proposed amendment to RFOLs for Browns Ferry, located in Limestone County, AL.

By letter dated September 16, 2015 (ADAMS Accession No. ML15260B125), as supplemented by letters dated April 15, April 29, May 11, May 25, June 16, August 24, and September 15, 2016 (ADAMS Accession Nos. ML16106A323, ML16123A071, ML16133A566, ML16146A725, ML16169A179, ML16237A418, and ML16260A098, respectively), TVA submitted a LAR to the BFN, Units 1, 2, and 3, Renewed Facility Operating License Nos. DPR–33, DPR–52, and DPR–68, respectively. The proposed amendment would revise the BFN, Units 1 and 2, TSs by adding a new specification governing the safety functions for the emergency core cooling system preferred pump logic, common accident signal logic, and the unit priority re-trip logic. In addition, the LAR would relocate the BFN, Unit 3, requirements for common accident signal logic and unit priority re-trip logic to a new specification governing the safety functions for the common accident signal logic and the unit priority re-trip logic for consistency with the changes to the TSs for BFN, Units 1 and 2.

The NRC published a biweekly notice in the **Federal Register** on January 5, 2016 (81 FR 265), that gave notice that this proposed amendment was under consideration by the NRC. However, by letter dated May 8, 2017 (ADAMS Accession No ML17128A486), the licensee requested to withdraw the proposed amendment.

Dated at Rockville, Maryland, this 7th day of June 2017.

For the Nuclear Regulatory Commission.

Farideh E. Saba,

Senior Project Manager, Plant Licensing Branch II–2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2017–13052 Filed 6–21–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2016–0123]

Information Collection: Licenses for Radiography and Radiation Safety Requirements for Radiographic Operations

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is titled ''Licenses for Radiography and Radiation Safety Requirements for Radiographic Operations.''

DATES: Submit comments by July 24, 2017.

ADDRESSES: Submit comments directly to the OMB reviewer at: Aaron Szabo, Desk Officer, Office of Information and Regulatory Affairs, OMB 3150–0007, NEOB–10202, Office of Management and Budget, Washington, DC 20503; telephone: 202–395–3621, email: *oira_submission@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: David Cullison, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *INFOCOLLECTS.Resource@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2016–0123 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

• *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2016–0123.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The supporting statement is available in ADAMS under Accession No. ML17156A778.

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

• *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *Infocollects.Resource@nrc.gov.*

B. Submitting Comments

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at *http://www.regulations.gov* and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently

submitted a request for renewal of an existing collection of information to OMB for review titled ''Licenses for Radiography and Radiation Safety Requirements for Radiographic Operations.'' The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on March 17, 2017 (82 FR 14236).

1. *The title of the information collection:* ''10 CFR part 34, Licenses for Radiography and Radiation Safety Requirements for Radiographic Operations.''
2. *OMB approval number:* 3150–0007.
3. *Type of submission:* Extension.
4. *The form number if applicable:* N/A.
5. *How often the collection is required or requested:* Applications for new licenses and amendments may be submitted at any time (on occasion). Applications for renewal are submitted every 10 years. Reports are submitted as events occur.
6. *Who will be required or asked to respond:* Applicants for and holders of specific licenses authorizing the use of licensed radioactive material for radiography.
7. *The estimated number of annual responses:* 3,031 (141 reporting responses + 2,312 third-party disclosure responses + 578 recordkeepers).
8. *The estimated number of annual respondents:* 578 (500 Agreement State licensees plus 78 NRC licensees).
9. *An estimate of the total number of hours needed annually to comply with the information collection requirement or request:* 260,457 hours (2,770 reporting + 234,741 recordkeeping + 22,946 third party disclosure).
10. *Abstract:* Part 34 of title 10 of the *Code of Federal Regulations* (10 CFR) establishes radiation safety requirements for the use of radioactive material in industrial radiography. The information in the applications, reports, and records is used by the NRC staff to ensure that the health and safety of the public is protected and that licensee possession and use of source and byproduct material is in compliance with license and regulatory requirements.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2017–13011 Filed 6–21–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 30–34221; License No. 21–26748–01; EA–16–282; NRC–2017–0147]

In the Matter of Tilden Mining, L.C.

AGENCY: Nuclear Regulatory Commission.

ACTION: Confirmatory order; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a Confirmatory Order to Tilden Mining Company, L.C. (Tilden Mining) as a result of an agreement reached during an Alternative Dispute Resolution mediation session conducted on May 8, 2017. The mediation session was conducted to reach agreement on the corrective actions to be implemented by Tilden Mining in response to apparent violations involving the failure to implement a security program in accordance with NRC requirements. The Confirmatory Order documents the corrective action commitments made by Tilden Mining and is effective on July 14, 2017.

DATES: *Effective Date:* June 14, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0147 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–2017–0147. 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: Kenneth J. Lambert, Region III, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 630–710–4376; email: *Kenneth.Lambert@nrc.gov.*

SUPPLEMENTARY INFORMATION: The text of the Order is attached.

Dated at Lisle, Illinois, this 16th day of June 2017.

For the Nuclear Regulatory Commission.

Cynthia D. Pederson,

Regional Administrator, NRC Region III.

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

In the Matter of Tilden Mining Company L.C.

Docket No. 30–34221

License No. 21–26748–01

EA–16–282

CONFIRMATORY ORDER MODIFYING LICENSE (EFFECTIVE UPON ISSUANCE) (NRC–2017–0147)

I

Tilden Mining Company L.C. (Tilden Mining or Licensee) is the holder of byproduct material License No. 21–26748–01 issued on June 3, 2014, by the U.S. Nuclear Regulatory Commission (NRC or Commission) pursuant to Part 30 of Title 10 of the *Code of Federal Regulations* (CFR). The license authorizes the possession and use of fixed gauges and silica analyzers at the Tilden Mine in accordance with conditions specified therein. The facility is located on the Licensee's site in Marquette County, Michigan.

This Confirmatory Order is the result of an agreement reached during an Alternative Dispute Resolution (ADR) mediation session conducted on May 8, 2017.

II

On March 9, 2017, the NRC issued Inspection Report 03034221/2016001(DNMS) to Tilden Mining, which documented the identification of apparent violations that were being considered for escalated enforcement action in accordance with the NRC Enforcement Policy. The apparent violations involved the failure to implement its security program in accordance with NRC requirements.

By letter, dated March 9, 2017, the NRC notified Tilden Mining of the results of the inspection with an opportunity to: (1) Provide a response in writing, (2) attend a predecisional

enforcement conference or (3) participate in an ADR mediation session in an effort to resolve these concerns.

In response to the NRC's offer, Tilden Mining requested the use of the NRC's ADR process to resolve differences it had with the NRC. On May 8, 2017, the NRC and Tilden Mining met in an ADR session mediated by a professional mediator, arranged through Cornell University's Institute on Conflict Resolution. The ADR process is one in which a neutral mediator, with no decision-making authority, assists the parties in reaching an agreement on resolving any differences regarding the dispute. This Confirmatory Order is issued pursuant to the agreement reached during the ADR process.

III

During the ADR session, Tilden Mining and the NRC reached a preliminary settlement in an Agreement in Principal. The elements of the agreement include the following:

Tilden Mining has already taken a number of corrective actions including:

1. Repaired the alarm;

2. Installed a more robust door-access system; and

3. Initiated training for appropriate personnel on the operation of the new alarm system.

Therefore, the parties agree to the following terms and conditions:

1. Tilden Mining shall establish a Radioactive Material Oversight Committee to oversee the implementation of the Licensee's programs for radiation safety and radioactive source security. The Committee shall review and update the scope of work and documentation requirements for the Licensee's annual radiation safety and security audits/program reviews.

The Committee shall be comprised of the Radiation Safety Officer (RSO), the RSO's Manager, the Site General Manager, and other relevant stakeholders.

The Committee shall be established and hold its first meeting no later than September 30, 2017. Thereafter, the Committee shall at a minimum meet three times in 2018, twice in 2019, and annually thereafter until December 31, 2022.

The Committee shall review annual audits/program reviews and the effectiveness reviews required by paragraph 2 of this Agreement in Principle and ensure corrective actions are implemented, as appropriate. The Committee shall ensure that corrective actions and tasks required to ensure compliance are adequately documented and controlled within the Licensee's work-tracking system.

The Committee shall maintain records of its meetings to enable NRC inspection.

2. Tilden Mining shall complete two effectiveness reviews of the corrective actions taken in response to the Confirmatory Order. Each effectiveness review supplements the annual audits/program reviews required by NRC regulations and may be combined with those required audits/reviews. Each effectiveness review shall be conducted by an independent consultant.

The first effectiveness review shall be conducted no later than December 31, 2018, and the second shall be conducted no later than December 31, 2020.

The scope of each effectiveness review shall include review of Radioactive Material Oversight Committee activities and the effectiveness and sustainability of the corrective actions taken in response to the Confirmatory Order.

The Licensee shall provide a copy of the results of each effectiveness review to the Director, Division of Nuclear Materials Safety (DNMS), Region III, within 150 days of the Licensee's receipt of the consultant's final report. If the results indicate a potential or apparent violation of NRC requirements, the NRC will conduct an inspection to determine the facts and assess the significance prior to proposing any enforcement action.

3. For a period of 5 years from the date of the Confirmatory Order, Tilden Mining shall reflect in its work-tracking system tasks governing:

a. Annual coordination with the local law enforcement authority;

b. Twice yearly alarm system testing;

c. Any corrective actions directed by the Radioactive Material Oversight Committee; and

d. Maintenance pertinent to security systems required under the applicable regulation.

4. For a period of 5 years from the date of the Confirmatory Order, Tilden Mining shall provide annual training to affected personnel on the access control and alarm response requirements of the applicable regulations and the Licensee's implementing procedures.

Based on the completed actions described above, and the commitments described in Section V below, the NRC agrees not to pursue any further enforcement action in connection with the NRC's March 9, 2017, letter to Tilden Mining and not to issue a civil penalty. The NRC considers the Confirmatory Order as an escalated enforcement action; however, it will not be considered an escalated enforcement action by the NRC for future assessment of violations occurring at Tilden Mining.

On June 13, 2017, Tilden Mining consented to issuing this Confirmatory Order with the commitments, as described in Section V below. Tilden Mining further agreed that this Confirmatory Order is to be effective upon issuance, the agreement memorialized in this Confirmatory Order settles the matter between the parties, and that it has waived its right to a hearing.

IV

I find that Tilden Mining's actions completed, as described in Section III above, combined with the commitments as set forth in Section V are acceptable and necessary, and conclude that with these commitments the public health and safety are reasonably assured. In view of the foregoing, I have determined that public health and safety require that Tilden Mining's commitments be confirmed by this Confirmatory Order. Based on the above and Tilden Mining's consent, this Confirmatory Order is effective upon issuance.

By no later than thirty (30) days after the completion of the commitments specified in Section V, Tilden Mining Company L.C. is required to notify the NRC in writing and summarize its actions.

V

Accordingly, pursuant to Sections 81, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR part 37, it is hereby ordered, effective upon issuance, that license No. 21–26748–01 is modified as follows:

1. Tilden Mining shall establish a Radioactive Material Oversight Committee to oversee the implementation of the Licensee's programs for radiation safety and radioactive source security. The Committee shall review and update the scope of work and documentation requirements for the Licensee's annual radiation safety and security audits/program reviews.

The Committee shall be comprised of the Radiation Safety Officer, the RSO's Manager, the Site General Manager, and other relevant stakeholders.

The Committee shall be established and hold its first meeting no later than September 30, 2017. Thereafter, the Committee shall at a minimum meet three times in 2018, twice in 2019, and annually thereafter until December 31, 2022.

The Committee shall review annual audits/program reviews and the effectiveness reviews required by paragraph 2 of this section and ensure corrective actions are implemented, as appropriate. The Committee shall ensure that corrective actions and tasks required to ensure compliance are adequately documented and controlled within the Licensee's work-tracking system.

The Committee shall maintain records of its meetings to enable NRC inspection.

2. Tilden Mining shall complete two effectiveness reviews of the corrective actions taken in response to this Confirmatory Order. Each effectiveness review supplements the annual audits/program reviews required by NRC regulations and may be combined with those required audits/reviews. Each effectiveness review shall be conducted by an independent consultant.

The first effectiveness review shall be conducted no later than December 31, 2018, and the second shall be conducted no later than December 31, 2020.

The scope of each effectiveness review shall include review of Radioactive Material Oversight Committee activities and the effectiveness and sustainability of the corrective actions taken in response to the Confirmatory Order.

Tilden Mining shall provide a copy of the results of each effectiveness review to the Director, DNMS, Region III, within 150 days of the Licensee's receipt of the consultant's final report. If the results indicate a potential or apparent violation of NRC requirements, the NRC will conduct an inspection to determine the facts and assess the significance prior to proposing any enforcement action.

3. For a period of 5 years from the date of the Confirmatory Order, Tilden Mining shall reflect in its work-tracking system tasks governing:

a. Annual coordination with the local law enforcement;

b. Twice yearly alarm system testing;

c. Any corrective actions directed by the Radioactive Material Oversight Committee; and

d. Maintenance pertinent to security systems required under the applicable regulations.

4. For a period of 5 years from the date of this Confirmatory Order, Tilden Mining shall provide annual training to affected personnel on the access control and alarm response requirements of the applicable regulations and the Licensee's implementing procedures.

In the event of the transfer of the operating license of Tilden Mining to another entity, the terms and conditions set forth in this Confirmatory Order shall continue to apply and accordingly survive any transfer of ownership or license.

The Regional Administrator, Region III may, in writing, relax or rescind any of the above conditions upon demonstration by Tilden Mining or its successors of good cause.

VI

In accordance with 10 CFR 2.202 and 10 CFR 2.309, any person adversely affected by this Confirmatory Order, other than Tilden Mining, may request a hearing within thirty (30) calendar days of the date of issuance of this Confirmatory Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension.

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene (hereinafter ''petition''), and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562, August 3, 2012). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit adjudicatory documents. Submissions must be in Portable Document Format (PDF). Additional guidance on PDF submissions is available on the NRC's public Web site at *http://www.nrc.gov/site-help/electronic-sub-ref-mat.html.* A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–

0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket, which is available to the public at *http://adams.nrc.gov/ehd,* unless excluded pursuant to an order of the Commission or the presiding officer. If you do not have an NRC-issued digital ID certificate as described above, click cancel when the link requests certificates and you will be automatically directed to the NRC's electronic hearing dockets where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. For example, in some instances, individuals provide home addresses in order to demonstrate proximity to a facility or site. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

The Commission will issue a Notice or Order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

If a person (other than Tilden Mining) requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Confirmatory Order and shall address the criteria set forth in 10 CFR 2.309(d) and (f).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearings. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section V above shall be final 30 days from the date of this Confirmatory Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section V shall be final when the extension expires if a hearing request has not been received.

For the Nuclear Regulatory Commission.

Dated this 14th day of June 2017.

Cynthia D. Pederson

Regional Administrator, NRC Region III.

[FR Doc. 2017–13000 Filed 6–21–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–289 and 50–320; NRC–2017–0146]

Exelon Generation Company, LLC; Three Mile Island Nuclear Station, Units 1 and 2

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Renewed Facility Operating License No. DPR–50 held by Exelon Generation Company, LLC (Exelon, the licensee) for the operation of Three Mile Island Nuclear Station (TMI), Units 1 and 2, located in Dauphin County, Pennsylvania. The proposed amendment would allow for changes to TMI's Radiological Emergency Plan Annex staffing levels to align with Exelon's standard fleet Emergency Response Organization (ERO) framework. In accordance with the Possession-Only License No. DPR–73 Post-Defueling Monitored Storage Safety Analysis Report for TMI, Unit 2, the emergency plan for Unit 1 is considered to encompass Unit 2. Therefore, an amendment to the Unit 2 license is not required. The NRC is issuing an environmental assessment (EA) and finding of no significant impact (FONSI) associated with the proposed license amendment.

DATES: The EA referenced in this document is available on June 22, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0146 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–2017–0146. 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: Justin C. Poole, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001; telephone: 301–415–2048; email: *Justin.Poole@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering issuance of a license amendment pursuant to section 50.54 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Conditions of licenses,'' paragraph (q), ''Emergency plans,'' to Renewed Facility Operating License No DPR–50 held by Exelon for the operation of TMI, Units 1 and 2, located in Dauphin County, Pennsylvania. In accordance with 10 CFR 51.21, the NRC performed the following EA that analyzes the environmental impacts of the proposed

licensing action. Based on the results of this EA, and in accordance with 10 CFR 51.31(a), the NRC has determined not to prepare an environmental impact statement for the proposed licensing action, and is issuing a FONSI.

II. Environmental Assessment

Description of the Proposed Action

The proposed action would revise the Radiological Emergency Plan Annex for TMI in order to allow changes to staffing levels to align with Exelon's standard fleet ERO framework. The proposed changes would decrease the on-shift radiation protection technician staffing from three to two technicians. The proposed amendment would also make changes to the staffing of on-shift maintenance personnel. Specifically, the amendment would: (1) Revise the on-shift position of operations support center director (renamed repair team lead) to remove the requirement that the position be from the maintenance organization; (2) remove two dedicated maintenance technicians from the on-shift staffing total; and (3) remove two additional personnel from the repair and corrective actions major task and assign them to respond within 60 minutes, as well as one additional staff person to respond within 90 minutes.

The proposed action is in accordance with the licensee's application dated July 15, 2016 (ADAMS Package Accession No. ML16201A306), as supplemented by letter dated February 13, 2017 (ADAMS Accession No. ML17045A036).

Need for the Proposed Action

Nuclear power plant owners, government agencies, and state and local officials work together to create a system for emergency preparedness and response that will serve the public in the unlikely event of an emergency. An effective emergency preparedness program decreases the likelihood of an initiating event at a nuclear power reactor proceeding to a severe accident. Emergency preparedness cannot affect the probability of the initiating event, but a high level of emergency preparedness increases the probability of accident mitigation if the initiating event proceeds beyond the need for initial operator actions.

Each licensee is required to establish emergency plans to be implemented in the event of an accident. These emergency plans, in part, cover preparations for evacuation, sheltering, and other actions to protect individuals near plants in the event of an accident.

The NRC, as well as other Federal and state regulatory agencies, reviews emergency plans to ensure that the condition of emergency preparedness provides reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency.

Separate from this environmental assessment, the NRC staff is performing a safety assessment of Exelon's proposed changes to the emergency plan for TMI. This safety review will be documented in a safety evaluation report. The safety evaluation report will determine whether, with the proposed changes to the emergency plan for TMI, there continues to be reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency at TMI, in accordance with the standards of 10 CFR 50.47(b) and the requirements in appendix E to 10 CFR part 50.

The proposed action is needed to align TMI's Radiological Emergency Plan Annex staffing levels with Exelon's standard fleet ERO framework. This will improve consistency throughout the Exelon fleet regarding the application of operating experience and process improvements from other Exelon fleet sites and will provide flexibility in staffing ERO positions with qualified personnel from either the operations or maintenance organizations.

Environmental Impacts of the Proposed Action

The NRC staff has completed its evaluation of the environmental impacts of the proposed action.

The proposed action consists mainly of administrative changes related to the staffing levels and positions of the TMI emergency plan. These changes include (a) decreasing radiation protection technician staffing from three to two technicians, (b) renaming the on-shift ''operations support center director'' to ''repair team lead'' and removing the requirement that the position be filled by a ''maintenance team lead,'' (c) removing two dedicated maintenance technicians from the on-shift staffing total, (d) removing one Mechanical and one Electrical/Instrumentation and Control Maintenance Technician assigned concurrent duties, and (e) adding one Mechanical Maintenance Technician and one Electrical Maintenance Technician as 60-minute augmentation responders and one Maintenance Instrumentation and Control Technician as a 90-minute augmentation responder.

With regard to potential non-radiological environmental impacts, the proposed changes would have no direct impacts on land use or water resources, including terrestrial and aquatic biota, as they involve no new construction or modification of plant operational systems. There would be no changes to the quality or quantity of non-radiological effluents and no changes to the plant's National Pollutant Discharge Elimination System permit are needed. Changes in staffing levels could result in minor changes in vehicular traffic and associated air pollutant emissions, but no significant changes in ambient air quality would be expected from the proposed changes. In addition, there would be no noticeable effect on socioeconomic conditions in the region, no environment justice impacts, and no impacts to historic and cultural resources from the proposed changes. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

With regard to potential radiological environmental impacts, if the NRC staff's safety review of the proposed changes to the TMI emergency plan determines that, with the proposed changes, the emergency plan continues to meet the standards of 10 CFR 50.47(b) and the requirements in appendix E to 10 CFR part 50, then the proposed action would not increase the probability or consequences of radiological accidents. Additionally, the NRC staff has concluded that the proposed changes would have no direct radiological environmental impacts. There would be no change to the types or amounts of radioactive effluents that may be released and, therefore, no change in occupational or public radiation exposure from the proposed changes. Moreover, no changes would be made to plant buildings or the site property from the proposed changes. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the NRC staff considered denial of the proposed action (*i.e.,* the ''no-action'' alternative). Denial of the license amendment request would result in no change in current environmental impacts. Accordingly, the environmental impacts of the proposed action and the no-action alternative are similar.

Alternative Use of Resources

The proposed action does not involve the use of any different resources than those previously considered.

Agencies and Persons Consulted

No additional agencies or persons were consulted regarding the

environmental impact of the proposed action.

III. Finding of No Significant Impact

Pursuant to 10 CFR 50.54(q), the licensee has requested a license amendment to Renewed Facility Operating License No. DPR–50 for the operation of TMI to allow staffing changes to the Radiological Emergency Plan Annex for TMI. The NRC is considering issuing the requested amendment. On the basis of the EA included in Section II of this document and incorporated by reference into this finding, the NRC concludes that the proposed action would not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

The related environmental document is NUREG–1437, ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 37, Regarding Three Mile Island Nuclear Station, Unit 1, Final Report,'' and is available for public inspection at ADAMS Accession No. ML091751063. NUREG–1437, Supplement 37, provides the latest environmental review of current operations and a description of environmental conditions at TMI.

Dated at Rockville, Maryland, this 14th day of June 2017.

For the Nuclear Regulatory Commission.

Booma Venkataraman,

Project Manager, Plant Licensing Branch I, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2017–13053 Filed 6–21–17; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket No. CP2017–214]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning rates not of general applicability for Inbound Parcel Post (at Universal Postal Union (UPU) Rates). This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* June 26, 2017.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to rates not of general applicability for Inbound Parcel Post (at Universal Postal Union (UPU) Rates).

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's Web site (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.40.

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* CP2017–214; *Filing Title:* Notice of the United States Postal Service of Filing Changes in Rates Not of General Applicability for Inbound Parcel Post (at UPU Rates), and Application for Non-Public Treatment; *Filing Acceptance Date:* June 16, 2017; *Filing Authority:* 39 U.S.C. 3633 and 39 CFR 3015.5; *Public Representative:* Katalin K. Clendenin; *Comments Due:* June 26, 2017.

This Notice will be published in the **Federal Register**.

Stacy L. Ruble,

Secretary.

[FR Doc. 2017–13069 Filed 6–21–17; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80952; File No. SR–NASDAQ–2017–059]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing of a Proposed Rule Change To Adopt Rule 6896 and Chapter IX, Section 9

June 16, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 8, 2017, The NASDAQ Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II, below, which Items have been prepared by 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 proposes to adopt Rule 6896 and Chapter IX, Section 9 (Consolidated Audit Trail—Fee Dispute Resolution) to establish the procedures for resolving potential disputes related to CAT Fees charged to Industry Members.[3]

The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaq.cchwallstreet.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Unless otherwise specified, capitalized terms used in this rule filing are defined as set forth herein, or in the Consolidated Audit Trail Funding Fees Rule, the CAT Compliance Rule Series or in the CAT NMS Plan.

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

Bats BYX Exchange, Inc., Bats BZX Exchange, Inc., Bats EDGA Exchange, Inc., Bats EDGX Exchange, Inc., BOX Options Exchange LLC, C2 Options Exchange, Incorporated, Chicago Board Options Exchange, Incorporated, Chicago Stock Exchange, Inc., Financial Industry Regulatory Authority, Inc. (''FINRA''), Investors' Exchange LLC, Miami International Securities Exchange, LLC, MIAX PEARL, LLC, NASDAQ BX, Inc., Nasdaq GEMX, LLC, Nasdaq ISE, LLC, Nasdaq MRX, LLC,[4] NASDAQ PHLX LLC, The NASDAQ Stock Market LLC, New York Stock Exchange LLC, NYSE MKT LLC, NYSE Arca, Inc. and NYSE National, Inc.[5] (collectively, the ''Participants'') filed with the Commission, pursuant to Section 11A of the Exchange Act[6] and Rule 608 of Regulation NMS thereunder,[7] the National Market System Plan Governing the Consolidated Audit Trail (the ''CAT NMS Plan'' or ''Plan'').[8] The Participants filed the Plan to comply with Rule 613 of Regulation NMS under the Exchange Act. The Plan was published for comment in the **Federal Register** on May 17, 2016,[9] and approved by the Commission, as modified, on November 15, 2016.[10] The Plan is designed to create, implement and maintain a consolidated audit trail (''CAT'') that would capture customer and order event information for orders in NMS Securities and OTC Equity Securities, across all markets, from the time of order inception through routing, cancellation, modification, or execution in a single consolidated data source. The Plan accomplishes this by creating CAT NMS, LLC (the ''Company''), of which each Participant is a member, to operate the CAT.[11] Under the CAT NMS Plan, the Operating Committee of the Company (''Operating Committee'') has discretion to establish funding for the Company to operate the CAT, including establishing fees that the Participants will pay, and establishing fees for Industry Members that will be implemented by the Participants (''CAT Fees'').[12] The Participants are required to file with the SEC under Section 19(b) of the Exchange Act any such CAT Fees applicable to Industry Members that the Operating Committee approves.[13] Accordingly, the Exchange has filed a proposed rule change with the SEC to adopt the Consolidated Audit Trail Funding Fees, which will require Industry Members that are Exchange members to pay the CAT Fees determined by the Operating Committee.[14] The Exchange submits this rule filing to adopt Rule 6896 and Chapter IX, Section 9 (Consolidated Audit Trail—Fee Dispute Resolution) to establish the procedures for resolving potential disputes related to CAT Fees charged to Industry Members. The proposed rules are described below.

(1) Definitions

Paragraph (a) of Proposed Rule 6896 and Chapter IX, Section 9 sets forth the definitions for Proposed Rule 6896 and Chapter IX, Section 9. Paragraph (a)(1) of Proposed Rule 6896 and Chapter IX, Section 9 states that, for purposes of Rule 6896 and Chapter IX, Section 9, the terms ''CAT NMS Plan'', ''Industry Member'', ''Operating Committee'', and ''Participant'' are defined as set forth in the Rule 6810 and Chapter IX, Section 8(a) (Consolidated Audit Trail—Definitions), respectively, and the term ''CAT Fee'' is defined as set forth in the Consolidated Audit Trail Funding Fees. In addition, the Exchange proposes to add paragraph (a)(2) to Proposed Rule 6896 and Chapter IX, Section 9. New paragraph (a)(2) would define the term ''Subcommittee'' to mean a subcommittee designated by the Operating Committee pursuant to the CAT NMS Plan. This definition is the same substantive definition as set forth in Section 1.1 of the CAT NMS Plan.

(2) Fee Dispute Resolution

Section 11.5 of the CAT NMS Plan requires Participants to adopt rules requiring that disputes with respect to fees charged to Industry Members pursuant to the CAT NMS Plan be determined by the Operating Committee or Subcommittee. Section 11.5 of the CAT NMS Plan also states that decisions by the Operating Committee or Subcommittee on such matters shall be binding on Industry Members, without prejudice to the right of any Industry Member to seek redress from the SEC pursuant to SEC Rule 608 or in any other appropriate forum. The Exchange proposes to adopt paragraph (b) of Proposed Rule 6896 and Chapter IX, Section 9. Paragraph (b) of Proposed Rule 6896 and Chapter IX, Section 9 states that disputes initiated by an Industry Member with respect to CAT Fees charged to such Industry Member pursuant to the Consolidated Audit Trail Funding Fees, including disputes related to the designated tier and the fee calculated pursuant to such tier, shall be resolved by the Operating Committee, or a Subcommittee designated by the Operating Committee, of the CAT NMS Plan, pursuant to the Fee Dispute Resolution Procedures adopted pursuant to the CAT NMS Plan and set forth in paragraph (c) of Proposed Rule 6896 and Chapter IX, Section 9. Decisions on such matters shall be binding on Industry Members, without prejudice to the rights of any such Industry Member to seek redress from the SEC or in any other appropriate forum.

The Operating Committee has adopted ''Fee Dispute Resolution Procedures'' governing the manner in which disputes regarding CAT Fees charged pursuant to the Consolidated Audit Trail Funding Fees will be addressed. These Fee Dispute Resolution Procedures, as they relate to Industry Members, are set forth in paragraph (c) of Proposed Rule 6896 and

[4] ISE Gemini, LLC, ISE Mercury, LLC and International Securities Exchange, LLC have been renamed Nasdaq GEMX, LLC, Nasdaq MRX, LLC, and Nasdaq ISE, LLC, respectively. *See* Securities Exchange Act Release No. 80248 (March 15, 2017), 82 FR 14547 (March 21, 2017); Securities Exchange Act Release No. 80326 (March 29, 2017), 82 FR 16460 (April 4, 2017); and Securities Exchange Act Release No. 80325 (March 29, 2017), 82 FR 16445 (April 4, 2017).

[5] National Stock Exchange, Inc. has been renamed NYSE National, Inc. *See* Securities Exchange Act Release No. 79902 (January 30, 2017), 82 FR 9258 (February 3, 2017).

[6] 15 U.S.C. 78k–1.

[7] 17 CFR 242.608.

[8] *See* Letter from the Participants to Brent J. Fields, Secretary, Commission, dated September 30, 2014; and Letter from Participants to Brent J. Fields, Secretary, Commission, dated February 27, 2015. On December 24, 2015, the Participants submitted an amendment to the CAT NMS Plan. *See* Letter from Participants to Brent J. Fields, Secretary, Commission, dated December 23, 2015.

[9] Securities Exchange Act Release No. 77724 (April 27, 2016), 81 FR 30614 (May 17, 2016).

[10] Securities Exchange Act Rel. No. 79318 (November 15, 2016), 81 FR 84696 (November 23, 2016) (''Approval Order'').

[11] The Plan also serves as the limited liability company agreement for the Company.

[12] Section 11.1(b) of the CAT NMS Plan.

[13] *Id.*

[14] *See* Securities Exchange Act Release No. 80655 (May 11, 2017), 82 FR 22692 (May 17, 2017) (SR–NASDAQ–2017–044) [sic].

Chapter IX, Section 9. Specifically, the Fee Dispute Resolution Procedures provide the procedure for Industry Members that dispute CAT Fees charged to such Industry Member pursuant to one or more of the Participants' Consolidated Audit Trail Funding Fees Rules, including disputes related to the designated tier and the fee calculated pursuant to such tier, to apply for an opportunity to be heard and to have the CAT Fees charged to such Industry Member reviewed. The Procedures are modeled after the adverse action procedures adopted by various exchanges,[15] and will be posted on the Web site for the CAT NMS Plan Web site.[16]

Under these Procedures, an Industry Member that disputes CAT Fees charged to such Industry Member and that desires to have an opportunity to be heard with respect to such disputed CAT Fees must file a written application with the Company within 15 business days after being notified of such disputed CAT Fees. The application must identify the disputed CAT Fees, state the specific reasons why the applicant takes exception to such CAT Fees, and set forth the relief sought. In addition, if the applicant intends to submit any additional documents, statements, arguments or other material in support of the application, the same should be so stated and identified.

The Company will refer applications for hearing and review promptly to the Subcommittee designated by the Operating Committee pursuant to Section 4.12 of the CAT NMS Plan with responsibility for conducting the reviews of CAT Fee disputes pursuant to these Procedures. This Subcommittee will be referred to as the Fee Review Subcommittee. The members of the Fee Review Subcommittee will be subject to the provisions of Section 4.3(d) of the CAT NMS Plan regarding recusal and Conflicts of Interest. The Fee Review Subcommittee will keep a record of the proceedings.

The Fee Review Subcommittee will hold hearings promptly. The Fee Review Subcommittee will set a hearing date. The parties to the hearing shall furnish the Fee Review Subcommittee with all materials relevant to the proceedings at least 72 hours prior to the date of the hearing. Each party will have the right to inspect and copy the other party's materials prior to the hearing.

The parties to the hearing will consist of the applicant and a representative of the Company who shall present the reasons for the action taken by the Company that allegedly aggrieved the applicant. The applicant is entitled to be accompanied, represented and advised by counsel at all stages of the proceedings.

The Fee Review Subcommittee will determine all questions concerning the admissibility of evidence and will otherwise regulate the conduct of the hearing. Each of the parties will be permitted to make an opening statement, present witnesses and documentary evidence, cross examine opposing witnesses and present closing arguments orally or in writing as determined by the Fee Review Subcommittee. The Fee Review Subcommittee also will have the right to question all parties and witnesses to the proceeding. The Fee Review Subcommittee must keep a record of the hearing. The formal rules of evidence will not apply.

The Fee Review Subcommittee must set forth its decision in writing and send the written decision to the parties to the proceeding. Such decisions will contain the reasons supporting the conclusions of the Fee Review Subcommittee.

The decision of the Fee Review Subcommittee will be subject to review by the Operating Committee either on its own motion within 20 business days after issuance of the decision or upon written request submitted by the applicant within 15 business days after issuance of the decision. The applicant's petition must be in writing and must specify the findings and conclusions to which the applicant objects, together with the reasons for such objections. Any objection to a decision not specified in writing will be considered to have been abandoned and may be disregarded. Parties may petition to submit a written argument to the Operating Committee and may request an opportunity to make an oral argument before the Operating Committee. The Operating Committee will have sole discretion to grant or deny either request.

The Operating Committee will conduct the review. The review will be made upon the record and will be made after such further proceedings, if any, as the Operating Committee may order. Based upon such record, the Operating Committee may affirm, reverse or modify, in whole or in part, the decision of the Fee Review Subcommittee. The decision of the Operating Committee will be in writing, will be sent to the parties to the proceeding and will be final.

The Procedures state that a final decision regarding the disputed CAT Fees by the Operating Committee, or the Fee Review Subcommittee (if there is no review by the Operating Committee), must be provided within 90 days of the date on which the Industry Member filed a written application regarding disputed CAT Fees with the Company. The Operating Committee may extend the 90-day time limit at its discretion.

In addition, the Procedures state that any notices or other documents may be served upon the applicant either personally or by leaving the same at its, his or her place of business or by deposit in the United States post office, postage prepaid, by registered or certified mail, addressed to the applicant at its, his or her last known business or residence address. The Procedures also state that any time limits imposed under the Procedures for the submission of answers, petitions or other materials may be extended by permission of the Operating Committee. All papers and documents relating to review by the Fee Review Subcommittee or the Operating Committee must be submitted to the Fee Review Subcommittee or Operating Committee, as applicable.

The Procedures also note that decisions on such CAT Fee disputes made pursuant to these Procedures will be binding on Industry Members, without prejudice to the rights of any such Industry Member to seek redress from the SEC or in any other appropriate forum.

Finally, an Industry Member that files a written application with the Company regarding disputed CAT Fees in accordance with these Procedures is not required to pay such disputed CAT Fees until the dispute is resolved in accordance with these Procedures, including any review by the SEC or in any other appropriate forum. For these purposes, the disputed CAT Fees means the amount of the invoiced CAT Fees that the Industry Member has asserted pursuant to these Procedures that such Industry Member does not owe to the Company. The Industry Member must pay any invoiced CAT Fees that are not disputed CAT Fees when due as set forth in the original invoice.

Once the dispute regarding CAT Fees is resolved pursuant to these Procedures, if it is determined that the Industry Member owes any of the disputed CAT Fees, then the Industry Member must pay such disputed CAT Fees that are owed as well as interest on such disputed CAT Fees from the original due date (that is, 30 days after receipt of the original invoice of such CAT Fees) until such disputed CAT

[15] *See, e.g.,* Chapter X of BATS BZX Exchange, Inc. (Adverse Action); and Chapter X of NYSE National, Inc. (Adverse Action).

[16] The CAT NMS Plan Web site is *www.catnmsplan.com.*

Fees are paid at a per annum rate equal to the lesser of (i) the Prime Rate plus 300 basis points, or (ii) the maximum rate permitted by applicable law.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,[17] which requires, among other things, that the Exchange rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest, and not designed to permit unfair discrimination between customers, issuers, brokers and dealer [sic], and Section 6(b)(4) of the Act,[18] which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among members and issuers and other persons using its facilities.

The Exchange believes that this proposal is consistent with the Act because it implements, interprets or clarifies Section 11.5 of the Plan, and is designed to assist the Exchange and its Industry Members in meeting regulatory obligations pursuant to the Plan. In approving the Plan, the SEC noted that the Plan ''is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanism of a national market system, or is otherwise in furtherance of the purposes of the Act.'' [19] To the extent that this proposal implements, interprets or clarifies the Plan and applies specific requirements to Industry Members, the Exchange believes that this proposal furthers the objectives of the Plan, as identified by the SEC, and is therefore consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

Section 6(b)(8) of the Act [20] requires that Exchange rules not impose any burden on competition that is not necessary or appropriate. The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that the proposed rule change implements Section 11.5 of the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange in meeting its regulatory obligations pursuant to the Plan. Similarly, all national securities exchanges and FINRA are proposing this proposed rule to implement the requirements of the CAT NMS Plan. Therefore, this is not a competitive rule filing and, therefore, it does not raise competition issues between and among the exchanges and FINRA.

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

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2017–059 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–NASDAQ–2017–059. 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–NASDAQ–2017–059, and should be submitted on or before July 13, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2017–12987 Filed 6–21–17; 8:45 am]

BILLING CODE 8011–01–P

[17] 15 U.S.C. 78f(b)(5).

[18] 15 U.S.C. 78f(b)(4).

[19] Approval Order at 84697.

[20] 15 U.S.C. 78f(b)(8)

[21] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice 10019]

30-Day Notice of Proposed Information Collection: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Department of State has submitted the information collection described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations. The purpose of this Notice is to allow 30 days for public comment.

DATES: Submit comments directly to the Office of Management and Budget (OMB) up to July 24, 2017.

ADDRESSES: Direct comments to the Department of State Desk Officer in the

Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

• *Email: oira_submission@omb.eop.gov.* You must include the DS form number, information collection title, and the OMB control number in the subject line of your message.

• *Fax:* 202–395–5806. Attention: Desk Officer for Department of State.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Pamela Watkins, Department of State, Office of Directives Management, 1800 G Street NW., Suite 2400, Washington, DC 20522–2202 who may be reached at *watkinspk@state.gov.*

SUPPLEMENTARY INFORMATION:

• *Title of Information Collection:* Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

• *OMB Control Number:* 1405–0193.

• *Type of Request:* Extension of a Currently Approved Collection.

• *Originating Office:* Office of Directives Management, A/GIS/DIR.

• *Form Number:* Various public surveys.

• *Respondents:* Individuals responding to Department of State customer service evaluation requests.

• *Estimated Number of Respondents:* 325,000.

• *Estimated Number of Responses:* 325,000.

• *Average Time per Response:* 3.5 minutes.

• *Total Estimated Burden Time:* 18,958 annual hours.

• *Frequency:* Once per request.

• *Obligation to Respond:* Voluntary.

We are soliciting public comments to permit the Department to:

• Evaluate whether the proposed information collection is necessary for the proper functions of the Department.

• Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected.

• Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of Proposed Collection

The information collection activity will collect qualitative customer feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. This qualitative feedback will provide insights into customer perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers. It will also allow feedback to contribute directly to the improvement of program management.

Feedback collected under this generic clearance will provide useful information, but it will not yield data that can be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

Methodology

Respondents will fill out a brief customer survey after completing their interaction with a Department Office or Embassy. Surveys are designed to gather feedback on the customer's experiences.

Janet Freer,

Director, Office of Directives Management, Department of State.

[FR Doc. 2017–12971 Filed 6–21–17; 8:45 am]

BILLING CODE 4710–24–P

DEPARTMENT OF STATE

[Public Notice 9930]

60-Day Notice of Proposed Information Collection: Medical Examination for Visa or Refugee Applicant

ACTION: Notice of request for public comment.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collections described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department will accept comments from the public up to August 21, 2017.

ADDRESSES: You may submit comments by any of the following methods:

• *Web:* Persons with access to the Internet may comment on this notice by going to *www.Regulations.gov.* You can search for the document by entering ''Docket Number: DOS–2017–0012'' in the Search field. Then click the ''Comment Now'' button and complete the comment form.

• *Email: PRA_BurdenComments@state.gov.*

You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents to Hector Perez-Casillas, who may be reached at *PRA_BurdenComments@state.gov.*

SUPPLEMENTARY INFORMATION:

• *Title of Information Collection:* Medical Examination for Visa or Refugee Applicant.

• *OMB Control Number:* 1405–0113.

• *Type of Request:* Revision of a Currently Approved Collection.

• *Originating Office:* Bureau of Consular Affairs, Visa Office (CA/VO/L/R).

• *Form Number:* Forms DS–2054, DS–3030, DS–3025, DS–3026.

• *Respondents:* Visa and Refugee Applicants.

• *Estimated Number of Respondents:* 828,728.

• *Estimated Number of Responses:* 828,728.

- *Average Time per Response:* 1 hour.
- *Total Estimated Burden Time:* 828,728 annual hours.
- *Frequency:* Once per respondent.
- *Obligation to respond:* Required to Obtain or Retain a Benefit.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden of this proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review

Abstract of Proposed Collection

Forms for this collection are completed by panel physicians for refugees, aliens seeking immigrant visas, and for some aliens seeking nonimmigrant visas to the United States. The collection records medical information necessary to determine whether refugees or visa applicants have medical conditions affecting the applicant's eligibility for a visa, or affecting the public health and requiring treatment.

Methodology

A panel physician, contracted by the consular post in accordance with instructions issued by the Centers for Disease Control (CDC), performs the medical examination of the applicant and completes the forms. Panel physicians follow Forms DS–3025, DS–3026, and DS–3030. Upon completing the applicant's medical examination, the examining panel physician submits a report to the consular officer on Form DS–2054.

Karin King,

Acting Deputy Assistant Secretary, Bureau of Consular Affairs, Department of State.

[FR Doc. 2017–12985 Filed 6–21–17; 8:45 am]

BILLING CODE 4710–06–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice for Teterboro Airport, Teterboro, New Jersey

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA announces its determination that the noise exposure maps submitted by the Port Authority of New York and New Jersey for Teterboro Airport are in compliance with applicable requirements.

DATES: The effective date of the FAA's determination on the noise exposure maps is June 15, 2017.

FOR FURTHER INFORMATION CONTACT: Eastern Region Airports Division (AEA–600), Andrew Brooks, Environmental Program Manager, Federal Aviation Administration, AEA–600, 1 Aviation Plaza, Jamaica, New York 11434, Telephone: (718) 553–3330.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Teterboro Airport under the provisions of 49 U.S.C. 47501 et. seq (Aviation Safety and Noise Abatement Act) and 14 CFR part 150 are in compliance with applicable requirements of 14 CFR part 150, effective January 13, 2004.

Under 49 U.S.C. Section 47503 of the Aviation Safety and Noise Abatement Act (hereinafter referred to as ''the Act''), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations during a forecast period that is at least five (5) years in the future, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport. An airport operator who has submitted noise exposure maps that are found by the FAA to be in compliance with the requirements of 14 CFR part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The FAA has completed its review of the noise exposure maps and accompanying documentation submitted by the Port Authority of New York and New Jersey. The documentation that constitutes the ''Noise Exposure Maps'' (NEM) as defined in Section 150.7 includes a 2016 Base Year NEM, Figure 5–1, and a 2021 Future Year NEM, Figure 5–2, located in Chapter 5 of the NEM Report. The figures contained within Chapter 5 are scaled to fit within the report context; however, the official, to scale, 2016 Base Year NEM and 2021 Future Year NEM are identified as Figures 5–8 and 5–9 and are both located in an attachment to the official NEM Report submittal.

The Noise Exposure Maps contain current and forecast information including the depiction of the airport and its boundaries, the runway configurations, land uses such as single family residential; multi-family residential; mobile home; transient lodging (hotel, motel, etc.); school, university, or daycare; place of worship; recreational, open space, and cemetary; commercial use; manufacturing and production; public use; and vacant or unidentified, and those areas within the Day Night Average Sound Level (DNL) 65, 70 and 75 noise contours. Estimates for the area within these contours for the 2016 Base Year and 2021 Future Year are shown in Table 5–4 of Chapter 5 of the NEM Report. Estimates of the residential population within the 2016 Base Year and 2021 Future Year noise contours are also shown in Table 5–2 of Chapter 5 of the NEM Report. Figure 2–5 in Chapter 2 displays the location of noise monitoring sites. Flight tracks are found in Figures 4–6 and 4–7 of Chapter 4 and detailed in Appedix D. The type and frequency of aircraft operations (including nighttime) are found in Appendix D.1, Tables 7 and 8.

As discussed in Chapter 6 of the NEM Report, the Port Authority of New York and New Jersey provided the general public the opportunity to review and comment on the NEMs. This public comment period opened on September 15, 2016 and closed on October 17, 2016. A public workshop for the Draft NEMs was held on September 22, 2016. All comments received during the public comment period and throughout the development of the NEMs, as well as responses to these comments, are contained in Appendix H of the NEM Report.

Following the closure of the public review period, final review of the Noise Exposure Maps showed that 21 parcels were identified with the incorrect land use in the Draft Noise Exposure Maps distributed to the public. These parcels have been correctly identified on the

Final Noise Exposure Map submittal. The change to the identification of these parcels did not alter the depiction of the noise contour lines in any fashion.

The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on June 15, 2017.

FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of 14 CFR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program. If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under Section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning authorities with which consultation is required under Section 47503 of the Act. The FAA has relied on the certification by the airport operator, under Section 150.21, that the statutorily required consultation has been accomplished.

Copies of the full noise exposure map documentation and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, Eastern Region, Airports Division, AEA–600, 1 Aviation Plaza, Jamaica, New York 11434

Federal Aviation Administration, New York Airports District Office, 1 Aviation Plaza, Jamaica, New York 11434

The Port Authority of New York and New Jersey, Aviation Department, 4 World Trade Center, 150 Greenwich Street, 18th Floor, New York, New York 10007

Issued in Jamaica, NY on June 15, 2017.

Steven M. Urlass,

Director, Airports Division, Eastern Region.

[FR Doc. 2017–12995 Filed 6–21–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Sanctions Action Pursuant to an Executive Order Issued on September 23, 2001, Titled "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism"

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the name of one individual that has been placed on OFAC's Specially Designated Nationals and Blocked Persons (SDN) List whose property and interests in property is blocked pursuant to an executive order issued on September 23, 2001, titled ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism.''

DATES: OFAC's action described in this notice was effective on June 16, 2017.

FOR FURTHER INFORMATION CONTACT: Associate Director for Global Targeting, tel.: 202/622–2420, Assistant Director for Sanctions Compliance & Evaluation, tel.: 202/622–2490, Assistant Director for Licensing, tel.: 202/622–2480, Office of Foreign Assets Control, or Chief Counsel (Foreign Assets Control), tel.: 202/622–2410, Office of the General Counsel, Department of the Treasury (not toll free numbers).

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available from OFAC's Web site (*www.treas.gov/ofac*).

Notice of OFAC Actions

On June 16, 2017, OFAC blocked the property and interests in property of the following one individual pursuant to E.O. 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism'' (E.O. 13224):

Individual

1. SAAL, Fared (a.k.a. SAAL, Farid; a.k.a. SAAL, Fehad; a.k.a. ''AL–ALMANI, Abu Luqmaan''; a.k.a. ''AL–ALMANI, Abu Luqman''; a.k.a. ''AL–JAZAIRI, Abu Luqman''; a.k.a. ''LOQMAN, Abu''; a.k.a. ''LUQMAN, Abu''); DOB 18 Feb 1989; alt. DOB 08 Feb 1989; POB Bonn, Germany; citizen Germany; alt. citizen Algeria; Gender Male; National ID No. 5802098444 (individual) [SDGT] (Linked To: ISLAMIC STATE OF IRAQ AND THE LEVANT). Designated pursuant to section 1(c) of E.O. 13224 for acting for or on behalf of the Islamic State of Iraq and Levant (ISIL), an entity designated pursuant to E.O. 13224.

Dated: June 16, 2017.

Andrea Gacki,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2017–13009 Filed 6–21–17; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0001]

Agency Information Collection Activity: Veteran's Application for Compensation and/or Pension and Veteran's Supplemental Claim Application

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 21, 2017.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0001'' in any correspondence. During the comment

period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Cynthia Harvey-Pryor at (202) 461–5870.

SUPPLEMENTARY INFORMATION:

Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: Public Law 104–13; 44 U.S.C. 3501–3521.

Title: Veteran's Application for Compensation and/or Pension (VA Form 21–526) and Veteran's Supplemental claim Application (VA Form 21–526b).

OMB Control Number: 2900–0001.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 21–526 and 21–526b are used to gather the necessary information to determine a veteran's eligibility, dependency, and income, as applicable, for the compensation and/or pension benefit sought.

Affected Public: Individuals and households.

Estimated Annual Burden: 138,149.50 hours.

Estimated Average Burden per Respondent: 37.50 minutes.

Frequency of Response: Once.

Estimated Number of Respondents: 301,033.

By direction of the Secretary.

Cynthia Harvey-Pryor,

Department Clearance Officer, Office of Privacy and Records Management, Department of Veterans Affairs.

[FR Doc. 2017–13008 Filed 6–21–17; 8:45 am]

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