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

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

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Rules and Regulations

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

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

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 1734

RIN 0572–AC37

Distance Learning and Telemedicine Grant Program

AGENCY: Rural Utilities Service, USDA.

ACTION: Final rule; affirmation.

SUMMARY: The Rural Utilities Service (RUS), a Rural Development agency of the United States Department of Agriculture (USDA), hereinafter referred to as RUS or the Agency, is confirming the final rule published in the **Federal Register** on November 27, 2017, which amends its regulation for the Distance Learning and Telemedicine Grant Program.

DATES: Effective March 9, 2018.

FOR FURTHER INFORMATION CONTACT: Kenneth Kuchno, Deputy Assistant Administrator, Policy and Outreach Division, Telecommunications Program, Rural Utilities Program, U.S. Department of Agriculture, 1400 Independence Avenue SW, STOP 1599, Room 2870–S, Washington, DC 20250–1550. Telephone number: (202) 690–4673.

SUPPLEMENTARY INFORMATION: The Rural Utilities Service (RUS), has issued a final rule to streamline, revise, and update the Distance Learning and Telemedicine (DLT) Grant Program, to minimize the burden of applying for and awarding grants (82 FR 55923; Nov. 27, 2017). The Agency's goal is to reduce the regulatory burden on grant applicants and to ensure that grant funds are awarded for projects with the most demonstrable need.

RUS invited comments regarding the new procedures for implementing the DLT Grant Program and received comments from: The Choctaw Nation of Oklahoma; Herzing University; and Ms. Kayla Boylen. These comments and the Agency's responses are summarized as follows:

General Support for the Changes to the Distance Learning and Telemedicine Program (DLT)

Comment: Respondents commented that they were in support of the Program and that the Program is needed in rural America.

Twenty Percent Funding Cap for Broadband Facilities

Comment: One respondent commented that they were in support of adding broadband facilities as an eligible project, however, there was concern that twenty percent of the requested grant amount for this purpose was not sufficient.

Response: It should be noted that the DLT Program is not intended to provide residential/business broadband service. RUS has other loan and grant programs for this purpose. Broadband facilities have been added to the DLT program to ensure that rural schools and medical facilities that currently do not have broadband service have a means to bring distance learning and telemedicine to those facilities. All broadband facilities funded under this program must be used to deliver distance learning and telemedicine.

Fifteen Percent Matching Fund Requirement

Comment: One respondent commented that due to the economic nature of areas eligible for the DLT Program that there should be no matching funds requirement.

Response: For projects to become successful, it is imperative that all parties involved are both financially and non-financially vested, and that the success of the project is not dependent entirely on the grant funding. Additionally, a matching fund component also allows RUS to leverage the limited grant funding received and to fund more projects. A fifteen percent matching fund requirement is a reasonable amount and demonstrates the sincerity of the applicant to make the proposed project a success.

Better Communications

Comment: One commenter suggested that outreach efforts be improved to better communicate the changes to the application scoring criteria as well as the program's eligibility requirements.

Response: RUS has and continues to be mindful of communicating timely information about its programs. The Agency plans to introduce a series of webinars which will address all of the recent changes to the Program as well as other program requirements, criteria, and issues. The webinars will be scheduled on different days and times to accommodate the varying schedules of potential applicants across the country.

The Agency appreciates the interest of the commenters and thanks them for their comment submissions.

Dated: February 16, 2018.

Christopher McLean,

Acting Administrator, Rural Utilities Service.

[FR Doc. 2018–04659 Filed 3–8–18; 8:45 am]

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FEDERAL ELECTION COMMISSION

11 CFR Part 1

[Notice 2018–04]

Change of Address; Technical Amendment

AGENCY: Federal Election Commission.

ACTION: Final rule; technical amendment.

SUMMARY: The relocation of the Federal Election Commission (''FEC'' or ''Commission'') to a new building with a different street address has been delayed by two weeks. The Commission is updating its regulations to reflect the new relocation date.

DATES: This rule is effective March 9, 2018.

FOR FURTHER INFORMATION CONTACT: Mr. Tony Buckley, Attorney, or Mr. Eugene Lynch, Paralegal, (202) 694–1650 or (800) 424–9530.

SUPPLEMENTARY INFORMATION: On December 26, 2017, the Federal Election Commission published a Final Rule (82 FR 60852) announcing its official relocation in 2018 to a new street address, and amending its regulations to reflect the change in location. The Final Rule stated that the Commission would relocate on March 5, 2018 to its new street address: 1050 First Street NE, Washington, DC 20463. The Commission's relocation has since been delayed, however, and the Commission will now relocate to its new street

address on March 19, 2018. Until March 19, 2018, the Commission will continue to reside and receive mail at 999 E Street NW, Washington, DC 20463.

The Commission is promulgating these amendments without advance notice or an opportunity for comment because they fall under the ''good cause'' exemption of the Administrative Procedure Act. 5 U.S.C. 553(b)(B). The Commission finds that notice and comment are unnecessary here because these amendments are merely technical; they effect no substantive changes to any rule. For the same reason, these amendments fall within the ''good cause'' exception to the delayed effective date provisions of the Administrative Procedure Act and the Congressional Review Act. 5 U.S.C. 553(d)(3), 808(2). Moreover, because these amendments are exempt from the notice and comment procedure of the Administrative Procedure Act under 5 U.S.C. 553(b), the Commission is not required to conduct a regulatory flexibility analysis under 5 U.S.C. 603 or 604. *See* 5 U.S.C. 601(2), 604(a). Nor is the Commission required to submit these amendments for congressional review under the Federal Election Campaign Act of 1971, as amended, the Presidential Election Campaign Fund Act, as amended, or the Presidential Primary Matching Payment Account Act, as amended. *See* 52 U.S.C. 30111(d)(1), (4) (providing for congressional review when Commission ''prescribe[s]'' a ''rule of law''); 26 U.S.C. 9009(c)(1), (4), 9039(c)(1), (4) (same).

List of Subjects in 11 CFR Part 1

Privacy.

For the reasons set out in the preamble, the Federal Election Commission amends 11 CFR chapter I as follows:

PART 1—PRIVACY ACT

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

Authority: U.S.C. 552a.

§ 1.2 [Amended]

■ 2. Amend § 1.2 in the definition for ''Commission'' by removing ''March 5, 2018'' and adding in its place ''March 19, 2018''.

On behalf of the Commission.

Dated: March 1, 2018.

Caroline C. Hunter,

Chair, Federal Election Commission.

[FR Doc. 2018–04698 Filed 3–8–18; 8:45 am]

BILLING CODE 6715–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0164; Product Identifier 2018–NM–026–AD; Amendment 39–19220; AD 2018–05–11]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Airbus Model A320–214, –251N, and –271N airplanes. This AD requires an inspection for any damaged bolt and nut in each cargo fire extinguishing bottle installation, and replacement of any damaged bolt and nut. This AD was prompted by a report that a dynamometric key, previously used for installing the cargo fire extinguishing bottle system, was out of tolerance. As a result, an incorrect torque value may have been applied to the bolts maintaining the fire extinguishing bottles in place. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD becomes effective March 26, 2018.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of March 26, 2018.

We must receive comments on this AD by April 23, 2018.

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

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this final rule, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* internet *http://www.airbus.com.* You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0164.

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–2018–0164; 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 regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3223.

SUPPLEMENTARY INFORMATION:

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2018–0038, dated February 7, 2018 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Airbus Model A320–214, –251N, and –271N airplanes. The MCAI states:

> During a periodic check on the final assembly line, a dynamometric key, previously used for installing the cargo fire extinguishing bottle system, was found out of tolerance. As a consequence, an incorrect torque value may have been applied to the screws maintaining the fire extinguishing bottle in place. Vibration during normal operation of the aeroplane could further loosen these screws.
>
> This condition, if not detected and corrected, could lead to disconnection of a cargo fire extinguishing bottle, possibly resulting in loss of the fire protection system in the lower deck cargo compartment.
>
> Prompted by this finding, Airbus issued [Alert Operators Transmission] AOT A26N003–16 (later revised) to provide

instructions to apply the correct torque value(s).

For the reason described above, this [EASA] AD requires a one-time inspection of the screws of each cargo fire extinguishing bottle installation and, depending on findings, replacement of screws and re-installation of the system.

You may examine the MCAI on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0164.

Related Service Information Under 1 CFR Part 51

Airbus has issued Alert Operators Transmission A26N003–16, Revision 01, dated June 12, 2017. The service information describes procedures for a general visual inspection for any damaged bolt and nut in each cargo fire extinguishing bottle installation, and replacement of all damaged bolts and nuts. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because of the possibility of loss of the fire protection system in the lower deck cargo compartment. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2018–0164; Product Identifier 2018–NM–026–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD based on those comments.

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

Costs of Compliance

We estimate that this AD affects 2 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	1 work-hour × $85 per hour = $85	$0	$85	$170

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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

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):

2018–05–11 Airbus: Amendment 39–19220; Docket No. FAA–2018–0164; Product Identifier 2018–NM–026–AD.

(a) Effective Date

This AD becomes effective March 26, 2018.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Model A320–214, –251N, and –271N airplanes, certificated in any category, having manufacturer serial numbers 07126, 07141, 07189, 07200, 07221, 07226, 07235, 07245, 07251, 07256, 07264, 07272, 07279, 07319, 07337 and 07340.

(d) Subject

Air Transport Association (ATA) of America Code 26, Fire Protection.

(e) Reason

This AD was prompted by a report that a dynamometric key, previously used for installing the cargo fire extinguishing bottle system, was out of tolerance. As a result, an incorrect torque value may have been applied to the bolts maintaining the fire extinguishing bottle in place. We are issuing this AD to detect and correct damaged bolts in the cargo fire extinguishing bottle system, which could lead to disconnection of a cargo fire extinguishing bottle, possibly resulting in loss of the fire protection system in the lower deck cargo compartment.

(f) Compliance

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

(g) Inspection and Corrective Actions

Within 30 days after the effective date of this AD: Do a general visual inspection for any damaged bolt and nut in each cargo fire extinguishing bottle installation in accordance with the instructions in Airbus Alert Operators Transmission A26N003–16, Revision 01, dated June 12, 2017.

(1) If any damaged bolt or nut is detected, before further flight, replace all damaged bolts and nuts, in accordance with the instructions in Airbus Alert Operators Transmission A26N003–16, Revision 01, dated June 12, 2017.

(2) If no damage is detected, before further flight, reinstall the bolts and nuts, in accordance with the instructions in Airbus Alert Operators Transmission A26N003–16, Revision 01, dated June 12, 2017.

Note 1 to paragraph (g) of this AD: No credit will be provided for accomplishment of the actions in the original issue of Airbus Alert Operators Transmission A26N003–16 because the torque values were incorrect.

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards Branch, 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 Section, send it to the attention of the person identified in paragraph (j)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* 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 Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(i) Special Flight Permits

Special flight permits, as described in Section 21.197 and Section 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), may be issued to operate the airplane to a location where the requirements of this AD can be accomplished, provided no cargo is in the lower deck of the cargo compartment.

(j) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2018–0038, dated February 7, 2018, for related information. You may examine the MCAI on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0164.

(2) For more information about this AD, contact Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3223.

(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) Airbus Alert Operators Transmission A26N003–16, Revision 01, dated June 12, 2017.

(ii) Reserved.

(3) For service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* internet *http://www.airbus.com.*

(4) You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(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 February 28, 2018.

Michael Kaszycki,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2018–04646 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0177; Product Identifier 2017–SW–138–AD; Amendment 39–19218; AD 2018–05–09]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

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

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for Airbus Helicopters Model AS332C, AS332C1, AS332L, and AS332L1 helicopters. This AD requires inspecting the tail rotor (T/R) flapping hinge link (hinge) and reporting the results. This AD is prompted by a report of a damaged flapping hinge link. The actions of this AD are intended to prevent an unsafe condition on these products.

DATES: This AD becomes effective March 26, 2018.

The Director of the Federal Register approved the incorporation by reference of a certain document listed in this AD as of March 26, 2018.

We must receive comments on this AD by May 8, 2018.

ADDRESSES: You may send comments by any of the following methods:

• *Federal eRulemaking Docket:* Go to *http://www.regulations.gov.* Follow the

online instructions for sending your comments electronically.

- *Fax:* 202–493–2251.
- *Mail:* Send comments to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.
- *Hand Delivery:* Deliver to the ''Mail'' address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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–2018–0177; or in person at Docket Operations 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) AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for Docket Operations (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

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.helicopters.airbus.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–2018–0177.

FOR FURTHER INFORMATION CONTACT: Martin R. Crane, Aviation Safety Engineer, Regulations & Policy Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5110; email *martin.r.crane@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments prior to it becoming effective. However, we invite you to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that resulted from adopting this AD. The most helpful comments reference a specific portion of the AD, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit them only one time. We will file in the docket all comments that we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this rulemaking during the comment period. We will consider all the comments we receive and may conduct additional rulemaking based on those comments.

Discussion

EASA, which is the Technical Agent for the Member States of the European Union, has issued Emergency AD No. 2017–0232–E, dated November 21, 2017, to correct an unsafe condition for Airbus Helicopters Model AS 332 C, AS 332 C1, AS 332 L, and AS 332 L1 helicopters. The EASA AD was prompted by the in-flight failure of a pin in a hinge attaching the T/R. EASA advises that damage to the hinge on a T/R blade was reported and that an investigation is ongoing to determine the root cause of the damage. EASA further advises that this condition could lead to failure of the hinge, unbalance of the T/R, and detachment of the T/R gearbox and hub with subsequent loss of control of the helicopter. To correct this unsafe condition, the EASA AD requires a one-time inspection of the flapping hinges, and depending on the findings, corrective actions. It also requires reporting the findings and sending any cracked components to Airbus Helicopters to support the investigation.

FAA's Determination

These helicopters have been approved by the aviation authority of France and are approved for operation in the United States. Pursuant to our bilateral agreement with France, 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.

Related Service Information Under 1 CFR Part 51

We reviewed Airbus Helicopters Emergency Alert Service Bulletin (EASB) No. 64.00.43, Revision 0, dated November 21, 2017, for Model AS332-series helicopters. This service information describes procedures for visually and dye penetrant inspecting the hinges of all five T/Rs.

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.

AD Requirements

This AD requires, within 25 hours time-in-service (TIS):

- Performing a tactile inspection of each hinge for friction points;
- Measuring for play in the drag plane;
- Measuring the tightening torque of each spindle bolt.
  - If the tightening torque is not within the minimum and maximum torque, dye-penetrant inspecting the spindle bolt for a crack and removing the spindle bolt and hexagonal castellated nut from service;
  - If the tightening torque is within the minimum and maximum torque, inspecting the spindle bolt for corrosion and fretting.
- Inspecting the bearing race inner ring and bearing needles for spalling and replacing the bearing race if there is any spalling;
- Measuring the thickness of each stop washer and removing the stop washer from service if the thickness is less than 1.5 mm (.060 inch); and
- Inspecting the inner ring for brinelling.
  - If there is brinelling deeper than 0.1 mm (.004 inch), repairing the hinge.
  - If there is brinelling 0.1 mm (.004 inch) or less, dye-penetrant inspecting the inner ring for a crack.

This AD also requires, within 10 days after the inspection, reporting the results of each inspection and measurement to Airbus Helicopters.

Differences Between This AD and the EASA AD

The EASA AD requires compliance within 25 hours TIS or at the next 50 hour inspection of the T/R, whichever is later; this AD requires compliance within 25 hours TIS. The EASA AD requires returning parts to Airbus Helicopters, and this AD does not.

Interim Action

We considered this AD interim action. The inspection reports that are required by this AD will enable Airbus Helicopters to obtain better insight into the cause of the damaged flapping hinge link, and eventually develop final action to address the unsafe condition. Once

final action has been identified, we might consider further rulemaking.

Costs of Compliance

We estimate that this AD affects 20 helicopters of U.S. Registry.

We estimate that operators may incur the following costs in order to comply with this AD. At an average labor rate of $85 per hour, inspecting 5 T/R hinges will require 8 hours, and required materials cost would be minimal, for a cost per helicopter of $680 and a cost of $13,600 to the U.S. fleet. Reporting the inspection findings would require about 30 minutes, for a cost per helicopter of $43 and a cost of $860 to the U.S. fleet. If required, dye-penetrant inspecting the spindle bolt or inner ring would require about 1 hour, and required materials cost would be minimal, for a cost per helicopter of $85. If required, replacing a spindle bolt would require about 1 hour, and required parts would cost $625, for a cost per helicopter of $710.

If required, replacing the bearing race would require about 1 hour, and required parts would cost $585, for a cost per helicopter of $670.

If required, replacing the inner ring would require about 1 hour, and required parts would cost $1,986, for a cost per helicopter of $2,071.

Paperwork Reduction Act

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

FAA's Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because the inspections required by this AD must be accomplished within 25 hours TIS, a relatively short period of time for these helicopters as they are primarily used for offshore operations. Therefore, we find good cause that notice and opportunity for prior public comment are impracticable.

In addition, for the reason stated above, we find that good cause exists for making this amendment effective in less than 30 days.

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, 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):

2018–05–09 Airbus Helicopters: Amendment 39–19218; Docket No. FAA–2018–0177; Product Identifier 2017–SW–138–AD.

(a) Applicability

This AD applies to Airbus Helicopters Model AS332C, AS332C1, AS332L, and AS332L1 helicopters, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as failure of a tail rotor (T/R) flapping hinge link (hinge). This condition could result in unbalance of the T/R, detachment of the T/R gearbox and hub, and subsequent loss of control of the helicopter.

(c) Effective Date

This AD becomes effective March 26, 2018.

(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 25 hours time-in-service, inspect each T/R hinge as follows:

(i) Point each T/R blade downward and perform a tactile inspection of each hinge for friction points. Record whether there is a friction point.

(ii) Measure play in the drag plane depicted as ''J'' in Figure 1 of Airbus Helicopters Emergency Alert Service Bulletin No. 64.00.43, Revision 0, dated November 21, 2017 (EASB 64.00.43), and record the measurement.

(iii) Measure the tightening torque of each spindle bolt and record the measurement.

(A) If the tightening torque is less than 564 inch-pounds or more than 955 inch-pounds, before further flight, dye-penetrant inspect the spindle bolt for a crack and record whether there is a crack. Remove the spindle bolt and the hexagonal castellated nut from service.

(B) If the tightening torque is between 564 inch-pounds and 955 inch-pounds, inspect

the spindle bolt for corrosion and fretting and record whether there is corrosion or fretting. If there is corrosion or fretting that cannot be removed by hand with an abrasive pad, before further flight, dye-penetrant inspect the spindle bolt for a crack in areas Z1 and Z2 as depicted in Figure 2 of EASB 64.00.43. If there is a crack, before further flight, record that there is a crack and remove from service the spindle bolt, hexagonal castellated nut, inner ring, stop washers, needle bearings or set of needle bearings, seals, and split washer.

(iv) Remove the inner ring and stop washers.

(v) Inspect the bearing race inner ring and bearing needles for spalling. If there is any spalling, before further flight, record that there is spalling and replace the bearing race.

(vi) Measure the thickness of each stop washer. If the thickness is less than 1.5 mm (.060 inch), before further flight, remove the stop washer from service. Record that the stop washer was removed from service because of thickness.

(vii) Inspect the inner ring for brinelling.

(A) If there is brinelling more than 0.1 mm (.004 inch) in depth, before further flight, record that there is brinelling and repair the hinge.

(B) If there is brinelling 0.1 mm (.004 inch) or less in depth, before further flight, turn the inner ring to position the area with brinelling on the T/R hub pin side. Record the brinelling and the turning of the inner ring. Dye-penetrant inspect the inner ring for a crack in the area depicted as ''Z3'' of Figure 3 of EASB 64.00.43. If there is a crack, before further flight, record that there is a crack in the inner ring and remove from service the spindle bolt, hexagonal castellated nut, inner ring, stop washers, needle bearings or set of needle bearings, seals, and split washer.

(2) Within 10 days after the inspection, submit a report of the measurements and findings of the inspection required by paragraph (e)(1) of this AD, as specified in the Appendix of EASB 64.00.43, to *support.technical-dyncomp.ah@airbus.com.*

(f) Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 30 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

(g) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Section, Rotorcraft Standards Branch, FAA, may approve AMOCs for this AD. Send your proposal to: Martin R. Crane, Aviation Safety Engineer, Regulations & Policy Section, Rotorcraft Standards Branch, 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.

(h) Additional Information

The subject of this AD is addressed in European Aviation Safety Agency (EASA) Emergency AD No. 2017–0232–E, dated November 21, 2017. You may view the EASA AD on the internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2018–0177.

(i) Subject

Joint Aircraft Service Component (JASC) Code: 6420 Tail Rotor Head.

(j) 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 Emergency Alert Service Bulletin (EASB) No. 64.00.43, Revision 0, dated November 21, 2017.

(ii) Reserved.

Note 1 to paragraph (j)(2): Airbus Helicopters EASB No. 64.00.43, Revision 0, dated November 21, 2017, is co-published as one document along with Airbus Helicopters EASB No. 64.00.21, Revision 0, dated November 21, 2017, which is not incorporated by reference.

(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.helicopters.airbus.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 February 26, 2018.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2018–04647 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31181; Amdt. No. 3789]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective March 9, 2018. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 9, 2018.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC, 20590–0001.

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Navigation Products, 6500 South

MacArthur Blvd., Oklahoma City, OK 73169 or,

4. 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.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedure Standards Branch (AFS–420), Flight Technologies and Programs Divisions, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125), Telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), by establishing, amending, suspending, or removes SIAPS, Takeoff Minimums and/or ODPS. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA forms are FAA Forms 8260–3, 8260–4, 8260–5, 8260–15A, and 8260–15B when required by an entry on 8260–15A.

The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPS, Takeoff Minimums and/or ODPS as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as Amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C 553(d), good cause exists for making some SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on February 23, 2018.

John S. Duncan,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

** * * Effective 29 March 2018*

Homer, AK, Homer, LOC RWY 4, Amdt 11
Homer, AK, Homer, LOC BC RWY 22, Amdt 6
Homer, AK, Homer, Takeoff Minimums and Obstacle DP, Amdt 3
Kenai, AK, Kenai Muni, ILS OR LOC RWY 20R, Amdt 6
Kenai, AK, Kenai Muni, RNAV (GPS) RWY 20R, Amdt 4
Kenai, AK, Kenai Muni, VOR RWY 2L, Amdt 10
Kenai, AK, Kenai Muni, VOR RWY 20R, Amdt 21
Nome, AK, Nome, ILS Y OR LOC Y RWY 28, Amdt 4A
Nome, AK, Nome, ILS Z OR LOC Z RWY 28, Amdt 5
Gulf Shores, AL, Jack Edwards National, ILS OR LOC RWY 27, Amdt 1B
Gulf Shores, AL, Jack Edwards National, RNAV (GPS) RWY 9, Amdt 3B
Gulf Shores, AL, Jack Edwards National, RNAV (GPS) RWY 27, Amdt 2B
Gulf Shores, AL, Jack Edwards National, Takeoff Minimums and Obstacle DP, Orig-A
Blytheville, AR, Arkansas Intl, ILS OR LOC RWY 18, Amdt 2A
Redlands, CA, Redlands Muni, RNAV (GPS)-A, Amdt 1
Santa Monica, CA, Santa Monica Muni, RNAV (GPS) RWY 21, Amdt 1A
Wray, CO, Wray Muni, RNAV (GPS) RWY 17, Amdt 2

Wray, CO, Wray Muni, RNAV (GPS) RWY 35, Amdt 2
Windsor Locks, CT, Bradley Intl, COPTER ILS OR LOC RWY 6, Amdt 2
Windsor Locks, CT, Bradley Intl, ILS OR LOC RWY 6, ILS RWY 6 (SA CAT I), ILS RWY 6 (CAT II), ILS RWY 6 (CAT III), Amdt 38
Windsor Locks, CT, Bradley Intl, ILS OR LOC RWY 24, ILS RWY 24 (SA CAT I), ILS RWY 24 (SA CAT II), Amdt 13
Windsor Locks, CT, Bradley Intl, ILS OR LOC RWY 33, Amdt 10C
Windsor Locks, CT, Bradley Intl, RNAV (GPS) RWY 15, Amdt 3
Windsor Locks, CT, Bradley Intl, RNAV (GPS) RWY 33, Amdt 3
Windsor Locks, CT, Bradley Intl, RNAV (GPS) Y RWY 6, Amdt 3
Windsor Locks, CT, Bradley Intl, RNAV (GPS) Y RWY 24, Amdt 4
Windsor Locks, CT, Bradley Intl, RNAV (RNP) Z RWY 6, Amdt 1
Windsor Locks, CT, Bradley Intl, RNAV (RNP) Z RWY 24, Amdt 1
Nashville, GA, Berrien Co, RNAV (GPS) RWY 28, Amdt 1
Topeka, KS, Philip Billard Muni, ILS OR LOC RWY 13, Amdt 33A
Topeka, KS, Philip Billard Muni, LOC BC RWY 31, Amdt 19C
Topeka, KS, Philip Billard Muni, RNAV (GPS) RWY 13, Amdt 1B
Topeka, KS, Philip Billard Muni, RNAV (GPS) RWY 31, Amdt 1B
Bardstown, KY, Samuels Field, RNAV (GPS) RWY 3, Amdt 1
Bardstown, KY, Samuels Field, RNAV (GPS) RWY 21, Amdt 1
Bardstown, KY, Samuels Field, Takeoff Minimums and Obstacle DP, Amdt 2
Bardstown, KY, Samuels Field, VOR RWY 3, Amdt 1
Louisville, KY, Louisville Intl-Standiford Field, ILS OR LOC RWY 17L, Amdt 4G
Louisville, KY, Louisville Intl-Standiford Field, ILS OR LOC RWY 17R, Amdt 3G
Louisville, KY, Louisville Intl-Standiford Field, ILS OR LOC RWY 35L, ILS RWY 35L (SA CAT I), ILS RWY 35L (CAT II), ILS RWY 35L (CAT III), Amdt 3F
Louisville, KY, Louisville Intl-Standiford Field, ILS OR LOC RWY 35R, ILS RWY 35R (SA CAT I), ILS RWY 35R (CAT II), ILS RWY 35R (CAT III), Amdt 4E
Louisville, KY, Louisville Intl-Standiford Field, LOC RWY 29, Orig-B
Louisville, KY, Louisville Intl-Standiford Field, RNAV (GPS) RWY 29, Orig-C
Louisville, KY, Louisville Intl-Standiford Field, RNAV (GPS) Y RWY 17L, Amdt 1E
Louisville, KY, Louisville Intl-Standiford Field, RNAV (GPS) Y RWY 17R, Amdt 1E
Louisville, KY, Louisville Intl-Standiford Field, RNAV (GPS) Y RWY 35L, Amdt 1D
Louisville, KY, Louisville Intl-Standiford Field, RNAV (GPS) Y RWY 35R, Amdt 1E
Louisville, KY, Louisville Intl-Standiford Field, RNAV (RNP) Z RWY 17L, Orig-D
Louisville, KY, Louisville Intl-Standiford Field, RNAV (RNP) Z RWY 17R, Orig-C
Louisville, KY, Louisville Intl-Standiford Field, RNAV (RNP) Z RWY 35L, Amdt 1D
Louisville, KY, Louisville Intl-Standiford Field, RNAV (RNP) Z RWY 35R, Orig-C
Hastings, MI, Hastings, RNAV (GPS) RWY 12, Amdt 2
Hastings, MI, Hastings, RNAV (GPS) RWY 30, Amdt 2
Bigfork, MN, Bigfork Muni, Takeoff Minimums and Obstacle DP, Amdt 1
Brainerd, MN, Brainerd Lakes Rgnl, ILS OR LOC RWY 23, Amdt 7A
Brainerd, MN, Brainerd Lakes Rgnl, ILS OR LOC/DME RWY 34, Amdt 2
Brainerd, MN, Brainerd Lakes Rgnl, RNAV (GPS) RWY 5, Amdt 1A
Brainerd, MN, Brainerd Lakes Rgnl, RNAV (GPS) RWY 23, Orig-A
Brainerd, MN, Brainerd Lakes Rgnl, RNAV (GPS) RWY 34, Orig-A
St Cloud, MN, St Cloud Rgnl, ILS OR LOC RWY 31, Amdt 3B
St Cloud, MN, St Cloud Rgnl, RNAV (GPS) RWY 5, Orig-B
St Cloud, MN, St Cloud Rgnl, RNAV (GPS) RWY 23, Orig-B
St Cloud, MN, St Cloud Rgnl, RNAV (GPS) RWY 31, Amdt 1A
Beatrice, NE, Beatrice Muni, RNAV (GPS) RWY 14, Amdt 1C
Mount Vernon, OH, Knox County, RNAV (GPS) RWY 28, Amdt 1B
Mount Vernon, OH, Knox County, VOR–A, Amdt 8A
Hugo, OK, Stan Stamper Muni, RNAV (GPS) RWY 17, Amdt 1
Hugo, OK, Stan Stamper Muni, RNAV (GPS) RWY 35, Amdt 1
Corvallis, OR, Corvallis Muni, RNAV (GPS) RWY 17, Amdt 1A
Murfreesboro, TN, Murfreesboro Muni, NDB RWY 18, Amdt 2
Murfreesboro, TN, Murfreesboro Muni, RNAV (GPS) RWY 18, Amdt 2
Murfreesboro, TN, Murfreesboro Muni, RNAV (GPS) RWY 36, Amdt 3
Carthage, TX, Panola County-Sharpe Field, RNAV (GPS) RWY 35, Orig-A
Seymour, TX, Seymour Muni, RNAV (GPS) RWY 17, Orig-B
Milwaukee, WI, General Mitchell Intl, RNAV (GPS) Z RWY 7R, Amdt 1E

RESCINDED: On January 26, 2018 (83 FR 3572), the FAA published an Amendment in Docket No. 31175, Amdt No. 3783, to Part 97 of the Federal Aviation Regulations under section 97.27, 97.29, 97.31, 97.33, and 97.37. The following entries for Little Rock, AR, and Fort Hood/Killen, TX, effective March 29, 2018, are hereby rescinded in their entirety:

Little Rock, AR, Bill and Hillary Clinton National/Adams Field, ILS OR LOC RWY 4L, Amdt 26A
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, ILS OR LOC RWY 4R, Amdt 2D
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, ILS OR LOC RWY 22L, Orig-D
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, RNAV (GPS) RWY 36, Orig-C
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, Takeoff Minimums and Obstacle DP, Amdt 9
Fort Hood/Killeen, TX, Robert Gray AAF, NDB RWY 15, Amdt 6A, CANCELED
Fort Hood/Killeen, TX, Robert Gray AAF, RADAR–2, Orig-A

RESCINDED: On February 13, 2018 (83 FR 6130), the FAA published an Amendment in Docket No. 31177, Amdt No. 3785, to Part 97 of the Federal Aviation Regulations under section 97.33. The following entries for Douglas, GA, effective March 29, 2018, are hereby rescinded in their entirety.

Douglas, GA, Douglas Muni, RNAV (GPS) RWY 4, Amdt 2
Douglas, GA, Douglas Muni, RNAV (GPS) RWY 22, Amdt 2

[FR Doc. 2018–04583 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31182; Amdt. No. 3790]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide for the safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective March 9, 2018. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 9, 2018.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Navigation Products, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. 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.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center online at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedure Standards Branch (AFS–420) Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125), telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) by amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (NFDC)/Permanent Notice to Airmen (P–NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained on FAA form documents is unnecessary.

This amendment provides the affected CFR sections, and specifies the SIAPs and Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent NOTAM, and contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for these SIAP and Takeoff Minimums and ODP amendments require making them effective in less than 30 days.

Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making these SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on February 23, 2018.

John S. Duncan,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal regulations, Part 97, (14 CFR part 97), is amended by amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

** * * Effective Upon Publication*

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
29–Mar–18	AL	Evergreen	Middleton Field	7/0916	2/12/18	RNAV (GPS) RWY 10, Amdt 1B.
29–Mar–18	AL	Evergreen	Middleton Field	7/0917	2/12/18	RNAV (GPS) RWY 28, Amdt 1B.
29–Mar–18	AL	Evergreen	Middleton Field	7/0918	2/12/18	VOR/DME RWY 10, Amdt 3A.
29–Mar–18	AL	Evergreen	Middleton Field	7/0925	2/12/18	RNAV (GPS) RWY 19, Amdt 1B.
29–Mar–18	UT	Brigham City	Brigham City	7/0939	1/25/18	RNAV (GPS) RWY 35, Amdt 2B.

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
29–Mar–18	UT	Brigham City	Brigham City	7/0942	1/25/18	Takeoff Minimums and Obstacle DP, Amdt 6A.
29–Mar–18	CA	Grass Valley	Nevada County Air Park	7/0951	2/13/18	VOR OR GPS–A, Amdt 1A.
29–Mar–18	CA	Grass Valley	Nevada County Air Park	7/0956	2/13/18	RNAV (GPS) RWY 7, Orig.
29–Mar–18	CA	Grass Valley	Nevada County Air Park	7/0958	2/13/18	Takeoff Minimums and Obstacle DP, Amdt 1.
29–Mar–18	SD	Wagner	Wagner Muni	7/4352	2/12/18	RNAV (GPS) RWY 27, Orig-A.
29–Mar–18	SD	Wagner	Wagner Muni	7/4353	2/12/18	RNAV (GPS) RWY 9, Orig-A.
29–Mar–18	TX	Brownsville	Brownsville/South Padre Island Intl.	7/4362	2/13/18	RNAV (GPS) RWY 13, Orig-A.
29–Mar–18	TX	Brownsville	Brownsville/South Padre Island Intl.	7/4400	2/13/18	ILS OR LOC RWY 13, Orig.
29–Mar–18	PA	Pottsville	Schuylkill County/Joe Zerbey	7/5164	2/12/18	RNAV (GPS) RWY 11, Amdt 2.
29–Mar–18	PA	Pottsville	Schuylkill County/Joe Zerbey	7/5165	2/12/18	RNAV (GPS) RWY 29, Amdt 2.
29–Mar–18	NE	Beatrice	Beatrice Muni	7/6218	2/16/2018	RNAV (GPS) RWY 18, Amdt 2A.
29–Mar–18	NE	Beatrice	Beatrice Muni	7/6219	2/16/2018	RNAV (GPS) RWY 32, Amdt 1B.
29–Mar–18	NE	Beatrice	Beatrice Muni	7/6224	2/16/2018	RNAV (GPS) RWY 36, Amdt 2A.
29–Mar–18	CA	Oroville	Oroville Muni	7/8296	2/12/18	RNAV (GPS) RWY 2, Amdt 1.
29–Mar–18	AK	Cold Bay	Cold Bay	7/9842	1/9/18	RNAV (GPS) RWY 26, Amdt 3.
29–Mar–18	OK	Duncan	Halliburton Field	8/2954	2/13/18	RNAV (GPS) RWY 35, Amdt 2.
29–Mar–18	IA	Sioux City	Sioux Gateway/Col Bud Day Field.	8/3737	2/13/18	ILS OR LOC RWY 31, Amdt 25D.
29–Mar–18	CO	Fort Collins/ Loveland.	Fort Collins-Loveland Muni	8/4541	2/12/18	ILS OR LOC RWY 33, Amdt 6B.
29–Mar–18	CO	Fort Collins/ Loveland.	Fort Collins-Loveland Muni	8/4542	2/12/18	RNAV (GPS) RWY 15, Orig.
29–Mar–18	CO	Fort Collins/ Loveland.	Fort Collins-Loveland Muni	8/4543	2/12/18	RNAV (GPS) RWY 33, Amdt 1A.
29–Mar–18	CO	Fort Collins/ Loveland.	Fort Collins-Loveland Muni	8/4545	2/12/18	VOR/DME–A, Amdt 7.
29–Mar–18	TX	Beaumont/Port Arthur.	Jack Brooks Rgnl	8/4872	2/12/18	RNAV (GPS) RWY 12, Orig-A.
29–Mar–18	IA	Des Moines	Des Moines Intl	8/5986	2/13/18	RNAV (GPS) RWY 13, Amdt 2.
29–Mar–18	NM	Roswell	Roswell Intl Air Center	8/6296	2/12/18	RADAR–1, Orig-A.
29–Mar–18	MO	St Louis	Spirit of St Louis	8/7173	2/13/18	ILS OR LOC RWY 8R, Amdt 14A.
29–Mar–18	MO	St Louis	Spirit of St Louis	8/7174	2/13/18	ILS OR LOC RWY 26L, Orig-C.
29–Mar–18	CT	Willimantic	Windham	8/7701	2/12/18	RNAV (GPS) RWY 9, Amdt 1A.
29–Mar–18	FL	Miami	Miami-Opa Locka Executive ...	8/7849	2/12/18	Takeoff Minimums and Obstacle DP, Amdt 9.
29–Mar–18	HI	Kailua/Kona	Ellison Onizuka Kona Intl At Keahole.	8/9475	2/13/18	Takeoff Minimums and Obstacle DP, Amdt 5.

[FR Doc. 2018–04584 Filed 3–8–18; 8:45 a.m.]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–475]

Schedules of Controlled Substances: Temporary Placement of Seven Fentanyl-Related Substances in Schedule I; Correction

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Temporary amendment; temporary scheduling order; correcting amendment.

SUMMARY: On February 1, 2018, the Drug Enforcement Administration placed seven fentanyl-related substances temporarily in schedule I of the Controlled Substances Act. Incorrect drug codes were assigned to valeryl fentanyl and ocfentanil. This document corrects the drug codes for those two substances.

DATES: Effective March 9, 2018 until February 1, 2020.

FOR FURTHER INFORMATION CONTACT: Michael J. Lewis, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (202) 598–6812.

SUPPLEMENTARY INFORMATION: On February 1, 2018 (83 FR 4580), the Drug Enforcement Administration (DEA) issued a document placing seven fentanyl-related substances temporarily in schedule I of the Controlled Substances Act. These seven substances are: *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide (valeryl fentanyl), *N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide (*para*-fluorobutyryl fentanyl), *N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide (*para*-methoxybutyryl fentanyl), *N*-(4-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide (*para*-chloroisobutyryl fentanyl), *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylisobutyramide (isobutyryl fentanyl), *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopentanecarboxamide (cyclopentyl fentanyl), and *N*-(2-fluorophenyl)-2-methoxy-*N*-(1-phenethylpiperidin-4-yl)acetamide (ocfentanil). The document assigned incorrect drug codes to valeryl fentanyl and ocfentanil. This document corrects the drug codes for those two substances.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Reporting and recordkeeping requirements.

For the reasons set out above, the DEA corrects 21 CFR part 1308 by making the following correcting amendments:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

■ 1. The authority citation for part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b), 956(b), unless otherwise noted.

■ 2. In § 1308.11, paragraphs (h)(23) and (29) are revised to read as follows:

§ 1308.11 Schedule I.

* * * * *

(h) * * *

(23) *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: Valeryl fentanyl) ...	(9840)

* * * * *

(29) *N*-(2-fluorophenyl)-2-methoxy-*N*-(1-phenethylpiperidin-4-yl)acetamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: Ocfentanil)	(9838)

* * * * *

Dated: February 28, 2018.

Robert W. Patterson,

Acting Administrator.

[FR Doc. 2018–04765 Filed 3–8–18; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0037]

RIN 1625–AA00

Safety Zone; Firestone Grand Prix of St. Petersburg, St. Petersburg, Florida

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the navigable waters of Tampa Bay, in the vicinity of the St. Petersburg Municipal Yacht Basin, St. Petersburg, Florida during the Firestone Grand Prix of St. Petersburg. The temporary safety zone is necessary to protect the safety of the race participants, spectators, and vessels on the surrounding waterway during grand prix racing on a course abutting the St. Petersburg Municipal Yacht Basin. Persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port St. Petersburg or a designated representative.

DATES: This rule is effective without actual notice from March 9, 2018 until 10 p.m. on March 11, 2018. For the purposes of enforcement, actual notice will be used from 6 a.m. on March 7, 2018 until March 9, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2018–0037 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Marine Science Technician First Class Michael Shackleford, Sector St. Petersburg Prevention Department, Coast Guard; telephone (813) 228–2191, email *Michael.D.Shackleford@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background, Purpose, and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the Coast Guard was not notified of the event with sufficient time to publish a NPRM prior to the event. The Coast Guard received information regarding the need for a safety zone for the event on January 10, 2018. The event would occur before the rulemaking process would be completed. Because of the dangers posed by the race involved in this event, the safety zone is necessary to provide for the safety of race participants, spectators, and other vessels navigating the surrounding waterways. Delaying the effective date by first publishing an NPRM and holding a comment period would be contrary to the rule's objectives of ensuring safety of life on the navigable waters and protection of race participants, spectators, and vessels in the surrounding waterways. For those reasons, it would be impracticable to publish an NPRM.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register** for the same reasons discussed above.

III. Legal Authority and Need for Rule

The legal basis for this rule is the Coast Guard's authority to establish regulated navigation areas: 33 U.S.C. 1231. The Captain of the Port St. Petersburg has determined that a safety zone is necessary to protect race participants, spectators, and vessels from the hazards associated with race events. The rule is necessary to ensure the safety of life vessels and persons in the navigable waters within the safety zone during the Firestone Grand Prix of St. Petersburg, Florida.

IV. Discussion of the Rule

This rule establishes a safety zone from March 7, 2018 through March 11, 2018, which will be enforced daily from 6 a.m. to 10 p.m. The safety zone will cover all navigable waters within a specified area of Tampa Bay, St. Petersburg. The duration of the zone is intended to ensure the safety of the public and these navigable waters during the race event. No vessel or person will be permitted to enter, transit through, anchor in, or remain within the safety zone without obtaining permission from the Captain of the Port St. Petersburg or a designated representative.

Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the regulated area by contacting the Captain of the Port St. Petersburg by telephone at (727) 824–7506, or a designated representative via VHF radio on channel 16. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the Captain of the Port St. Petersburg or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port St. Petersburg or a designated representative. The Coast Guard will provide notice of the safety zone by Local Notice to Mariners, Broadcast Notice to Mariners, and/or on-scene designated representatives.

IV. Regulatory Analyses

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

Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on: (1) The safety zone will be enforced for a limited period of time over the course of four days during the Firestone Grand Prix of St. Petersburg, Florida race events; (2) although persons and vessels are prohibited to enter, transit through, anchor in, or remain within the regulated area without authorization from the Captain of the Port St. Petersburg or a designated representative, they may operate in the surrounding area during the enforcement period; (3) the Coast Guard will provide advance notification of the safety zone to the local maritime community by Local Notice to Mariners and/or Broadcast Notice to Mariners.

B. Impact on Small Entities

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

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969(42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone that will prohibit persons and vessels from entering, transiting through, anchoring in, or remaining within the regulated area during a four day high speed grand prix race event. It is categorically excluded from further review under paragraph L60 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

G. Protest Activities

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T07–0037 to read as follows:

§ 165.T07–0037 Safety Zone; Firestone Grand Prix of St. Petersburg, St. Petersburg, FL.

(a) *Regulated area.* The following area is established as a safety zone. All waters of the Gulf of Mexico encompassed within the following points: 27°46′18″ N, 082°37′55.2″ W, thence to position 27°46′18″ N, 082°37′54.6″ W, thence to position 27°46′9.6″ N, 082°37′54.6″ W, thence to position 27°46′9.6″ N, 082°37′33″ W, thence to position 27°46′4.2″ N, 082°37′33″ W, thence to position 27°45′59.4″ N, 082°37′50.4″ W, thence to position 27°46′6.6″ N, 082°37′56.4″ W, thence to position 27°46′13.8″ N, 082°37′55.8″ W, thence back to the original position 27°46′18″ N, 082°37′55.2″ W. All coordinates are North American Datum 1983.

(b) *Definition.* The term ''designated representative'' means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port St. Petersburg in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the Regulated Area unless authorized by the Captain of the Port St. Petersburg or a designated representative.

(2) Designated representatives may control vessel traffic throughout the enforcement area as determined by the prevailing conditions.

(3) Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the regulated areas by contacting the Captain of the Port St. Petersburg by telephone at (727) 824–7506, or a designated representative via VHF radio on channel 16. If authorization is granted by the Captain of the Port St. Petersburg or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port St. Petersburg or a designated representative.

(d) *Enforcement period.* This rule will be enforced from 6 a.m. until 10 p.m. daily from March 7, 2018 through March 11, 2018.

Holly L. Najarian,

Captain, U.S. Coast Guard, Captain of the Port Saint Petersburg.

[FR Doc. 2018–04744 Filed 3–8–18; 8:45 am]

BILLING CODE 9110–04–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3020

[Docket Nos. MC2010–21 and CP2010–36]

Update to Product Lists

AGENCY: Postal Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Commission is updating the competitive product list. This action reflects a publication policy adopted by Commission order. The referenced policy assumes periodic updates. The updates are identified in the body of this document. The competitive product list, which is re-published in its entirety, includes these updates.

DATES: *Effective:* March 9, 2018. For applicability dates, see **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6800.

SUPPLEMENTARY INFORMATION:

Applicability Dates

October 3, 2017, Priority Mail Contract 358 (MC2017–204 and CP2017–312); October 3, 2017, Priority Mail Contract 359 (MC2017–205 and CP2017–313); October 3, 2017, Priority Mail Contract 360 (MC2017–206 and CP2017–314); October 5, 2017, Alternative Delivery Provider Reseller 1 (MC2017–170 and CP2017–268); October 5, 2017, Priority Mail Contract 361 (MC2017–207 and CP2017–315); October 5, 2017, Priority Mail Contract 362 (MC2017–208 and CP2017–316); October 5, 2017, Priority Mail Contract 363 (MC2017–209 and CP2017–317); October 5, 2017, Priority Mail Contract 364 (MC2017–210 and CP2017–318); October 6, 2017, Parcel Select Contract 23 (MC2017–211 and CP2017–319); October 6, 2017, First-Class Package Service Contract 82 (MC2017–212 and CP2017–320); October 11, 2017, Priority Mail Contract 365 (MC2017–213 and CP2017–321); October 11, 2017, Priority Mail & First-Class Package Service Contract 58 (MC2017–214 and CP2017–322); October 12, 2017, First-Class Package Service Contract 83 (MC2018–1 and CP2018–1); October 12, 2017, First-Class Package Service Contract 84 (MC2018–2 and CP2018–2); October 18, 2017, Priority Mail Contract 367 (MC2018–4 and CP2018–6); October 19, 2017, Priority Mail Contract 368 (MC2018–5 and CP2018–7); October 25, 2017, Priority Mail Contract 370 (MC2018–9 and CP2018–16); October 25, 2017, Priority Mail Express Contract 51 (MC2018–10 and CP2018–17); October 25, 2017, Priority Mail & First-Class Package Service Contract 59 (MC2018–11 and CP2018–18); October 25, 2017, Priority Mail & First-Class Package Service Contract 60 (MC2018–12 and CP2018–19); October 31, 2017, Global Plus 1E (MC2018–7 and CP2018–12); October 31, 2017, Parcel Select Contract 24 (MC2018–13 and CP2018–26); November 1, 2017, Global Expedited Package Services 9 (MC2018–6 and CP2018–11); November 2, 2017, Priority Mail Contract 369 (MC2018–8 and CP2018–15); November 3, 2017, Priority Mail & First-Class Package Service Contract 61 (MC2018–14 and CP2018–30); November 3, 2017, Priority Mail Contract 371 (MC2018–15 and CP2018–31); November 3, 2017, Priority Mail Express Contract 52 (MC2018–16 and CP2018–32); November 3, 2017, Priority Mail Express, Priority Mail & First-Class Package Service Contract 23 (MC2018–17 and CP2018–33); November 9, 2017, Priority Mail Express & Priority Mail Contract 52 (MC2018–18 and CP2018–40); November 9, 2017, Priority Mail Express, Priority Mail & First-Class Package Service Contract 24 (MC2018–19 and CP2018–41); November 15, 2017, Priority Mail Express, Priority Mail & First-Class Package Service Contract 25 (MC2018–20 and CP2018–42); November 15, 2017, Priority Mail Contract 372 (MC2018–21 and CP2018–43); November 21, 2017, Priority Mail Contract 373 (MC2018–22 and CP2018–44); November 21, 2017, Priority Mail Contract 374 (MC2018–23 and CP2018–45); November 21, 2017, Priority Mail Express, Priority Mail & First-Class Package Service Contract 26 (MC2018–24 and CP2018–46); November 29, 2017, Priority Mail Express Contract 53 (MC2018–25 and CP2018–51); November 29, 2017, Priority Mail Contract 375 (MC2018–26 and CP2018–52); November 29, 2017, Priority Mail Contract 376 (MC2018–27 and CP2018–53); November 29, 2017, Priority Mail & First-Class Package Service Contract 62 (MC2018–28 and CP2018–54); November 30, 2017, Priority Mail Express, Priority Mail & First-Class Package Service Contract 27 (MC2018–29 and CP2018–58); December 1, 2017, Priority Mail Express, Priority Mail & First-Class Package Service Contract 28 (MC2018–30 and CP2018–60); December 1, 2017, First-Class Package Service Contract 85 (MC2018–31 and CP2018–61); December 5, 2017, Priority Mail Express & Priority Mail Contract 53 (MC2018–33 and CP2018–63); December 5, 2017, Priority Mail Contract 377 (MC2018–32 and CP2018–62); December 7, 2017, Priority Mail Contract 378 (MC2018–34 and CP2018–64); December 8, 2017,

Priority Mail Contract 379 (MC2018–36 and CP2018–66); December 8, 2017, Priority Mail & First-Class Package Service Contract 63 (MC2018–37 and CP2018–67); December 12, 2017, Priority Mail Contract 380 (MC2018–38 and CP2018–68); December 12, 2017, Priority Mail Express, Priority Mail & First-Class Package Service Contract 29 (MC2018–39 and CP2018–69); December 12, 2017, Priority Mail Express, Priority Mail & First-Class Package Service Contract 30 (MC2018–40 and CP2018–70); December 12, 2017, Priority Mail Contract 381 (MC2018–41 and CP2018–71); December 14, 2017, Priority Mail Contract 382 (MC2018–42 and CP2018–72); December 14, 2017, Priority Mail Contract 383 (MC2018–43 and CP2018–73); December 15, 2017, Priority Mail Contract 384 (MC2018–45 and CP2018–75); December 15, 2017, Priority Mail Express Contract 54 (MC2018–46 and CP2018–76); December 15, 2017, Priority Mail Contract 385 (MC2018–47 and CP2018–77); December 15, 2017, Priority Mail & First-Class Package Service Contract 64 (MC2018–48 and CP2018–78); December 15, 2017, Parcel Select Contract 25 (MC2018–35 and CP2018–65); December 15, 2017, Parcel Select Contract 26 (MC2018–44 and CP2018–74); December 19, 2017, Priority Mail Express & Priority Mail Contract 54 (MC2018–49 and CP2018–80); December 19, 2017, Priority Mail Contract 386 (MC2018–50 and CP2018–81); December 19, 2017, First-Class Package Service Contract 86 (MC2018–51 and CP2018–82); December 19, 2017, Priority Mail Contract 387 (MC2018–52 and CP2018–83); December 26, 2017, Priority Mail Contract 388 (MC2018–53 and CP2018–86); December 26, 2017, Priority Mail Contract 389 (MC2018–54 and CP2018–87); December 26, 2017, Priority Mail Contract 390 (MC2018–55 and CP2018–91); December 26, 2017, Priority Mail Contract 391 (MC2018–56 and CP2018–92); December 27, 2017, Priority Mail Express Contract 55 (MC2018–57 and CP2018–94); December 27, 2017, Priority Mail Contract 392 (MC2018–58 and CP2018–95); December 28, 2017, First-Class Package Service Contract 87 (MC2018–59 and CP2018–98); December 28, 2017, First-Class Package Service Contract 88 (MC2018–60 and CP2018–100); December 28, 2017, Priority Mail & First-Class Package Service Contract 65 (MC2018–61 and CP2018–101); December 29, 2017, Priority Mail & First-Class Package Service Contract 66 (MC2018–62 and CP2018–102); December 29, 2017, Priority Mail Express Contract 56 (MC2018–63 and CP2018–103); December 29, 2017, Priority Mail Contract 393 (MC2018–64 and CP2018–104); December 29, 2017, Priority Mail Contract 394 (MC2018–65 and CP2018–105); December 29, 2017, Priority Mail Contract 395 (MC2018–66 and CP2018–106).

This document identifies updates to the competitive product list, which appears as 39 CFR Appendix B to Subpart A of Part 3020—Competitive Product List. Publication of the updated product list in the **Federal Register** is addressed in the Postal Accountability and Enhancement Act (PAEA) of 2006.

Authorization. The Commission process for periodic publication of updates was established in Docket Nos. MC2010–21 and CP2010–36, Order No. 445, April 22, 2010, at 8.

Changes. The competitive product list is being updated by publishing a replacement in its entirety of 39 CFR Appendix B to Subpart A of Part 3020—Competitive Product List. The following products are being added, removed, or moved within the competitive product list:

Competitive Product List

1. Priority Mail Contract 358 (MC2017–204 and CP2017–312) (Order No. 4138), added October 3, 2017.
2. Priority Mail Contract 359 (MC2017–205 and CP2017–313) (Order No. 4139), added October 3, 2017.
3. Priority Mail Contract 360 (MC2017–206 and CP2017–314) (Order No. 4140), added October 3, 2017.
4. Alternative Delivery Provider Reseller 1 (MC2017–170 and CP2017–268) (Order No. 4143), added October 5, 2017.
5. Priority Mail Contract 361 (MC2017–207 and CP2017–315) (Order No. 4144), added October 5, 2017.
6. Priority Mail Contract 362 (MC2017–208 and CP2017–316) (Order No. 4145), added October 5, 2017.
7. Priority Mail Contract 363 (MC2017–209 and CP2017–317) (Order No. 4146), added October 5, 2017.
8. Priority Mail Contract 364 (MC2017–210 and CP2017–318) (Order No. 4147), added October 5, 2017.
9. Parcel Select Contract 23 (MC2017–211 and CP2017–319) (Order No. 4149), added October 6, 2017.
10. First-Class Package Service Contract 82 (MC2017–212 and CP2017–320) (Order No. 4150), added October 6, 2017.
11. Priority Mail Contract 365 (MC2017–213 and CP2017–321) (Order No. 4155), added October 11, 2017.
12. Priority Mail & First-Class Package Service Contract 58 (MC2017–214 and CP2017–322) (Order No. 4156), added October 11, 2017.
13. First-Class Package Service Contract 83 (MC2018–1 and CP2018–1) (Order No. 4159), added October 12, 2017.
14. First-Class Package Service Contract 84 (MC2018–2 and CP2018–2) (Order No. 4160), added October 12, 2017.
15. Priority Mail Contract 367 (MC2018–4 and CP2018–6) (Order No. 4168), added October 18, 2017.
16. Priority Mail Contract 368 (MC2018–5 and CP2018–7) (Order No. 4169), added October 19, 2017.
17. Priority Mail Contract 370 (MC2018–9 and CP2018–16) (Order No. 4180), added October 25, 2017.
18. Priority Mail Express Contract 51 (MC2018–10 and CP2018–17) (Order No. 4181), added October 25, 2017.
19. Priority Mail & First-Class Package Service Contract 59 (MC2018–11 and CP2018–18) (Order No. 4182), added October 25, 2017.
20. Priority Mail & First-Class Package Service Contract 60 (MC2018–12 and CP2018–19) (Order No. 4183), added October 25, 2017.
21. Global Plus 1E (MC2018–7 and CP2018–12) (Order No. 4194), added October 31, 2017.
22. Priority Mail & First-Class Package Service Contract 52 (MC2017–174 and CP2017–275) (Order No. 4083), added August 30, 2017.
23. Parcel Select Contract 24 (MC2018–13 and CP2018–26) (Order No. 4196), added October 31, 2017.
24. Global Expedited Package Services 9 (MC2018–6 and CP2018–11) (Order No. 4199), added November 1, 2017.
25. Priority Mail Contract 369 (MC2018–8 and CP2018–15) (Order No. 4201), added November 2, 2017.
26. Priority Mail & First-Class Package Service Contract 61 (MC2018–14 and CP2018–30) (Order No. 4202), added November 3, 2017.
27. Priority Mail Contract 371 (MC2018–15 and CP2018–31) (Order No. 4203), added November 3, 2017.
28. Priority Mail Express Contract 52 (MC2018–16 and CP2018–32) (Order No. 4204), added November 3, 2017.
29. Priority Mail Express, Priority Mail & First-Class Package Service Contract 23 (MC2018–17 and CP2018–33) (Order No. 4205), added November 3, 2017.
30. Priority Mail Express & Priority Mail Contract 52 (MC2018–18 and CP2018–40) (Order No. 4212), added November 9, 2017.
31. Priority Mail Express, Priority Mail & First-Class Package Service Contract 24 (MC2018–19 and CP2018–41) (Order No. 4214), added November 9, 2017.
32. Priority Mail Express, Priority Mail & First-Class Package Service

Contract 25 (MC2018–20 and CP2018–42) (Order No. 4220), added November 15, 2017.

33. Priority Mail Contract 372 (MC2018–21 and CP2018–43) (Order No. 4221), added November 15, 2017.

34. Priority Mail Contract 373 (MC2018–22 and CP2018–44) (Order No. 4229), added November 21, 2017.

35. Priority Mail Contract 374 (MC2018–23 and CP2018–45) (Order No. 4230), added November 21, 2017.

36. Priority Mail Express, Priority Mail & First-Class Package Service Contract 26 (MC2018–24 and CP2018–46) (Order No. 4231), added November 21, 2017.

37. Priority Mail Express Contract 53 (MC2018–25 and CP2018–51) (Order No. 4243), added November 29, 2017.

38. Priority Mail Contract 375 (MC2018–26 and CP2018–52) (Order No. 4244), added November 29, 2017.

39. Priority Mail Contract 376 (MC2018–27 and CP2018–53) (Order No. 4245), added November 29, 2017.

40. Priority Mail & First-Class Package Service Contract 62 (MC2018–28 and CP2018–54) (Order No. 4246), added November 29, 2017.

41. Priority Mail Express, Priority Mail & First-Class Package Service Contract 27 (MC2018–29 and CP2018–58) (Order No. 4254), added November 30, 2017.

42. Priority Mail Express, Priority Mail & First-Class Package Service Contract 28 (MC2018–30 and CP2018–60) (Order No. 4261), added December 1, 2017.

43. First-Class Package Service Contract 85 (MC2018–31 and CP2018–61) (Order No. 4262), added December 1, 2017.

44. Priority Mail Express & Priority Mail Contract 53 (MC2018–33 and CP2018–63) (Order No. 4265), added December 5, 2017.

45. Priority Mail Contract 377 (MC2018–32 and CP2018–62) (Order No. 4266), added December 5, 2017.

46. Priority Mail Contract 378 (MC2018–34 and CP2018–64) (Order No. 4268), added December 7, 2017.

47. Priority Mail Contract 379 (MC2018–36 and CP2018–66) (Order No. 4269), added December 8, 2017.

48. Priority Mail & First-Class Package Service Contract 63 (MC2018–37 and CP2018–67) (Order No. 4270), added December 8, 2017.

49. Priority Mail Contract 380 (MC2018–38 and CP2018–68) (Order No. 4271), added December 12, 2017.

50. Priority Mail Express, Priority Mail & First-Class Package Service Contract 29 (MC2018–39 and CP2018–69) (Order No. 4272), added December 12, 2017.

51. Priority Mail Express, Priority Mail & First-Class Package Service Contract 30 (MC2018–40 and CP2018–70) (Order No. 4273), added December 12, 2017.

52. Priority Mail Contract 381 (MC2018–41 and CP2018–71) (Order No. 4274), added December 12, 2017.

53. Priority Mail Contract 382 (MC2018–42 and CP2018–72) (Order No. 4276), added December 14, 2017.

54. Priority Mail Contract 383 (MC2018–43 and CP2018–73) (Order No. 4277), added December 14, 2017.

55. Priority Mail Contract 384 (MC2018–45 and CP2018–75) (Order No. 4279), added December 15, 2017.

56. Priority Mail Express Contract 54 (MC2018–46 and CP2018–76) (Order No. 4280), added December 15, 2017.

57. Priority Mail Contract 385 (MC2018–47 and CP2018–77) (Order No. 4281), added December 15, 2017.

58. Priority Mail & First-Class Package Service Contract 64 (MC2018–48 and CP2018–78) (Order No. 4282), added December 15, 2017.

59. Parcel Select Contract 25 (MC2018–35 and CP2018–65) (Order No. 4283), added December 15, 2017.

60. Parcel Select Contract 26 (MC2018–44 and CP2018–74) (Order No. 4284), added December 15, 2017.

61. Priority Mail Express & Priority Mail Contract 54 (MC2018–49 and CP2018–80) (Order No. 4287), added December 19, 2017.

62. Priority Mail Contract 386 (MC2018–50 and CP2018–81) (Order No. 4288), added December 19, 2017.

63. First-Class Package Service Contract 86 (MC2018–51 and CP2018–82) (Order No. 4289), added December 19, 2017.

64. Priority Mail Contract 387 (MC2018–52 and CP2018–83) (Order No. 4290), added December 19, 2017.

65. Priority Mail Contract 388 (MC2018–53 and CP2018–86) (Order No. 4299), added December 26, 2017.

66. Priority Mail Contract 389 (MC2018–54 and CP2018–87) (Order No. 4300), added December 26, 2017.

67. Priority Mail Contract 390 (MC2018–55 and CP2018–91) (Order No. 4301), added December 26, 2017.

68. Priority Mail Contract 391 (MC2018–56 and CP2018–92) (Order No. 4302), added December 26, 2017.

69. Priority Mail Express Contract 55 (MC2018–57 and CP2018–94) (Order No. 4306), added December 27, 2017.

70. Priority Mail Contract 392 (MC2018–58 and CP2018–95) (Order No. 4307), added December 27, 2017.

71. First-Class Package Service Contract 88 (MC2018–60 and CP2018–100) (Order No. 4316), added December 28, 2017.

72. Priority Mail & First-Class Package Service Contract 65 (MC2018–61 and CP2018–101) (Order No. 4317), added December 28, 2017.

73. Priority Mail & First-Class Package Service Contract 66 (MC2018–62 and CP2018–102) (Order No. 4318), added December 29, 2017.

74. Priority Mail Express Contract 56 (MC2018–63 and CP2018–103) (Order No. 4319), added December 29, 2017.

75. Priority Mail Contract 393 (MC2018–64 and CP2018–104) (Order No. 4320), added December 29, 2017.

76. Priority Mail Contract 394 (MC2018–65 and CP2018–105) (Order No. 4321), added December 29, 2017.

77. Priority Mail Contract 395 (MC2018–66 and CP2018–106) (Order No. 4322), added December 29, 2017.

The following negotiated service agreements have expired, or have been terminated early, and are being deleted from the Competitive Product List:

1. Priority Mail Express Contract 19 (MC2014–41 and CP2014–74) (Order No. 2178).

2. Priority Mail Express Contract 21 (MC2015–14 and CP2015–17) (Order No. 2284).

3. Priority Mail Contract 82 (MC2014–29 and CP2014–54) (Order No. 2119).

4. Priority Mail Contract 87 (MC2014–36 and CP2014–62) (Order No. 2142).

5. Priority Mail Contract 92 (MC2014–46 and CP2014–82) (Order No. 2202).

6. Priority Mail Contract 95 (MC2014–49 and CP2014–85) (Order No. 2210).

7. Priority Mail Contract 96 (MC2015–4 and CP2015–5) (Order No. 2245).

8. Priority Mail Contract 104 (MC2015–19 and CP2015–23) (Order No. 2302).

9. Priority Mail Contract 241 (MC2016–202 and CP2016–291) (Order No. 3551).

10. Priority Mail Express & Priority Mail Contract 10 (MC2012–54 and CP2012–66) (Order No. 1499).

11. First-Class Package Service Contract 37 (MC2014–42 and CP2014–75) (Order No. 2179).

12. First-Class Package Service Contract 70 (MC2017–55 and CP2017–81) (Order No. 3705).

Updated product list. The referenced changes to the competitive product list is incorporated into 39 CFR Appendix B to Subpart A of Part 3020—Competitive Product List.

List of Subjects in 39 CFR Part 3020

Administrative practice and procedure, Postal Service.

For the reasons discussed in the preamble, the Postal Regulatory Commission amends chapter III of title 39 of the Code of Federal Regulations as follows:

PART 3020—PRODUCT LISTS

■ 1. The authority citation for part 3020 continues to read as follows:

Authority: 39 U.S.C. 503; 3622; 3631; 3642; 3682.

■ 2. Revise Appendix B of Subpart A of Part 3020—Competitive Product List to read as follows:

Appendix B to Subpart A of Part 3020—Competitive Product List

(An asterisk (*) indicates an organizational group, not a Postal Service product.)

Domestic Products *
- Priority Mail Express
- Priority Mail
- Parcel Select
- Parcel Return Service
- First-Class Package Service
- USPS Retail Ground

International Products *
- Outbound International Expedited Services
- Inbound Parcel Post (at UPU rates)
- Outbound Priority Mail International
- International Priority Airmail (IPA)
- International Surface Air List (ISAL)
- International Direct Sacks—M-Bags
- Outbound Single-Piece First-Class Package International Service

Negotiated Service Agreements *
- Domestic *
- Priority Mail Express Contract 16
- Priority Mail Express Contract 20
- Priority Mail Express Contract 23
- Priority Mail Express Contract 26
- Priority Mail Express Contract 27
- Priority Mail Express Contract 28
- Priority Mail Express Contract 29
- Priority Mail Express Contract 30
- Priority Mail Express Contract 31
- Priority Mail Express Contract 32
- Priority Mail Express Contract 34
- Priority Mail Express Contract 35
- Priority Mail Express Contract 36
- Priority Mail Express Contract 37
- Priority Mail Express Contract 38
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- Priority Mail Express Contract 48
- Priority Mail Express Contract 49
- Priority Mail Express Contract 50
- Priority Mail Express Contract 51
- Priority Mail Express Contract 52
- Priority Mail Express Contract 53
- Priority Mail Express Contract 54
- Priority Mail Express Contract 55
- Priority Mail Express Contract 56
- Parcel Return Service Contract 5
- Parcel Return Service Contract 6
- Parcel Return Service Contract 7
- Parcel Return Service Contract 8
- Parcel Return Service Contract 9
- Parcel Return Service Contract 10
- Priority Mail Contract 77
- Priority Mail Contract 78
- Priority Mail Contract 80
- Priority Mail Contract 85
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Parcel Select & Parcel Return Service Contract 3
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Parcel Select Contract 2
Parcel Select Contract 8
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Priority Mail—Non-Published Rates
Priority Mail—Non-Published Rates 1
First-Class Package Service Contract 38
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Priority Mail & First-Class Package Service Contract 62
Priority Mail & First-Class Package Service Contract 63
Priority Mail & First-Class Package Service Contract 64
Priority Mail & First-Class Package Service Contract 65
Priority Mail & First-Class Package Service Contract 66
Priority Mail & Parcel Select Contract 1
Priority Mail & Parcel Select Contract 2

Outbound International*

Global Expedited Package Services (GEPS) Contracts
GEPS 3
GEPS 5
GEPS 6
GEPS 7
GEPS 8
GEPS 9
Global Bulk Economy (GBE) Contracts
Global Plus Contracts
Global Plus 1C

Global Plus 1D
Global Plus 1E
Global Plus 2C
Global Plus 3
Global Reseller Expedited Package Contracts
Global Reseller Expedited Package Services 1
Global Reseller Expedited Package Services 2
Global Reseller Expedited Package Services 3
Global Reseller Expedited Package Services 4
Global Expedited Package Services (GEPS)—Non-Published Rates
Global Expedited Package Services (GEPS)—Non-Published Rates 2
Global Expedited Package Services (GEPS)—Non-Published Rates 3
Global Expedited Package Services (GEPS)—Non-Published Rates 4
Global Expedited Package Services (GEPS)—Non-Published Rates 5
Global Expedited Package Services (GEPS)—Non-Published Rates 6
Global Expedited Package Services (GEPS)—Non-Published Rates 7
Global Expedited Package Services (GEPS)—Non-Published Rates 8
Global Expedited Package Services (GEPS)—Non-Published Rates 9
Global Expedited Package Services (GEPS)—Non-Published Rates 10
Global Expedited Package Services (GEPS)—Non-Published Rates 11
Global Expedited Package Services (GEPS)—Non-Published Rates 12
Priority Mail International Regional Rate Boxes—Non-Published Rates
Outbound Competitive International Merchandise Return Service Agreement with Royal Mail Group, Ltd.
Priority Mail International Regional Rate Boxes Contracts
Priority Mail International Regional Rate Boxes Contracts 1
Competitive International Merchandise Return Service Agreements with Foreign Postal Operators 1
Competitive International Merchandise Return Service Agreements with Foreign Postal Operators 1
Competitive International Merchandise Return Service Agreements with Foreign Postal Operators 2
Alternative Delivery Provider (ADP) Contracts ADP 1
Alternative Delivery Provider Reseller (ADPR) Contracts ADPR 1
Inbound International*
International Business Reply Service (IBRS) Competitive Contracts
International Business Reply Service Competitive Contract 1
International Business Reply Service Competitive Contract 3
Inbound Direct Entry Contracts with Customers
Inbound Direct Entry Contracts with Foreign Postal Administrations
Inbound Direct Entry Contracts with Foreign Postal Administrations
Inbound Direct Entry Contracts with Foreign Postal Administrations 1
Inbound EMS
Inbound EMS 2
Inbound Air Parcel Post (at non-UPU rates)
Royal Mail Group Inbound Air Parcel Post Agreement
Inbound Competitive Multi-Service Agreements with Foreign Postal Operators
Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1
Special Services*
Address Enhancement Services
Greeting Cards, Gift Cards, and Stationery
International Ancillary Services
International Money Transfer Service—Outbound
International Money Transfer Service—Inbound
Premium Forwarding Service
Shipping and Mailing Supplies
Post Office Box Service
Competitive Ancillary Services
Nonpostal Services*
Advertising
Licensing of Intellectual Property other than Officially Licensed Retail Products (OLRP)
Mail Service Promotion
Officially Licensed Retail Products (OLRP)
Passport Photo Service
Photocopying Service
Rental, Leasing, Licensing or other Non-Sale Disposition of Tangible Property
Training Facilities and Related Services
USPS Electronic Postmark (EPM) Program
Market Tests*
Customized Delivery
Global eCommerce Marketplace (GeM)

Stacy L. Ruble,

Secretary.

[FR Doc. 2018–04785 Filed 3–8–18; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 51

[EPA–HQ–OAR–2016–0202; FRL–9975–23–OAR]

RIN 2060–AT41

Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications Approach

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: In this final rule, the EPA is establishing the air quality thresholds that define the classifications assigned to all nonattainment areas for the 2015 ozone national ambient air quality standards (NAAQS) (the ''2015 ozone NAAQS'') promulgated on October 1, 2015. This final rule also establishes the timing of attainment dates for each nonattainment area classification.

DATES: This final rule is effective on May 8, 2018.

ADDRESSES: The EPA has established a docket for this action, identified by Docket ID No. EPA–HQ–OAR–2016–0202. All documents in the docket are listed in the *http://www.regulations.gov* website. Although listed in the index, some information may not be publicly available, *e.g.,* Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy. Publicly available docket materials are available electronically in *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: For further general information on this rule, contact Mr. Robert Lingard, Office of Air Quality Planning and Standards (OAQPS), Air Quality Policy Division, U.S. EPA, Mailcode 539–01, 109 T.W. Alexander Drive, Research Triangle Park, NC 27711; by telephone at (919) 541–5272; or by email at *lingard.robert@epa.gov;* or Mr. Butch Stackhouse, OAQPS, Air Quality Policy Division, U.S. EPA, Mailcode 539–01, 109 T.W. Alexander Drive, Research Triangle Park, NC 27711; by telephone at (919) 541–5208; or by email at *stackhouse.butch@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

Entities potentially affected directly by this final rule include state, local and tribal governments and air pollution control agencies (air agencies) responsible for attainment and maintenance of the ozone NAAQS. Entities potentially affected indirectly by this proposed rule as regulated sources include owners and operators of sources of emissions of volatile organic compounds (VOCs) and nitrogen oxides (NO_X) that contribute to ground-level ozone formation.

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

In addition to being available in the docket, an electronic copy of this **Federal Register** document will be posted at *http://www.epa.gov/ozone-pollution.*

C. How is this document organized?

The information presented in this document is organized as follows:

I. General Information
A. Does this action apply to me?

B. Where can I get a copy of this document and other related information?
C. How is this document organized?
II. Background
III. Application of Classification Provisions in CAA Section 181 to Nonattainment Areas Subject to Subpart 2 of Part D of Title I of the CAA
A. Background and Summary of the Proposal
B. Brief Summary of Comments on the Proposed Rule and the EPA's Responses
C. Final Action
IV. Environmental Justice Considerations
V. Statutory and Executive Order Reviews
A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review
B. Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs
C. Paperwork Reduction Act (PRA)
D. Regulatory Flexibility Act (RFA)
E. Unfunded Mandates Reform Act (UMRA)
F. Executive Order 13132: Federalism
G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks
I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
J. National Technology Transfer and Advancement Act (NTTA)
K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations
L. Congressional Review Act (CRA)
M. Judicial Review
VI. Statutory Authority

II. Background

On October 1, 2015,[1] the EPA promulgated a rule that revised the primary and secondary 8-hour NAAQS for ozone to a level of 0.070 parts per million (ppm).[2] [3] Revisions to the ozone NAAQS trigger a process set forth in section 107 of the Clean Air Act (CAA or Act), in which states recommend area designations (*i.e.,* as nonattainment, attainment, or unclassifiable with respect to the revised standards) to the EPA, and the EPA then evaluates air quality data and other factors prior to making final area designations. In accordance with CAA section 181(a)(1), an area designated as nonattainment for a revised ozone NAAQS must be classified, at the time of designation, as Marginal, Moderate, Serious, Severe or Extreme, depending on the severity of the ozone air quality problem in that nonattainment area.

On November 17, 2016, the EPA proposed a set of nonattainment area classification thresholds and associated attainment dates, as well as other NAAQS implementation-related provisions including submittal deadlines and specific CAA requirements for the content of nonattainment area and Ozone Transport Region state implementation plans (SIPs), for the 2015 ozone NAAQS (81 FR 81276). With this action, we are finalizing the set of nonattainment area classification thresholds and associated attainment dates, which will apply when the EPA promulgates final nonattainment area designations for the 2015 ozone NAAQS.[4] The public comment period on the November 17, 2016, notice of proposed rulemaking (NPRM) (November 2016 proposal) ran from November 17, 2016, to February 13, 2017. The EPA received approximately 80 comment submissions on the NPRM, approximately 20 of which addressed the EPA's proposed nonattainment area classifications approach. The preamble to this final classifications rule for the 2015 ozone NAAQS discusses the comments received and how they were considered by the EPA in general terms. The Response to Comments document provides more detailed responses to the comments received. The public comments received on the NPRM and the EPA's Response to Comment document are posted in the docket at *http://www.regulations.gov* (Docket ID No. EPA–HQ–OAR–2016–0202).

We are taking two actions in this final rule: (1) Establishing the air quality thresholds that define each of the five CAA classifications for areas designated nonattainment for the 2015 ozone NAAQS; and (2) establishing the attainment deadline associated with each classification. The EPA also proposed in the November 2016 proposal to apply previous voluntary reclassifications for six areas in California to the revised 2015 ozone NAAQS. Consistent with California's most recent request, EPA intends to finalize these voluntary reclassifications for five areas separately with its final nonattainment area designations for the 2015 ozone NAAQS.

III. Application of Classification Provisions in CAA Section 181 to Nonattainment Areas Subject to Subpart 2 of Part D of Title I of the CAA

A. Background and Summary of the Proposal

1. Background

On November 17, 2016, the EPA proposed numerical ozone air quality thresholds for classifying nonattainment areas for the 2015 ozone NAAQS (81 FR 81283). In accordance with CAA section 181(a)(1), each area designated as nonattainment for the 2015 ozone NAAQS must be classified at the time of designation. Accordingly, the EPA is finalizing classification thresholds on or before the date that it issues final nonattainment area designations.

Under Subpart 2 of part D of title I of the CAA, state planning and emissions control requirements for ozone are determined, in part, by a nonattainment area's classification. Under subpart 2, ozone nonattainment areas are initially classified based on the severity of their ozone levels, as determined by the area's design value (DV),[5] relative to the lower and upper DV thresholds for each classification. Nonattainment areas with a ''lower'' classification have ozone levels at the time of designation that are closer to the standard than areas with a ''higher'' classification. Ozone nonattainment areas in the lower classification levels have fewer initial mandatory air quality planning and control requirements than those in higher classifications. Clean Air Act section 181 provides an increasing amount of maximum time from the date of designation to attain the standards for the progressively higher classifications: Marginal—3 years, Moderate—6 years, Serious—9 years, Severe—15 or 17 years, and Extreme—20 years.

The CAA provides mechanisms for addressing nonattainment areas that may not be able to attain by the attainment date for their classification, or that fail to attain by that date. CAA section 181(a)(4) provides that within 90 days of designation and classification, the Administrator may exercise discretion to reclassify an area to a higher (or lower) classification if its DV is within 5 percent of the DV range of the higher (or lower) classification. An air agency may also voluntarily request, pursuant to CAA section 181(b)(3), that the EPA reclassify the area to a higher classification. The EPA may not deny

[1] *See* 80 FR 65292 (October 26, 2015).

[2] Compliance with the NAAQS is computed based on the annual fourth highest daily maximum 8-hour average concentration, averaged over 3 years. For a detailed explanation of the calculation of the 3-year 8-hour average, *see* 40 CFR part 50, appendix P.

[3] Since the 2015 primary and secondary NAAQS for ozone are identical, for convenience, we refer to both as ''the 2015 ozone NAAQS'' or ''the 2015 ozone standards.''

[4] The EPA intends to finalize, where appropriate, the other portions of the November 17, 2016, proposed rule in a separate action.

[5] Annual fourth highest daily maximum 8-hour average ozone concentration, averaged over 3 years. For a detailed explanation of the calculation of the 3-year 8-hour average, *see* 40 CFR part 50, appendix P.

and must approve any such voluntary reclassification requests. Once an area is reclassified to a higher classification, it becomes subject to the associated additional planning and control requirements for that higher classification, and must attain the standard no later than the maximum attainment date for that classification. Six nonattainment areas in California were granted voluntary reclassifications for both the 1997 and 2008 ozone NAAQS (77 FR 30165; May 21, 2012), which we proposed in the November 2016 proposal to apply for the 2015 ozone NAAQS. Finally, if the EPA determines that an area has failed to attain the standard by the applicable attainment date, CAA section 181(b)(2) requires EPA to reclassify that area to a higher classification (*i.e.,* ''bump-up'').

2. Summary of the Proposal

For purposes of the 2015 ozone NAAQS, the EPA proposed to retain the ''percent-above-the-standard'' (PATS) methodology used to establish area classification thresholds for the 1997 and 2008 8-hour ozone NAAQS (81 FR 81283; November 17, 2016). As the EPA explained in our proposal, the PATS approach is rooted in the classification thresholds established for the ozone standard in effect at the time of the 1990 CAA amendments, which was a 1-hour exceedance-based standard of 0.12 ppm.[6] The classification provisions in Table 1 in section 181 of subpart 2 of the CAA (also referred to herein as the ''CAA Table 1'') are specific to that 1-hour standard. The EPA subsequently translated the CAA Table 1 thresholds for purposes of the revised 1997 ozone NAAQS, which were expressed in the form of a 3-year average of annual fourth highest daily maximum 8-hour averages.[7] Specifically, in the classifications rule for the 1997 8-hour ozone NAAQS, we translated the classification thresholds in CAA Table 1 from 1-hour DVs to 8-hour DVs based on the percentage by which each classification threshold in the table exceeds the 1-hour ozone NAAQS (*i.e.,* percent-above-the-standard, or PATS).[8] Application of the PATS classification approach for 8-hour ozone NAAQS was challenged in litigation and upheld by the Court. *See South Coast Air Quality Management District* v. *Environmental Protection Agency,* 472 F.3d 882 (D.C. Cir. 2006) at 896–898. The EPA subsequently retained the PATS approach in its final classifications rule for the 2008 8-hour ozone NAAQS.[9]

The EPA also proposed to retain its current approach in establishing attainment dates for each nonattainment area classification, consistent with CAA Table 1 and the regulatory approach for both the 1997 and 2008 ozone NAAQS (81 FR 81285; November 17, 2016). We proposed that the maximum attainment dates for nonattainment areas in each classification under the 2015 NAAQS are as follows: Marginal—3 years from effective date of designation; Moderate—6 years from effective date of designation; Serious—9 years from effective date of designation; Severe—15 years (or 17 years) from effective date of designation; and Extreme—20 years from effective date of designation.

Finally, the EPA proposed to again apply previous voluntary reclassifications for potential nonattainment areas in California to the revised 2015 ozone NAAQS unless the state of California explicitly requested otherwise in their comments to the November 2016 proposal (81 FR 81285).[10] These areas included Los Angeles-South Coast Air Basin, San Joaquin Valley, Riverside County (Coachella Valley), Sacramento Metro, Ventura County and Western Mojave areas. We believe this is an appropriate mechanism to address the situation for these California areas that were voluntarily reclassified for the 1997 ozone NAAQS and previously used this mechanism for the 2008 ozone NAAQS to ensure the areas would have an attainment date for the revised 2015 ozone NAAQS that is no earlier than the area's attainment date for the prior 2008 NAAQS. The EPA proposed this approach in order to minimize burden on the state of California and obviate the need to go through the voluntary reclassification process again.

B. Brief Summary of Comments on the Proposed Rule and the EPA's Responses

The EPA received approximately 20 comment submissions on its proposed approach for establishing nonattainment area classification thresholds for the 2015 ozone NAAQS. A majority (approximately two-thirds) of the commenters supported adoption of the proposed PATS approach, stating that it was consistent with the CAA as well as the method used for classifying nonattainment areas under the 1997 and 2008 ozone NAAQS, and has been upheld in litigation. The other one-third of comments suggested that EPA adopt a different classification approach, as addressed more fully below and in the separate Response to Comments document that is available in the docket for this rulemaking. The EPA received no significant comments regarding its proposed approach in establishing attainment dates for each nonattainment area classification under the 2015 ozone NAAQS.

Comment: Some commenters were concerned that the proposed PATS approach classifies too many areas as Marginal nonattainment areas, and that some of those Marginal areas are unlikely to attain the standard within the 3 years provided by the Act. Commenters pointed out that the EPA's application of the PATS approach to classifications for the 2008 ozone NAAQS resulted in more than half of all Marginal areas failing to achieve timely attainment of that NAAQS by the end of the 2014 ozone season. Because the CAA does not require states with areas classified as Marginal to develop attainment plans or adopt additional controls, commenters argue that states will not impose emission reductions necessary to timely achieve attainment and moreover that some of these Marginal areas contribute pollution to downwind areas that have historically struggled with attaining the NAAQS due to transported pollution. These commenters advocated alternative classification approaches, such as those considered by the EPA for the prior 2008 ozone NAAQS, that would adjust thresholds to classify more areas as Moderate than the proposed PATS approach. They argue that modifying the EPA's proposed classification approach with the result of increasing the number of Moderate areas would impose needed emissions control requirements, provide a longer, more realistic timeframe to attain the ozone NAAQS, and would equitably require upwind areas that contribute to downwind transport to implement new control measures sooner.

Response: The EPA recognizes that the nonattainment area classification thresholds established in this action would likely result in the vast majority of nonattainment areas being initially classified Marginal for the 2015 ozone NAAQS, subjecting states associated with these areas to fewer mandatory air quality planning and control

[6] For additional discussion on the 1-hour ozone NAAQS and its associated area designations and classifications, *see* 56 FR 56695 (November 6, 1991).

[7] *See* 69 FR 23954 (April 30, 2004) and 40 CFR Appendix I.

[8] The upper thresholds of the Marginal, Moderate, Serious and Severe classifications are precise percentages or fractions above the level of the standard, namely 15 percent (3/20ths more than the standard), 33.33 percent (one-third more than the standard), 50 percent (one-half more than the standard), and 133.3 percent (one and one-third more than the standard).

[9] *See* 77 FR 30162 (May 21, 2012).

[10] Areas for which California declines voluntary reclassification would be classified at the time of designation for the 2015 ozone NAAQS based on their DV.

requirements than would apply in higher classifications. However, as the commenters acknowledge, the PATS approach has ''a degree of consistency with Congressional intent'' and has withstood judicial review. The EPA previously considered a number of alternative approaches in establishing nonattainment area classification thresholds for the 2008 ozone NAAQS, and commenters suggested that we reexamine those approaches and consider adopting one here, or adopt an entirely new alternative approach.[11] We rejected the alternative approaches discussed in the Background Information Document that accompanied the classifications rule for the 2008 ozone NAAQS because we determined that the alternative approaches would introduce more judgment and uncertainty in the threshold determination process than contemplated by the CAA, and, thus, posed heightened legal risk. We believe the same considerations apply to classifications for areas designated nonattainment for the 2015 ozone NAAQS. As discussed in the November 2016 proposal, the EPA utilized the PATS approach for classifying areas under the 1997 and 2008 8-hour ozone NAAQS, in large part, for its straightforward translation of the classification thresholds established by Congress in CAA Table 1 (81 FR 81283). As noted by commenters, the EPA's original PATS classification approach for the 8-hour ozone NAAQS was challenged in litigation and upheld by the Court. *See South Coast Air Quality Management District* v. *Environmental Protection Agency,* 472 F.3d 882 (D.C. Cir. 2006) at 896–898. For these reasons, and despite concerns raised by commenters, the EPA is finalizing the PATS approach for classifications of the 2015 ozone NAAQS.

Furthermore, the EPA disagrees that implementation of the 2008 ozone NAAQS was not in keeping with Congress' design simply because many Marginal areas did not attain by their initial attainment deadline. Commenters point out that more than half of all areas originally classified as Marginal did not timely attain, but in fact more than half of all Marginal areas *did* attain by their attainment date, when attainment date extensions are included in the analysis. Of the 36 areas originally classified as Marginal for the 2008 ozone NAAQS, 17 attained by their original attainment date, and 6 additional areas attained by the extended attainment dates authorized under CAA section 181(a)(5).[12] The EPA also does not agree with commenters' suggestion that the EPA should adopt a different classification scheme in order to address what they perceive as inequities in the interstate transport of ozone pollution. The statute clearly provides other mechanisms for states and the EPA to address interstate transport, and the EPA has worked in partnership with states to use those mechanisms. *See, e.g., EME Homer City* v. *EPA,* 696 F.3d 7 (D.C. Cir. 2012), *reversed by EPA* v. *EME Homer City,* 134 S. Ct. 1584 (2014), *remand addressed in EME Homer City* v. *EPA,* 795 F.3d 118 (D.C. Cir. 2015) (largely upholding the EPA's framework for addressing CAA section 110(a)(2)(D) interstate transport obligations).

The adopted PATS approach has withstood legal challenge and, in classifying areas as Marginal, maximizes initial planning flexibility for air agencies, which the EPA does not believe thwarts Congress' intent. To the extent that states are concerned about their inability to timely meet the Marginal attainment deadlines, the CAA provides authority for them to voluntarily request a higher classification for individual areas, if needed. The docket for this final action includes a more detailed response to comments suggesting that EPA adopt an alternative approach that would have the effect of classifying more areas as Moderate.

Comment: Some commenters suggested that the EPA allow areas the option to implement the 2015 ozone NAAQS under CAA section 172 (Part D, subpart 1), which specifies the general nonattainment planning requirements for all NAAQS pollutants.[13] Implementing the 2015 ozone NAAQS under CAA subpart 1 could eliminate mandatory classifications and provide a potentially more flexible attainment timeline with fewer prescribed control requirements.

Response: The EPA attempted to implement a subpart 1 approach for some ozone nonattainment areas as part of a ''hybrid'' implementation strategy in transitioning from the 1-hour ozone NAAQS (0.12 ppm) to the 1997 8-hour NAAQS (0.08 ppm), explaining that an area must be covered under CAA subpart 2 if the area's current (*i.e.,* at the time of designation) 1-hour ozone DV was equal to or greater than 0.121 ppm, which was the lowest 1-hour DV in CAA Table 1 (69 FR 23954; April 30, 2004—the ''Phase 1'' Rule). In *South Coast,* the Court rejected the EPA's approach to placing areas solely under the nonattainment area implementation provisions of CAA subpart 1, including the EPA's use of the CAA Table 1 threshold for deciding which areas must be covered under implementation of the provisions of CAA subpart 2. 472 F.3d at 892–894. The Court concluded that such a determination must be based on the 8-hour ''equivalent'' to the 1-hour level specified in CAA Table 1, and ruled that the level that must be used is an 8-hour level of 0.09 ppm. *Id.* We concur with commenters to the November 2016 proposal that the *South Coast* Court left open the possibility that EPA could develop a reasonable basis to place under CAA subpart 1 all or certain areas with an 8-hour DV below 0.09 ppm. The EPA notes, however, that the *South Coast* Court also stated in that same decision that the CAA does not allow the requirements of CAA subpart 2 ''to be stripped away'' on the basis that other provisions would allow attainment to be achieved more efficiently. *Id.* at 894.[14] We believe that the adopted PATS classification thresholds approach will continue to provide states a pathway for consistent and flexible attainment planning across successive ozone standards and, absent a more robust legal basis, we are not adopting a CAA subpart 1 option for implementing the 2015 ozone NAAQS.

Comment: The California Air Resources Board (CARB) affirmed our proposal to apply previous voluntary reclassifications for selected nonattainment areas, with the exception of the Sacramento Metro area. As part of their comment, CARB forwarded a request from the Sacramento Air Quality Management District declining the voluntary reclassification for the Sacramento Metro area, which the District anticipated would be classified

[11] Docket No. EPA–HQ–OAR–2010–0885 includes a Background Information Document, titled *Additional Options Considered for Classification of Nonattainment Areas under the 2008 Ozone NAAQS* (January 2012).

[12] Eight areas received 1-year extensions of the attainment date under CAA section 181(a)(5), which Congress provided for areas that were making good progress towards achieving the NAAQS and thus had air quality that was just missing the standard. Of those eight areas, two eventually failed to attain by their extended attainment date. The other six areas attained in the year following the original attainment date. Thus, a total of 13 original Marginal areas failed to attain by their applicable attainment date.

[13] Prior to the 1990 CAA Amendments, all NAAQS nonattainment area requirements were specified in Part D, subpart 1. In the 1990 Amendments, Congress added pollutant-specific subparts containing additional nonattainment area requirements, including subpart 2 which applies to ozone nonattainment areas.

[14] *Cf. NRDC* v. *EPA,* 706 F.3d 428 (DC Cir. 2013) (rejecting EPA's implementation of $PM_{2.5}$ under subpart 1, instead requiring that $PM_{2.5}$ be implemented under the ''specific, more stringent, and far less discretionary'' provisions of subpart 4).

Moderate for the 2015 ozone NAAQS (*see* comment no. 100 in the rulemaking docket).

Response: Based on comments to the November 2016 proposal received from the state of California, the EPA also intends to apply previous voluntary reclassifications for five of the six California areas originally proposed. Table 1 presents the voluntary reclassification history for these areas across the 1997 and 2008 ozone NAAQS, and the anticipated initial classification and anticipated voluntary reclassification for each area under the 2015 ozone NAAQS. We intend to formally apply the previous voluntary reclassifications for these California areas in a separate action, along with the final nonattainment area designations for the 2015 ozone NAAQS.

TABLE 1—AREAS FOR WHICH THE STATE OF CALIFORNIA REQUESTED A VOLUNTARY RECLASSIFICATION UNDER THE 1997 OZONE NAAQS AND APPLICATION UNDER SUBSEQUENT OZONE STANDARDS

Nonattainment area	Original 1997 ozone NAAQS classification (attainment date)	Voluntary reclassification for 1997 ozone NAAQS (attainment date)	Voluntary reclassification for 2008 ozone NAAQS (attainment date)	Hypothetical initial classification under 2015 ozone NAAQS[a] (attainment date)	Anticipated voluntary reclassification under 2015 ozone NAAQS[a] (attainment date)
Los Angeles-South Coast Air Basin	Severe—17 (2021)	Extreme (2024)	Extreme (2032)	Severe—15 (2033)	Extreme (2038).
San Joaquin Valley	Serious (2013)	Extreme (2024)	Extreme (2032)	Serious (2027)	Extreme (2038).
Riverside County (Coachella Valley)	Serious (2013)	Severe—15 (2019)	Severe—15 (2027)	Moderate (2024)	Severe—15 (2033).
Ventura County	Moderate (2010)	Serious (2013)	Serious (2021)	Marginal (2021)	Serious (2027).
Western Mojave	Moderate (2010)	Severe—15 (2019)	Severe—15 (2027)	Moderate (2024)	Severe—15 (2033).

[a] Based on adopted PATS classification thresholds and final 2014–2016 design values.

It is important to note that an air agency may request a voluntary reclassification for an area under CAA section 181(b)(3) at any time. In the November 2016 proposal, the EPA encouraged any air agency that wanted a specific higher classification to apply to an area at the time of initial designation to make such a request prior to or contemporaneous with the designation process. However, an air agency that determines it would like a voluntary reclassification after an area's initial designation may request, and the Administrator must approve, a higher classification for an area for any reason in accordance with CAA section 181(b)(3).

C. Final Action

The EPA is establishing nonattainment area classification thresholds for the 2015 ozone NAAQS using the PATS methodology applied previously to translate the CAA Table 1 thresholds for purposes of the 1997 and 2008 8-hour ozone NAAQS. We are also establishing maximum attainment dates for each nonattainment area classification, consistent with CAA Table 1 and the regulatory approach for both the 1997 and 2008 ozone NAAQS. Table 2 depicts the translation for each of the CAA Table 1 thresholds and corresponding maximum attainment dates for each area classification as they would apply for the 2015 ozone NAAQS.

TABLE 2—CAA TABLE 1 OZONE DESIGN VALUE TRANSLATION TO 8-HOUR DESIGN VALUES FOR THE 2015 OZONE NAAQS OF 0.070 ppm USING PATS METHODOLOGY AND CORRESPONDING MAXIMUM ATTAINMENT DATES FOR EACH AREA CLASSIFICATION

Area class		1-hour ozone DV (ppm)	Percent above 1-hour ozone NAAQS	8-hour ozone DV (ppm)	Maximum attainment date (years from effective date of designation)
Marginal	From up to[a]	0.121	0.833	0.071	3
		0.138	15	0.081	
Moderate	From up to[a]	0.138	15	0.081	6
		0.160	33.333	0.093	
Serious	From up to[a]	0.160	33.333	0.093	9
		0.180	50	0.105	
Severe—15	From up to[a]	0.180	50	0.105	15
		0.190	58.333	0.111	
Severe—17	From up to[a]	.0190	58.333	0.111	17
		0.280	133.333	0.163	
Extreme	Equal to or above	0.280	133.333	0.163	20

[a] But not including.

The EPA intends to apply voluntary reclassifications for five California areas in a separate action with the final nonattainment area designations for the 2015 ozone NAAQS, in accordance with comments received from relevant air agencies in California. The EPA is also finalizing a number of regulatory definitions needed to support the implementation of this final classifications rule.

IV. Environmental Justice Considerations

The EPA believes the human health or environmental risk addressed by this action will not have disproportionately high and adverse human health or

environmental effects on minority, low-income, or indigenous populations because it would not negatively affect the level of protection provided to human health or the environment under the 2015 ozone NAAQS. When promulgated, these regulations will establish classification thresholds for the 2015 ozone NAAQS. These requirements are designed to protect all segments of the general population and, as such, will not adversely affect the health or safety of minority, low-income or indigenous populations.

V. Statutory and Executive Order Reviews

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

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

B. Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs

This action is not an Executive Order 13771 regulatory action because this action is not significant under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA. The EPA is establishing nonattainment area classification thresholds for the 2015 ozone NAAQS so that areas may be classified at the time of designation as provided in section 181(a) of the CAA. No new information needs to be collected from the states as a result of this final classifications rule.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities. Entities potentially affected directly by this rule include state, local and tribal governments and none of these governments are small governments.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action implements mandates specifically and explicitly set forth in the CAA without the exercise of any policy discretion by the EPA.

F. 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.

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

This action does not have tribal implications as specified in Executive Order 13175. It would not have a substantial direct effect on one or more Indian tribes, since no tribe has to develop a tribal implementation plan under these regulatory revisions. Furthermore, these regulation revisions do not affect the relationship or distribution of power and responsibilities between the federal government and Indian tribes. The CAA and the Tribal Air Rule establish the relationship of the federal government and tribes in developing plans to attain the NAAQS, and these revisions to the regulations do nothing to modify that relationship. Thus, Executive Order 13175 does not apply to this action. Consistent with the EPA's OAR Handbook for Interacting with Tribal Governments, the EPA invited tribal officials to consult on the November 2016 proposal; however, we received no subsequent requests for consultation.

H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk.

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not a ''significant energy action'' because it is not likely to have a significant adverse effect on the supply, distribution or use of energy.

J. National Technology Transfer and Advancement Act (NTTA)

This rulemaking does not involve technical standards.

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

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous populations as specified in Executive Order 12898 (59 FR 7629, February 16, 1994). The adopted regulations establish classification thresholds for the 2015 ozone NAAQS, which are designed to protect all segments of the general populations. The results of our evaluation are contained in Section IV of this preamble.

L. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

M. Judicial Review

Section 307(b)(1) of the CAA indicates which Federal Courts of Appeal have venue for petitions of review of final agency actions by the EPA under the CAA. This section provides, in part, that petitions for review must be filed in the U.S. Court of Appeals for the District of Columbia Circuit (i) when the agency action consists of ''nationally applicable regulations promulgated, or final actions taken, by the Administrator'' or (ii) when such action is locally or regionally applicable, if ''such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.''

This rule implementing the 2015 ozone NAAQS nonattainment area classifications is ''nationally applicable'' within the meaning of CAA section 307(b)(1). First, the rulemaking addresses the NAAQS that applies to all states and territories in the U.S. Second, the rulemaking addresses the classification of potential nonattainment areas in states across the U.S. that are located in each of the ten EPA regions, numerous federal circuits and multiple time zones. Third, the rulemaking addresses a common core of knowledge and analysis involved in formulating the decision and a common interpretation of the requirements of the CAA being applied to potential nonattainment areas in states across the country. Fourth, the rulemaking, by addressing issues relevant to potential nonattainment area classifications in one state, may have

precedential impacts upon potential nonattainment area classifications in other states nationwide. Courts have found similar implementation rulemaking actions to be of nationwide scope and effect.[15]

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the District of Columbia Circuit by May 8, 2018. Any such judicial review is limited to only those objections that are raised with reasonable specificity in timely comments. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. Under section 307(b)(2) of the Act, the requirements of this final action may not be challenged later in civil or criminal proceedings brought by us to enforce these requirements.

VI. Statutory Authority

The statutory authority for this action is provided by sections 109; 110; 172; 181; and 301(a)(1) of the CAA, as amended (42 U.S.C. 7409; 42 U.S.C. 7410; 42 U.S.C. 7502; 42 U.S.C. 7511; 42 U.S.C. 7601(a)(1)).

List of Subjects in 40 CFR Part 51

Environmental protection, Air pollution control, Intergovernmental relations, Ozone, Particulate matter, Transportation, Volatile organic compounds.

Dated: March 1, 2018.

E. Scott Pruitt,

Administrator.

For the reasons stated in the preamble, 40 CFR part 51 is amended as follows:

PART 51—REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 51 continues to read as follows:

Authority: 23 U.S.C. 101; 42 U.S.C. 7401–7671q.

■ 2. Add subpart CC, consisting of §§ 51.1300 through 51.1303, to read as follows:

Subpart CC—Provisions for Implementation of the 2015 Ozone National Ambient Air Quality Standards

Sec.

51.1300 Definitions.
51.1301 Applicability of this part.
51.1302 Classification and nonattainment area planning provisions.
51.1303 Application of classification and attainment date provisions in CAA section 181 to areas subject to § 51.1302.

Subpart CC—Provisions for Implementation of the 2015 Ozone National Ambient Air Quality Standards

§ 51.1300 Definitions.

The following definitions apply for purposes of this subpart. Any term not defined herein shall have the meaning as defined in § 51.100.

(a) *2015 NAAQS.* The 2015 8-hour primary and secondary ozone NAAQS codified at 40 CFR 50.19.

(b) *8-hour ozone design value.* The 8-hour ozone concentration calculated according to 40 CFR part 50, appendix P, for the 2008 NAAQS, and 40 CFR part 50, appendix U, for the 2015 NAAQS.

(c) *CAA.* The Clean Air Act as codified at 42 U.S.C. 7401–7671q (2010).

(d) *Designation for a NAAQS.* The effective date of the designation for an area for that NAAQS.

(e) *Higher classification/lower classification.* For purposes of determining whether a classification is higher or lower, classifications under subpart 2 of part D of title I of the CAA are ranked from lowest to highest as follows: Marginal; Moderate; Serious; Severe-15; Severe-17; and Extreme.

§ 51.1301 Applicability of this part.

The provisions in subparts A through Y and AA of this part apply to areas for purposes of the 2015 ozone NAAQS to the extent they are not inconsistent with the provisions of this subpart.

§ 51.1302 Classification and nonattainment area planning provisions.

An area designated nonattainment for the 2015 ozone NAAQS will be classified in accordance with CAA section 181, as interpreted in § 51.1303(a), and will be subject to the requirements of subpart 2 of part D of title I of the CAA that apply for that classification.

§ 51.1303 Application of classification and attainment date provisions in CAA section 181 to areas subject to § 51.1302.

(a) In accordance with CAA section 181(a)(1), each area designated nonattainment for the 2015 ozone NAAQS shall be classified by operation of law at the time of designation. The classification shall be based on the 8-hour design value for the area at the time of designation, in accordance with Table 1 of this paragraph (a). A state may request a higher or lower classification as provided in paragraphs (b) and (c) of this section. For each area classified under this section, the attainment date for the 2015 NAAQS shall be as expeditious as practicable, but not later than the date provided in Table 1 as follows:

TABLE 1 TO PARAGRAPH (a)—CLASSIFICATIONS AND ATTAINMENT DATES FOR 2015 8-HOUR OZONE NAAQS (0.070 ppm) FOR AREAS SUBJECT TO § 51.1302

Area class		8-hour ozone design value (ppm)	Primary standard attainment date (years after the effective date of designation for 2015 primary NAAQS)
Marginal	from up to *	0.071 0.081	3
Moderate	from up to *	0.081 0.093	6
Serious	from up to *	0.093 0.105	9
Severe-15	from up to *	0.105 0.111	15

[15] *See, e.g., State of Texas, et al.* v. *EPA,* 2011 U.S. App. LEXIS 5654 (5th Cir. 2011) (finding SIP call to 13 states to be of nationwide scope and effect and thus transferring the case to the U.S. Court of Appeals for the D.C. Circuit in accordance with CAA section 307(b)(1)).

TABLE 1 TO PARAGRAPH (a)—CLASSIFICATIONS AND ATTAINMENT DATES FOR 2015 8-HOUR OZONE NAAQS (0.070 ppm) FOR AREAS SUBJECT TO § 51.1302—Continued

Area class		8-hour ozone design value (ppm)	Primary standard attainment date (years after the effective date of designation for 2015 primary NAAQS)
Severe-17	from up to *	0.111 0.163	17
Extreme	equal to or above	0.163	20

* But not including.

(b) A state may request, and the Administrator must approve, a higher classification for an area for any reason in accordance with CAA section 181(b)(3).

(c) A state may request, and the Administrator may in the Administrator's discretion approve, a higher or lower classification for an area in accordance with CAA section 181(a)(4).

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[EPA–R10–RCRA–2017–0285; FRL–9974–35–Region 10]

Washington: Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final authorization.

SUMMARY: Washington applied to the Environmental Protection Agency (EPA) for final authorization of certain changes to its hazardous waste program under the Resource Conservation and Recovery Act, as amended, (RCRA). The EPA reviewed Washington's application, and has determined that these changes satisfy all requirements needed to qualify for final authorization. The EPA sought public comment under Docket number EPA–R10–RCRA–2017–0285 from July 13, 2017 to August 14, 2017 and from September 25, 2017 to October 25, 2017, prior to taking this final action to authorize these changes. The EPA received one comment which was responded to but was not applicable to this authorization action.

DATES: This final authorization is effective April 9, 2018.

FOR FURTHER INFORMATION CONTACT: Barbara McCullough, U.S. Environmental Protection Agency, Region 10, Office of Air and Waste (OAW–150), 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101, phone number: (206) 553–2416, email: *mccullough.barbara@epa.gov.*

SUPPLEMENTARY INFORMATION:

A. Why are revisions to State programs necessary?

States that have received final authorization from the EPA pursuant to Section 3006(b) of RCRA, 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal program. As the Federal program changes, states must change their programs and ask the EPA to authorize the changes. Changes to state programs may be necessary when federal or state statutory or regulatory authority is modified or when certain other changes occur. Most commonly, states must change their programs because of changes to the EPA's regulations in title 40 of the Code of Federal Regulations (CFR) parts 124, 260 through 266, 268, 270, 273, and 279.

Washington State's hazardous waste management program was initially approved on January 30, 1986 and became effective on January 31, 1986. As explained in Section E below, it has been revised and reauthorized numerous times since then. On January 26, 2017, the EPA received the State's most recent authorization revision application. This authorization revision application requested federal authorization for Washington's Rules and Standards for Hazardous Waste, effective as of December 31, 2014, and sought to revise its federally-authorized hazardous waste management program to include Federal hazardous waste regulations promulgated through July 1, 2013.

B. What decisions has the EPA made in this authorization?

The EPA has reviewed Washington's application to revise its authorized program and has determined that it meets all the statutory and regulatory requirements established by RCRA. Therefore, the EPA is granting Washington final authorization to operate its hazardous waste program with the changes described in the authorization revision application. Washington will continue to have responsibility for permitting Treatment, Storage, and Disposal Facilities (TSDFs) within its borders (except in Indian country (18 U.S.C. 1151)) with the exception of the non-trust lands within the exterior boundaries of the Puyallup Indian Reservation (also referred to as the ''1873 Survey Area'' or ''Survey Area'') located in Tacoma, Washington (see Section J below for full description) and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the Hazardous and Solid Waste Amendments of 1984 (HSWA). New Federal requirements and prohibitions imposed by Federal regulations that the EPA promulgates under the authority of HSWA, and which are not less stringent than existing requirements, take effect in authorized states before the states are authorized for the requirements. Thus, the EPA will implement those requirements and prohibitions in Washington, including issuing permits, until the State is granted authorization to do so.

C. What is the effect of this authorization decision?

A person in Washington subject to RCRA must comply with the authorized State requirements in lieu of the corresponding Federal requirements. Additionally, such persons will have to comply with any applicable Federal requirements, such as HSWA regulations issued by the EPA for which the State has not received authorization and RCRA requirements that are not supplanted by authorized State-issued requirements. Washington continues to have enforcement responsibilities under its State hazardous waste management program for violations of this program, but the EPA retains its authority under

RCRA Sections 3007, 3008, 3013, and 7003, which includes, among others, the authority to:

- Conduct inspections;
- Require monitoring, tests, analyses, or reports;
- Suspend, terminate, modify, or revoke permits;
- Abate conditions that may present an imminent and substantial endangerment to human health and the environment; and
- Enforce RCRA requirements and take enforcement actions regardless of whether the State has taken its own actions.

The action to approve these revisions will not impose additional requirements on the regulated community because the regulations for which Washington has requested federal authorization are already effective under State law and are not changed by the act of authorization.

D. What were the comments received on this authorization action?

The EPA received one comment during the public comment periods of this action. That commenter requested the regulations not be authorized as they add State administrative burden to a CERCLA site. However, the authorization of these regulations do not impact the State's authority to implement its rules. This authorization action allows the EPA to implement the State of Washington's rules which were adopted on December 31, 2014. This comment should have been addressed to the State prior to the adoption of their rule package. No such comment was received. The concern raised in this comment was referred to the State to be addressed. For a copy of the specific comment received, please see Docket number EPA–R10–RCRA–2017–0285 under ''Comment1'' at *www.regulations.gov.*

E. What has Washington previously been authorized for?

Washington initially received final authorization on January 30, 1986, effective January 31, 1986 (51 FR 3782), to implement the State's hazardous waste management program. The EPA granted authorization for changes to Washington's program on September 22, 1987, effective on November 23, 1987 (52 FR 35556); August 17, 1990, effective October 16, 1990 (55 FR 33695); November 4, 1994, effective November 4, 1994 (59 FR 55322); February 29, 1996, effective April 29, 1996 (61 FR 7736); September 22, 1998, effective October 22, 1998 (63 FR 50531); October 12, 1999, effective January 11, 2000 (64 FR 55142); April 11, 2002, effective April 11, 2002 (67 FR 17636); April 14, 2006, effective June 13, 2006 (71 FR 19442); October 30, 2006 effective December 29, 2006 (71 FR 63253) and June 18, 2010 effective July 28, 2010 (75 FR 44144).

F. What changes is the EPA authorizing with this action?

The EPA is authorizing revisions to Washington's authorized program described in Washington's official program revision application, submitted to the EPA on January 26, 2017 and deemed complete by the EPA on February 23, 2017. The EPA has determined that Washington's hazardous waste management program revisions as described in the January 23, 2017 State's authorization revision application satisfy the requirements necessary to qualify for final authorization. Regulatory revisions that are less stringent than the Federal program requirements and those regulatory revisions that are broader in scope than the Federal program requirements are not authorized. Washington's authorized hazardous waste management program, as amended by these provisions, remains equivalent to, consistent with, and is no less stringent than the Federal RCRA program. Therefore, the EPA is authorizing the State for the following program changes as identified in Table 1 and Table 2 below.

The provisions listed in Table 1 and Table 2 are from the Washington Administrative Code (WAC) and are analogous to the RCRA regulations as indicated in the Tables. The RCRA regulations that the State incorporated by reference are those as published in 40 CFR parts 260 through 265, 268, 270, and 279, as of July 1, 2013, unless otherwise noted. Table 1 identifies new State rules that the EPA is authorizing as equivalent or more stringent than the Federal program. Table 2 identifies State-initiated changes to previously authorized State provisions. (*Note:* In Table 2 some State provisions have no direct Federal analog but are related to particular paragraphs, sections, or parts of the Federal hazardous waste regulations.) The referenced analogous State authorities were State adopted and effective as of December 31, 2014.

TABLE 1—EQUIVALENT AND MORE STRINGENT ANALOGUES TO THE FEDERAL PROGRAM

Checklist [1]	Federal requirements	**Federal Register**	Analogous State authority (WAC 173–303–* * *)
12 [2]	Satellite Accumulation	49 FR 49568, 12/20/1984	200(2).
174	Post-Closure Permit Requirement and Closure Process.	63 FR 56710, 10/22/1998	645(1)(e); 800(12); 610(3)(a)(ix); 620(1)(d)(i); 610(3)(b)(ii)(D); 610(8)(d)(ii)(D); 045(1); 400(3)(a); IBR 045(1); 800(2); 806(4)(a); 806(4)(o).
206	Nonwastewaters from Dyes and Pigments.	70 FR 9138, 2/24/2005	071(3)(kk), 071(3)(kk)(i), 071(3)(kk)(ii), 071(3)(kk)(iii), 071(3)(kk)(iv), 071(3)(kk)(v); 9904, 9904(1), 9904(2), 9904(3), 9904(4), 9904(4)(a), 9904(4)(b), 9904(4)(b)(i), 9904(4)(b)(ii), 9904(4)(b)(iii), 9904(4)(b)(iv), 9904(4)(b)(iv)(A), 9904(4)(b)(iv)(B), 9904(4)(b)(iv)(C), 9904(4)(c), 9904(4)(c)(i), 9904(4)(c)(ii), 9904(4)(c)(iii), 9904(4)(c)(iii)(A), 9904(4)(c)(iii)(B), 9904(4)(c)(iii)(C), 9904(4)(c)(iii)(D), 9904(4)(c)(iv), 9904(4)(c)(iv)(A), 9904(4)(c)(iv)(B), 9904(4)(c)(v), 9904(4)(c)(vi), 9904(4)(c)(vii), 9904(4)(c)(viii), 9904(4)(c)(ix), 9904(4)(c)(x), 9904(4)(c)(x)(A), 9904(4)(c)(x)(B), 9904(4)(c)(x)(C), 9904(4)(c)(x)(D), 9904(4)(c)(xi), 9904(4)(c)(xi)(A), 9904(4)(c)(xi)(B), 9904(4)(c)(xi)(C), 9904(4)(d), 9904(4)(e); 082(4); 045(1); 9905; 140(2)(a) IBR; 045(1).

TABLE 1—EQUIVALENT AND MORE STRINGENT ANALOGUES TO THE FEDERAL PROGRAM—Continued

Checklist [1]	Federal requirements	Federal Register	Analogous State authority (WAC 173–303–* * *)
220 [2]	Academic Laboratories Generator Standards.	73 FR 72912, 12/1/2008 ...	070(7)(c)(vi), 070(7)(c)(vii); 170(7), 170(7)(a), 170(7)(b); 235, 235(1), 235(1)(a), 235(1)(b), 235(1)(c), 235(1)(d), 235(1)(e), 235(1)(f), 235(1)(g), 235(1)(h), 235(1)(i), 235(1)(j) and (k), 235(1)(l), 235(1)(m), 235(1)(n), 235(2), 235(2)(a), 235(2)(b); 225(3), 225(3)(a), 225(3)(b); 235(4), 235(4)(a), 235(4)(b), 235(4)(b)(i), 235(4)(b)(ii), 235(4)(b)(iii), 235(4)(b)(iv), 235(4)(b)(v), 235(4)(b)(vi), 235(4)(b)(vii), 235(4)(b)(viii), 235(4)(b)(ix), 235(4)(b)(x), 235(4)(b)(xi), 235(4)(c), 235(4)(d), 235(4)(e), 235(5)(a), 235(5)(b), 235(5)(b)(i), 235(5)(b)(ii), 235(5)(b)(iii), 235(5)(b)(iv), 235(5)(b)(v), 235(5)(b)(vi), 235(5)(b)(vii), 235(5)(b)(viii), 235(5)(b)(ix), 235(5)(b)(x), 235(5)(b)(xi), 235(5)(c), 235(6), 235(6), 235(7), 235(7), 235(7)(a), 235(7)(a)(i), 235(7)(a)(i)(A), 235(7)(a)(i)(C), 235(7)(a)(i)(B), 235(7)(a)(i)(C)(I), 235(7)(a)(i)(C)(II), 235(7)(a)(ii), 235(7)(a)(ii), 235(7)(a)(ii)(A), 235(7)(a)(ii)(B), 235(7)(a)(ii)(C), 235(7)(b), 235(7)(b)(i), 235(7)(b)(ii), 235(7)(b)(iii), 235(7)(b)(iii)(A), 235(7)(b)(iii)(B), 235(7)(b)(iii)(C), 235(7)(b)(iii)(C)(I), 235(7)(b)(iii)(C)(II), 235(8), 235(8), 235(8)(a), 235(8)(b), 235(8)(b)(i), 235(8)(b)(ii), 235(8)(b)(iii), 235(8)(b)(iv), 235(8)(b)(v), 235(8)(c), 235(8)(c)(i), 235(8)(c)(ii), 235(8)(c)(iii), 235(8)(c)(iv), 235(8)(d), 235(8)(d)(i), 235(8)(d)(ii), 235(9), 235(9)(a), 235(9)(a)(i), 235(9)(a)(ii), 235(9)(b), 235(9)(c), 235(9)(d), 235(9)(d)(i), 235(9)(d)(i)(A), 235(9)(d)(i)(B), 235(9)(d)(ii), 235(9)(d)(ii)(A), 235(9)(d)(ii)(B), 235(10), 235(10)(a), 235(10)(a)(i), 235(10)(a)(ii), 235(10)(a)(iii), 235(10)(b), 235(11), 235(11), 235(11)(a), 235(11)(b), 235(11)(b)(i), 235(11)(b)(ii), 235(11)(b)(iii), 235(11)(c), 235(11)(d), 235(11)(d)(i), 235(11)(d)(ii), 235(11)(e), 235(12), 235(12), 235(12)(a), 235(12)(b), 235(12)(c) except for ''WAC 173–303–200(1)(b)(i)'' citation, 235(12)(d), 235(12)(e), 235(12)(e)(i), 235(12)(e)(ii), 235(12)(e)(iii), 235(12)(e)(iv), 235(13), 235(13), 235(13)(a), 235(13)(b), 235(13)(c), 235(13)(d), 235(13)(e), 235(13)(e)(i), 235(13)(e)(ii), 235(13)(e)(iii), 235(13)(e)(iv), 235(14), 235(14)(a), 235(14)(a)(i), 235(14)(a)(ii), 235(14)(a)(iii) except for the phrase '', more than 2.2 pounds of WT01 EHW'', 235(14)(a)(iv), 235(14)(b), 235(14)(b)(i), 235(14)(b)(ii), 235(15), 235(15)(a), 235(15)(a)(i), 235(15)(a)(i)(A), 235(15)(a)(i)(B), 235(15)(a)(ii), 235(15)(b), 235(15)(b)(i), 235(15)(b)(ii), 235(15)(b)(iii), 235(15)(b)(iv), 235(15)(b)(iv)(A), 235(15)(b)(iv)(B), 235(15)(b)(iv)(B)(I), 235(15)(b)(iv)(B)(II), 235(15)(b)(v), 235(15)(b)(vi), 235(15)(b)(vi)(A), 235(15)(b)(vi)(B), 235(15)(b)(vii), 235(15)(b)(vii)(A), 235(15)(b)(vii)(B), 235(15)(b)(vii)(C), 235(15)(b)(vii)(D), 235(15)(c), 235(15)(d), 235(16), 235(16)(a), 235(16)(b), 235(17), 235(17)(a), 235(17)(b).
222	OECD Requirements; Export Shipments of Spent Lead-Acid Batteries.	75 FR 1236, 1/8/2010	170(6); 230(1) IBR; 045(1); 240(11); 290(1)(b); 370(3), 370(7); 290(1)(b); 370(3), 370(7); 520(1)(a) and (b).
223 [2]	Hazardous Waste Technical Corrections and Clarifications.	75 FR 12989, 1/18/2010 ...	040 ''New TSD facility'' definition; 040 ''Processed scrap metal'' definition; 016 Table 1; 070(8)(a)(iii); 120(3), 120(3)(d); 090(7)(a)(viii); 9904; 9903; 082(4) IBR; 045(1); 180(3)(f), 180(3)(f)(i), 180(3)(f)(i)(A), 180(3)(f)(i)(B), 180(3)(f)(ii), 180(3)(f)(iii), 180(3)(f)(iv); 200(1)(b)(iv)(B), 200(1)(f), 200(1)(g) , 200(2)(a), 200(2)(b); 220(2)(e), 220(2)(e)(i), 220(2)(e)(ii) 220(2)(e)(ii) Note; 230(2); 350(2); 370(5)(e)(vi), 370(5)(f)(i), 370(5)(f)(vii), 370(5)(f)(viii); 350(2); 360(2)(d)(ii); 370(5)(e)(vi), 370(5)(f)(i), 370(5)(f)(vii), 370(5)(f)(viii); 400(3)(a) IBR and 045(1); 505(1)(b)(i); 140(2)(a) IBR; 045(1); 810(8)(b).
226 [2]	Academic Laboratories Generator Standards Technical Corrections.	75 FR 79304, 12/20/2010	235(1), 235(1)(b), 235(7)(b)(iii)(A), 235(13)(e)(i), 235(15)(a)(i), 235(15)(b)(i).
227	Revision of the Land Disposal Treatment Standards for Carbamate Wastes.	76 FR 34147, 6/13/2011 ...	140(2)(a) IBR; 045(1).
228 [2]	Hazardous Waste Technical Corrections and Clarifications Rule.	77 FR 22229, 4/13/2012 ...	9904; 505(1)(b)(i).

[1] The Checklist is a document that addresses the specific changes made to the Federal regulations by one or more related final rules published in the **Federal Register**. The EPA develops these checklists as tools to assist states in developing their authorization application and in documenting specific state regulations analogous to the Federal regulations. For more information, see the EPA's RCRA State Authorization website at *https://www.epa.gov/rcra/state-authorization-under-resource-conservation-and-recovery-act-rcra#about.*

[2] State rule contains more stringent provisions. For identification of the more stringent State provisions refer to the authorization revision application's Attorney General Statement and Checklists found in the docket for this final authorization. Some of the more stringent state provisions are discussed in Section G of this authorization.

TABLE 2—STATE INITIATED CHANGES

State Citation WAC 173–303–. . .	Reason for change	Analogous Federal 40 CFR citation
040	''Enforceable document'' definition internal citations corrected: WAC 173–303–610(1)(e); WAC 173–303–620(1)(d).	270.1(c)(7).
040	''Facility'' definition internal citation corrected: RCW 70.105D.020(8)	260.10.
040	''Performance track member facility'' obsolete definition deleted	260.10.
040	''Release'' definition internal citation corrected: RCW 70.105D.020(32)	280.12 related.
045(1)	Date of incorporation by reference updated	No direct analog.
070(1)(b)	Language revised for equivalence with Federal rule	262.11.
072(1)(b)	Internal citation corrected: ''described in subsections (3) and (4) of this section.''	260.20.
110(3)(a)	SW–846 reference information updated	260.11(c).
110(3)(c), 110(7)	Updated Chemical Test Methods guidance and publication date	Related to 260.11 and 40 CFR appendix IX.
110(3)(g)(ix), 110(3)(h)(i), 110(3)(h)(vii)	References to industry standards and codes updated	260.11(d) and (e).
170(3)	Clarification that final facility standards are found in WAC 173–303–600	264.1(g)(3) related.
180(3)(c)	Redundant manifest instructions deleted (Previous(d), (e) and (f) are renumbered to (c), (d) and (e)).	262.23 related.

TABLE 2—STATE INITIATED CHANGES—Continued

State Citation WAC 173–303–. . .	Reason for change	Analogous Federal 40 CFR citation
200(1)(b)(iv)	Requirement for independent qualified registered professional engineer (IQRPE)	262.34(a)(1)(iv)—more stringent State requirement.
200(1)(b)(iv)(B)	Second sentence of this citation was relocated to new 200(1)(g) to clarify applicability to all generators.	262.34(a)(1)(iv)(B).
200(2)(b), 200(3)(c)	''Per waste stream'' deleted for equivalence with Federal rule	262.34(c).
200(4)(a)(iv)(A)(III)	Reminder added that facilities use an IQRPE to certify containment building design.	262.34(g)(4)(i)(C)—more stringent State requirement.
200(5)	Requirements for National Environmental Performance Track Program deleted (Previous (6) is renumbered to (5)).	262.34(j), (k) and (l).
240(6)	Editing correction	263.12 related—more stringent State requirement.
330(1)(d)	Editing correction; The second sentence of previous (c)(ii) is changed to (d), and (d) renumbered to (e).	264.16(b).
370(1)	''Owners and operators'' clarified to mean the phrase applies only to permitted facilities and dangerous waste recyclers.	264.70(a).
380(1)(r)	New sub-section: Certificates of major tank system repair added for equivalence with Federal rule.	264.73(b)(19).
400(3)(c)(ii)(G)	Enforceable documents in lieu of a post closure permit adopted	265.110(c), 265.118(c)(4) and 265.121.
400(3)(c)(xxii)(B)	Reference to Performance Track member facilities deleted	265.1101(c)(4).
400(3)(c)(xxii)(B)	Rule is modified to add IQRPE requirement	265.1101(c)(3)(iii)—more stringent State requirement.
573(9)(b)(ii)(A)	Corrected for equivalence with Federal rule	273.13(c)(2)(i).
573(19)(b)(iv) and (v)	References to thermostat universal waste are removed, including in the example calculation.	273.32(b)(4) and (5)—more stringent State requirement.
600(1)	Edit to clarify which rules are the final facility standards	264.1(a).
600(2)	Clarification on what types of facilities can accept dangerous waste from off-site sources.	264.1(b).
610(4)(c)	Internal citations corrected for equivalence with Federal rule	264.113(c).
610(3)(a)(ix), 610(3)(b)(ii)(D), 610(8)(d)(ii)(D).	Internal citation corrected	264.112(b)(8), 264.112(c)(2)(iv), and 264.118(d)(2)(iv).
610(12)(f)	Editing correction	No direct analog.
620(1)(d)(i)	Internal citation corrected	264.140(d)(1).
620(3)(a)(ii), 620(6)(a), 620(9)(a)	Revise wording to be gender neutral	264.142(a)(2), 264.145, and 264.148(a).
620(3)(a)(ii), 620(5)(a)	Clarify that financial assurance cost estimates are performed by a third party	264.142(a)(2) and 264.144(a)(1).
620(3)(a)(v), 620(4)(g), 620(6)(c)	Clarify that net present value adjustments are not allowed	262.142(a), 264.142(a), and 264.144(a).
620(4)(a)(vi), 620(4)(d)(iv), 620(6)(a)(vi)	Clarify that financial test and the corporate guarantee are two separate but related options.	264.143(f), 264.143(f), and 264.145(f).
620(4)(d)(iv), 620(6)(a)(vi), 620(8)(a)(iv)	Minimum tangible net worth raised to $25 million	264.143(f)—more stringent State requirement. 264.145(f)—more stringent State requirement. 264.147(f)—more stringent State requirement.
620(4)(d)(v), 620(6)(a)(vii)	''Agreed upon Procedures'' report can be used in place of a ''Negative Assurance'' report.	264.143(f)(3)(iii) and 264.143(f)(3)(iii).
620(8)(a)(i)	Minimum financial assurance liability amounts increased. (Previous (i), (ii) and (iii) are renumbered to (ii), (iii) and (iv)).	264.147(a) and 264.147(b)—more stringent State requirements.
630(7)(d)	Clarify that rule applies to TSD owners and operators, not generators	264.175(d)—more stringent State requirement.
640(2)(c)(v)(B) Note 640(4)(i)(iii) Note 640(9)(b).	References to industry standards and codes updated	264.191(b)(5)(ii) Note and 264.193(i)(3) Note.
645(1)(e)	Rule for enforceable documents in lieu of a post closure permit (previous (e) became (f)).	264.90(e).
645(8)(c)	Clarify rule applicability	264.97(c)—more stringent State requirement.
64620(5)	New rules for corrective action financial assurance	264.101 related—more stringent State requirement.
64690	Facilities must use an IQRPE for staging pile design	264.554 IBR, 045(1)—more stringent State requirement.
650(4)(c)	Facilities must use an IQRPE to certify dike integrity	254.226(c)—more stringent State requirement.
650(5)(d)(ii)(B)	Facilities must use an IQRPE for impoundment design	254.227(d)(2)(ii)—more stringent State requirement.
650(6)(b)(ii)	Internal citation corrected	264.228(b)(2).
665(2)(a)(i)	Facilities must use an IQRPE to certify report on basis for landfill liner selection	264.301(a)(1)—more stringent State requirement.
800(2), 800(12), 806(4)(a), 806(4)(o)	Rules for enforceable documents in lieu of a post closure permit	270.1(c) intro, 270.1(c)(7), 270.14(a), and 270.28.
806(4)(d)(v)	Facilities must use an IQRPE for certifying dike integrity	270.17(d)—more stringent State requirement.
806(4)(e)(iii)(A)(I)	Reference to IQRPE requirement to certify waste pile liner selection	270.18(c)(1)(i)—more stringent State requirement.
806(4)(h)(ii)(A)(I)	Reference to IQRPE requirement to certify landfill liner selection	270.21(b)(1)(i)—more stringent State requirement.
806(4)(j)(iv)(C), 806(4)(k)(v)(C)	The word ''design'' is deleted after ''basic control device'' for equivalence with Federal rule.	270.24(d)(3) and 270.25(e)(3).
806(4)(n)	New facilities added to list of those able to burn hazardous waste	270.22 intro.
811	New Boiler and Industrial Furnace (BIF) facility types added to list	270.66 IBR 045(1).
830 Appendix I Permit modifications table.	New entry for ''Burden Reduction'' added	270.42 Appendix I—more stringent State requirement.
830 Appendix I(F)(1)(c), (F)(4)(a), (G)(1)(e), (G)(5)(c), (H)(5)(C).	Note added acknowledging non-existent RCRA section	270.42 Appendix I.
841	New Boiler and Industrial Furnace (BIF) facility types added to list	270.235(a)(1) intro IBR 045(1).

TABLE 2—STATE INITIATED CHANGES—Continued

State Citation WAC 173–303–. . .	Reason for change	Analogous Federal 40 CFR citation
9903	Numerical P list • P108 CAS number corrected (2 entries). • P114 *Tetraethydithiopyrophosphate* is replaced with *Thallium(I) selinite*. • P115 *Thiodiphosphoric acid, tetraethyl ester* is replaced with *Sulfuric acid, dithallium(1+) salt*. • P115 *Plumbane, tetraethyl* is replaced with *Thallium(I) sulfate*. • P116 *Tetraethyl lead* is replaced with *Hydrazinecarbothioamide*. • Correct errors with waste codes, CAS numbers and chemical names. • P128 *Mexacarbate* CAS number corrected. Alphabetical U list. • U202 *1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide, & salts* deleted.* • U202 *Saccharin, & salts* deleted.* • U227 waste code for *1,1,1-Trichloroethane* is replaced with U226. Numerical U list. • U202 *1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide, & salts* deleted.* • U202 *Saccharin, & salts* deleted.* * These entries were deleted as part of State adoption of the December 17, 2010 (75 FR 78918) EPA rule removing saccharin from the discarded chemicals list. Although these changes are not State-initiated, they are listed here because an EPA checklist was not available.	261.33.
9904(1) K181	K181 listing code codified	261.32(a) K181.
9904 K181 entry, 9904(1) K181(iv), 9904(4)(b), 9904(4)(c), 9904(4)(c)(i) and (ii).	Four internal citations corrected	261.32(a) K181, 261.32(d)(2), 261.32(d)(3), and 261.32(d)(3)(i) and (ii).
9904 K069	Administrative stay note added	261.32 K069.

G. Where are the revised State rules different from the Federal rules?

Under RCRA Section 3009, the EPA may not authorize State rules that are less stringent than the Federal program. Any state rules that are less stringent do not supplant the Federal regulations. State rules that are broader in scope than the Federal program requirements are allowed but are not authorized. State rules that are equivalent to and state rules that are more stringent than the Federal program may be authorized, in which case they are enforceable by the EPA.

This Section does not discuss all the program differences, because in most instances Washington writes its own version of the Federal hazardous waste rules. Persons must consult Tables 1 and 2 in Section F for the specific State regulations that the EPA is authorizing. This Section discusses rules of particular interest where the EPA has found the State program is more stringent and will be authorized. Table 2 above indicates all the rules that the EPA determined to be more stringent than the Federal rules. The Section below also discusses an example of a rule where the State program is broader in scope and cannot be authorized. Certain portions of the Federal program are not delegable to the states because of the Federal government's special role in foreign policy matters and because of national concerns that arise with certain decisions. The EPA does not delegate import and export functions. Under RCRA regulations found in 40 CFR part 262, the EPA will continue to implement requirements for import and export functions. However, the State rules (WAC 173–303–230) reference the EPA's import and export requirements, and the State has amended these references to include those changes promulgated in the Federal Rule on Corrections to Errors in the Code of Federal Regulations (71 FR 40254, July, 7, 2006). Additional information regarding the EPA's analysis concerning the State's rules that are more stringent and/or broader in scope than the Federal rules can be found in the docket.

1. More Stringent

States are allowed to seek authorization for state requirements that are more stringent than Federal requirements. The EPA has authority to authorize and enforce those parts of a state's program the EPA finds to be more stringent than the Federal program. This Section does not discuss each more stringent finding made by the EPA, but persons can locate such findings by consulting Table 1 in Section F and by reviewing the docket for these rules. This action authorizes the State program for each more stringent requirement.

a. *Satellite Accumulation*—On December 20, 1984 (49 FR 49568), the Federal Satellite Accumulation rule was promulgated. The State adopted a satellite accumulation rule in 1986 and adopted a revised rule on December 8, 1993. On December 18, 2014, the State adopted another revision to WAC 173–303–200(2) with all instances of ''per waste stream'' removed for consistency with the Federal rule at 40 CFR 262.34(c). The State rule has an additional provision for satellite accumulation requirements whereby the State can require additional management requirements on a case-by-case basis, which renders the State rule more stringent than the Federal rule. Additional details regarding the State's adoption of the revised satellite accumulation rule are available in the docket.

b. *Academic Laboratory Generator Standards*—The State's Academic Laboratories Generator Standards contain more stringent requirements than the corresponding Federal rules (73 FR 72912, December 1, 2008).

i. WAC 173–303–235(4)(a), (4)(b)(ii), (5)(a), and (5)(b)(ii), are more stringent because the State requires small quantity generators to obtain EPA/state identification numbers, whereas the Federal rules at 40 CFR 262.203(a) and (b)(2) and 40 CFR 262.204(a) and (b)(2) exempt the comparable Conditionally Exempt Small Quantity Generators (CESQGs).

ii. WAC 173–303–235(4)(b) and (5)(b) are more stringent than 40 CFR 262.203(b) and 262.204(b) introductory paragraphs due to the State requirement for small quantity generators to complete the entire Washington State Dangerous Waste Site Identification form, whereas the Federal rules exempt CESQGs from filling in a site identification number.

iii. WAC 173–303–235(7)(a)(i), 235(9)(d)(i)(A) and 235(9)(d)(ii)(A) require accumulation start dates and full container dates to be attached to the containers rather than, at a minimum, be associated with them as required by 40 CFR 262.206(a)(1) and 262.208(d)(1)(i).

iv. WAC 173–303–235(14)(a)(iv) requires eligible academic entities to maintain records for five years after laboratory cleanouts rather than three years as required in 40 CFR 262.213(a)(4).

On December 12, 2010 (75 FR 79304), the Federal Academic Laboratories Generator Standards Technical Corrections rules were promulgated. The State's rules at WAC 173–303–235(15)(a)(i) and (b)(i) are more stringent than the Federal rules because they require the accumulation date to appear on the container label, whereas the Federal rules at 40 CFR 262.214(a)(1) and (b)(1) allow the information to be associated with, but not necessarily placed on, the container. Additional details regarding the more stringent State provisions associated with the State's adoption of the Federal Academic Laboratories Generator Standards are available in the docket.

c. *Characteristic of Reactivity*—On January 31, 1986 (51 FR 3782), the State received authorization for its dangerous waste identification rules including WAC 173–303–090(7) Characteristic of reactivity. On January 18, 2010 (75 FR 12989), the Federal rule at 40 CFR 261.23(a)(8) was revised to update the forbidden explosives regulation under 40 CFR 261.23 Characteristic of reactivity. The State revised the corresponding WAC 173–303–090(7)(a)(viii), but included Division 1.5 explosives (refer to the US Department of Transportation Hazardous Materials Class 1 explosives chart) not included in the Federal rule. As a result, the State's rule is more stringent than the Federal rule. Additional details regarding the more stringent State provisions associated with forbidden explosives under the characteristic of reactivity rule are available in the docket.

d. *Exception Reporting*—On January 18, 2010 (75 FR 12989), the Federal Hazardous Waste Technical Corrections and Clarifications rules were promulgated. Under 40 CFR 262.42(c)(2), the 35/45/60 day timeframes for exception reporting begin the date the waste was accepted by the initial transporter forwarding the hazardous waste from the designated facility to the alternate facility. The State rule at WAC 173–303–220(2)(e)(ii) is more stringent because it does not have a 60-day window for Medium Quantity Generators (equivalent to Federal Small Quantity Generators) to submit exception reports to the Washington State Department of Ecology. Additional details regarding the more stringent State provisions associated with Exception reports are available in the docket.

e. *Independent Qualified Registered Professional Engineers*—On December 18, 2014, the State adopted rule changes to require Independent Qualified Registered Professional Engineers (IQRPEs) to certify certain activities. The revised State rules at WAC 173–303–200(1)(b)(iv), 200(4)(a)(iv)(A)(III), 400(3)(c)(xxii)(B), 64690, 650(4)(c), 650(5)(d)(ii)(B), 665(2)(a)(i), 806(4)(d)(v), 806(4)(e)(iii)(A)(I), and 806(4)(h)(ii)(A)(I) are more stringent than corresponding Federal rules at 40 CFR 262.34(a)(1)(iv) and (g)(4)(i)(C), 265.1101(c)(3)(iii), 264.554 (IBR, 045(1)), 264.226(c), 264.227(d)(2)(ii), 264.301(a)(1), 270.17(d), 270.18(c)(1)(i), and 270.21(b)(1)(i). Additional details regarding the more stringent State provisions associated with IQRPE requirements are available in the docket.

2. Broader in Scope

The State has added a time limit for special wastes that are stored at transfer stations under WAC 173–303–073(2)(e)(v). The Federal rules do not regulate these special wastes which are State-only wastes and defined at WAC 173–303–040; therefore, the regulation of these wastes is broader in scope than the Federal rules. As noted above, broader in scope rules are not authorized by the EPA.

H. Who issues permits once the authorization takes effect?

Washington will continue to issue permits for all the provisions for which it is authorized and will administer the permits it issues. Permits issued by the EPA prior to authorizing Washington for these revisions will continue in force until the effective date of the State's issuance or denial of a State hazardous waste management permit, at which time, the EPA will modify the existing EPA permit to expire at an earlier date, terminate the existing EPA permit, or allow the existing EPA permit to otherwise expire by its terms, except for those facilities located in Indian Country. The EPA will not issue new permits or new portions of permits for provisions for which Washington is authorized after the effective date of this authorization. The EPA will continue to implement and issue permits for HSWA requirements for which Washington is not yet authorized.

I. What is codification and is the EPA codifying Washington's hazardous waste program as authorized in this authorization?

Codification is the process of placing the State's statutes and regulations that comprise the State's authorized hazardous waste program into the Code of Federal Regulations. This is done by referencing the authorized State rules in 40 CFR part 272. The EPA is reserving the amendment of 40 CFR part 272, subpart WW, for this authorization of Washington's program revisions until a later date.

J. How does this action affect Indian Country (18 U.S.C. 1151) in Washington?

The EPA's decision to authorize the Washington hazardous waste management program does not include any land that is, or becomes after the date of this authorization, ''Indian Country,'' as defined in 18 U.S.C. 1151, with the exception of the non-trust lands within the exterior boundaries of the Puyallup Indian Reservation (also referred to as the ''1873 Survey Area'' or ''Survey Area'') located in Tacoma, Washington. The EPA retains jurisdiction over ''Indian Country''. Effective October 22, 1998 (63 FR 50531, September 22, 1998) the State of Washington was authorized to implement the State's federally-authorized hazardous waste management program on the non-trust lands within the 1873 Survey Area of the Puyallup Indian Reservation. The authorization did not extend to trust lands within the reservation. The EPA retains its authority to implement RCRA on trust lands and over Indians and Indian activities within the 1873 Survey Area.

K. Statutory and Executive Order Reviews

This final authorization revises the State of Washington's authorized hazardous waste management program pursuant to Section 3006 of RCRA and imposes no requirements other than those currently imposed by State law. This authorization complies with applicable executive orders and statutory provisions as follows:

1. Executive Order 12866

Under Executive Order (E.O.) 12866 (58 FR 51735, October 4, 1993), Federal agencies must determine whether the regulatory action is ''significant'', and therefore subject to OMB review and the requirements of the E.O. The E.O. defines ''significant regulatory action'' as one that is likely to result in a rule that may: (1) Have an annual effect on the economy of $100 million or more, or adversely affect in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere

with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the E.O. The EPA has determined that this final authorization is not a ''significant regulatory action'' under the terms of E.O. 12866 and is therefore not subject to OMB review.

2. Paperwork Reduction Act

This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.,* because this final authorization does not establish or modify any information or recordkeeping requirements for the regulated community and only seeks to authorize the pre-existing requirements under State law and imposes no additional requirements beyond those imposed by State law.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing, and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in title 40 of the CFR are listed in 40 CFR part 9.

3. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), generally requires Federal agencies to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions. For purposes of assessing the impacts of this authorization on small entities, small entity is defined as: (1) A small business defined by the Small Business Administration's size regulations at 13 CFR part 121.201; (2) a small governmental jurisdiction that is a government of a city, county, town, school district, or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field. I certify that this final authorization will not have a significant economic impact on a substantial number of small entities because the final authorization will only have the effect of authorizing pre-existing requirements under State law and imposes no additional requirements beyond those imposed by State law.

4. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act (UMRA) of 1995 (Pub. L. 104–4) establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under Section 202 of the UMRA, the EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, Section 205 of the UMRA generally requires the EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of Section 205 do not apply when they are inconsistent with applicable law. Moreover, Section 205 allows the EPA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if the Administrator publishes with the rule an explanation why the alternative was not adopted. Before the EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under Section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of the EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements. This final authorization contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for state, local, or tribal governments or the private sector. It imposes no new enforceable duty on any state, local or tribal governments or the private sector. Similarly, the EPA has also determined that this final authorization contains no regulatory requirements that might significantly or uniquely affect small government entities. Thus, this final authorization is not subject to the requirements of Sections 202 and 203 of the UMRA.

5. Executive Order 13132: Federalism

This final authorization 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 various levels of government, as specified in E.O. 13132 (64 FR 43255, August 10, 1999). This document authorizes pre-existing State rules. Thus, E.O. 13132 does not apply to this final authorization. In the spirit of E.O. 13132, and consistent with the EPA policy to promote communications between the EPA and state and local governments, the EPA specifically solicited comment on this authorization from State and local officials.

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

Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (59 FR 22951, November 9, 2000), requires the EPA to develop an accountable process to ensure ''meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' This final authorization does not have tribal implications, as specified in E.O. 13175 because the EPA retains its authority over Indian Country. Thus, E.O. 13175 does not apply to this final authorization. The EPA specifically solicited comment on this authorization from tribal officials.

7. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

The EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required

under Section 5–501 of the E.O. has the potential to influence the regulation. This action is not subject to E.O. 13045 because it approves a state program.

8. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This final authorization is not subject to Executive Order 13211, ''Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) because it is not a ''significant regulatory action'' as defined under E.O. 12866, as discussed in detail above.

9. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (''NTTAA''), (Pub. L. 104–113, 12(d)) (15 U.S.C. 272), directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus bodies. The NTTAA directs the EPA to provide Congress, through OMB, explanations when the Federal agency decides not to use available and applicable voluntary consensus standards. This authorization does not involve technical standards. Therefore, the EPA is not considering the use of any voluntary consensus standards.

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

Executive Order 12898 (59 FR 7629, February 16, 1994) establishes Federal executive policy on environmental justice. Its main provision directs Federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States. The EPA has determined that this final authorization will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations. This final authorization does not affect the level of protection provided to human health or the environment because this document authorizes pre-existing State rules which are equivalent to and no less stringent than existing Federal requirements.

11. The Congressional Review Act, 5 U.S.C. 801–808

The Congressional Review Act, 5 U.S.C. 801–808, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this document and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indians—lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

Authority: This final action is issued under the authority of Sections 1006, 2002(a), and 3006 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6905, 6912(a), and 6926.

Dated: February 20, 2018.

Chris Hladick,

Regional Administrator, Region 10.

[FR Doc. 2018–04702 Filed 3–8–18; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 180206132–8132–01]

RIN 0648–BH53

Pacific Halibut Fisheries; Catch Sharing Plan

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

ACTION: Final rule.

SUMMARY: The Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration (NOAA), on behalf of the International Pacific Halibut Commission (IPHC), publishes as regulations the 2018 annual management measures governing the Pacific halibut fishery that have been recommended by the IPHC and accepted by the Secretary of State. This action is intended to enhance the conservation of Pacific halibut and further the goals and objectives of the Pacific Fishery Management Council (PFMC) and the North Pacific Fishery Management Council (NPFMC or Council).

DATES: The IPHC's 2018 annual management measures are valid March 8, 2018. The 2018 management measures are valid until superseded.

ADDRESSES: Additional requests for information regarding this action may be obtained by contacting the International Pacific Halibut Commission, 2320 W. Commodore Way, Suite 300, Seattle, WA 98199–1287; or Sustainable Fisheries Division, NMFS Alaska Region, P.O. Box 21668, Juneau, AK 99802, Attn: Ellen Sebastian, Records Officer; or Sustainable Fisheries Division, NMFS West Coast Region, 7600 Sand Point Way NE, Seattle, WA 98115. This final rule also is accessible via the internet at the Federal eRulemaking portal at *http://www.regulations.gov,* identified by docket number NOAA–NMFS–2017–0157.

FOR FURTHER INFORMATION CONTACT: For waters off Alaska, Kurt Iverson, 907–586–7210; or, for waters off the U.S. West Coast, Kathryn Blair, 206–526–6140.

SUPPLEMENTARY INFORMATION:

Background

The IPHC has recommended regulations that would govern the Pacific halibut fishery in 2018, pursuant to the Convention between Canada and the United States of America (U.S.) for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea (Convention), signed at Ottawa, Ontario, on March 2, 1953, as amended by a Protocol Amending the Convention (signed at Washington, DC, on March 29, 1979).

As provided by the Northern Pacific Halibut Act of 1982 (Halibut Act) at 16 U.S.C. 773b, the Secretary of State, with the concurrence of the Secretary of Commerce, may accept or reject, on behalf of the United States, regulations recommended by the IPHC in accordance with the Convention (Halibut Act, Sections 773–773k). The Secretary of State, with the concurrence of the Secretary of Commerce, accepted the 2018 IPHC regulations as provided by the Halibut Act at 16 U.S.C. 773–773k.

The Halibut Act provides the Secretary of Commerce with the authority and general responsibility to carry out the requirements of the Convention and the Halibut Act. The Regional Fishery Management Councils may develop, and the Secretary of Commerce may implement, regulations governing harvesting privileges among U.S. fishermen in U.S. waters that are in addition to, and not in conflict with, approved IPHC regulations. The NPFMC has exercised this authority most notably in developing halibut management programs for three fisheries that harvest halibut in Alaska: the subsistence, sport, and commercial fisheries. The PFMC has exercised this authority by developing a catch sharing plan governing the allocation of halibut and management of sport fisheries on the U.S. West Coast.

Independent of the NPFMC and the PFMC, the Secretary of Commerce has the authority under Article I of the Convention and section 773c of the Halibut Act to carry out the purposes and objectives of the Convention including the governing harvesting privileges among U.S. fishermen through regulations that are more restrictive than those adopted by the IPHC.

Subsistence and sport halibut fishery regulations for Alaska are codified at 50 CFR part 300. Commercial halibut fisheries in Alaska are subject to the Individual Fishing Quota (IFQ) Program and Western Alaska Community Development Quota (CDQ) Program (50 CFR part 679) regulations, and the area-specific catch sharing plans (CSPs).

The IPHC apportions catch limits for the Pacific halibut fishery among IPHC Regulatory Areas (Areas) (Figure 1): Area 2A (California, Oregon, and Washington), Area 2B (British Columbia, Canada), Area 2C (Southeast Alaska), Area 3A (Central Gulf of Alaska), Area 3B (Western Gulf of Alaska), and Area 4 (subdivided into 5 areas, 4A through 4E, in the Bering Sea and Aleutian Islands of Western Alaska).

The NPFMC implemented a CSP among commercial IFQ and CDQ halibut fisheries in Areas 4C, 4D, and 4E (Area 4, Western Alaska) through rulemaking, and the Secretary of Commerce approved the plan on March 20, 1996 (61 FR 11337). The Area 4 CSP regulations were codified at 50 CFR 300.65, and were amended on March 17, 1998 (63 FR 13000). New annual regulations pertaining to the Area 4 CSP also may be implemented through IPHC action, subject to acceptance by the Secretary of State.

The NPFMC recommended and NMFS implemented through rulemaking a CSP for guided sport (charter) and commercial IFQ halibut fisheries in Areas 2C and Area 3A on January 13, 2014 (78 FR 75844, December 12, 2013). The Area 2C and 3A CSP regulations are codified at 50 CFR 300.65. The CSP defines an annual process for allocating halibut between the commercial and charter fisheries so that each sector's allocation varies in proportion to halibut abundance, specifies a public process for setting annual management measures, and authorizes limited annual leases of commercial IFQ for use in the charter fishery as guided angler fish (GAF).

The IPHC held its annual meeting in Portland, Oregon, January 22 through 26, 2018. At this meeting, the IPHC recommended a number of changes to the 2017 IPHC regulations (82 FR 12730, March 7, 2017). The Secretary of State accepted these annual management measures, including the following changes to the previous IPHC regulations for 2018:

1. New commercial halibut fishery opening and closing dates in Section 9;

2. Revisions to existing regulations in Section 18 to clarify the requirement for commercial halibut to be landed and weighed with the head attached;

3. Modifications to Section 8 and Section 12 that align IPHC regulations to recent NPFMC actions that would allow CDQ groups to lease (receive by transfer) halibut quota share (QS) in Areas 4B, 4C, and 4D;

4. A minor revision to Section 29(1)(f) to clarify that halibut harvested on a charter vessel fishing trip in Area 2C or Area 3A must be retained on board the vessel on which the halibut was caught until the end of the fishing trip;

5. Addition of language to existing regulations in Section 29 that clarifies the skin-on requirement of halibut that are retained and cut into sections on board a sport fishing vessel;

6. Changes to Sections 20(1) and 20(2) to allow halibut to be taken with pot gear under specific circumstances provided in NMFS regulations;

7. Revisions to the management measures for Area 2C and Area 3A charter halibut anglers in Section 29 that close three Tuesdays to charter halibut fishing. The dates for the 2017 closures are revised to conform to specific dates in 2018; and

8. Minor revisions to standardize terminology and clarify the regulations, including a new table in Section 4 to specify the commercial, sport, and Treaty fishing catch limits for all IPHC regulatory areas.

At the January 2018 annual meeting, the IPHC did not agree, and therefore did not recommend changes to the following management measures:

1. New catch limits in any IPHC regulatory area;

2. Revised CSP allocations for charter and commercial IFQ halibut fisheries in Areas 2C and 3A;

3. Revised charter halibut management measures in Areas 2C and 3A; or

4. Revised CSP allocations for the commercial IFQ and CDQ halibut fisheries in Areas 4C, 4D, and 4E.

Although the United States and Canada voiced consensus at the IPHC's January 2018 annual meeting that some reduction in catch limits relative to 2017 in all Areas was appropriate, U.S. and Canadian Commissioners could not agree on specific catch limits for 2018. Therefore, the IPHC did not make a recommendation to the Secretary of State to revise the catch limits that were recommended and implemented in 2017. Because the U.S. and Canadian Commissioners could not reach agreement on the specific catch limits in each Area, the IPHC did not provide specific recommendations to revise the CSP allocations for charter and commercial IFQ halibut fisheries in Area 2C and Area 3A, charter halibut management measures in Areas 2C and 3A, or the CSP allocations for the commercial IFQ and CDQ halibut fisheries in Areas 4C, 4D, and 4E.

The U.S. Commissioners recommended that NMFS undertake a separate domestic regulatory process to implement the catch limits endorsed by the U.S. Commissioners and the CSP allocations and charter management measures for 2018 that would result from their recommendation for reduced catch limits. NMFS is authorized to implement regulations under a separate rulemaking process governing harvesting privileges among U.S. fishermen in U.S. waters that are more restrictive than those adopted by the IPHC. Such regulations may include catch limits that are more restrictive than those shown in Section 4 of the IPHC's regulations.

Pursuant to regulations at 50 CFR 300.62, the 2018 IPHC annual management measures described herein are published in the **Federal Register** to provide notice of their immediate regulatory effectiveness and to inform persons subject to the regulations of their restrictions and requirements. Because NMFS publishes the regulations applicable to the entire Convention area, these regulations include some provisions relating to and affecting Canadian fishing and fisheries.

NMFS may implement more restrictive regulations for the fishery for halibut or components of it; therefore, anglers are advised to check the current U.S. Federal and IPHC regulations prior to fishing.

Catch Limits

Because the IPHC could not reach agreement and did not recommend catch limits for 2018, the catch limits adopted for 2017 are in effect for the 2018 fishing year unless superseded by an action separate from this final rule. For the 2017 fishing year, the IPHC recommended to the governments of Canada and the U.S. catch limits totaling 31,400,000 lb (14,242.80 mt). A complete description of the background and process the IPHC used to set the 2017 overall catch limit and the catch limits for individual IPHC Areas can be found in the **Federal Register** at (82 FR 12730, March 7, 2017). The 2017 IPHC catch limits can also be found in Section 11 of the 2017 IPHC annual management measures and Section 4 of the 2018 IPHC annual management measures. The 2017 and 2018 catch limits are summarized below in Table 1.

TABLE 1—CATCH LIMITS FOR 2017 AND 2018 BY IPHC REGULATORY AREA

Regulatory area	2017 and 2018 IPHC catch limit (lb)
2A [1]	1,330,000
2B [2]	7,450,000
2C [3]	5,250,000
3A [3]	10,000,000
3B	3,140,000
4A	1,390,000
4B	1,140,000
4CDE	1,700,000
Coastwide	31,400,000

[1] Area 2A catch limit includes sport, commercial, and tribal catch limits.

[2] Area 2B catch limit includes sport and commercial catch limits.

[3] Shown is the combined commercial and charter allocation under the Area 2C and 3A CSP. This value includes allocations to the charter sector and charter wastage, and an amount for commercial landings and wastage. The commercial catch limits after deducting wastage are 4,212,000 lb in Area 2C and 7,739,000 lb in Area 3A.

NMFS may implement more restrictive regulations for the fishery for halibut or components of it; therefore, anglers are advised to check the current U.S. Federal and IPHC regulations prior to fishing. If NMFS does change any of the IPHC Regulatory Area 2018 catch limits through a separate rulemaking, the breakdown described in the Table in Section 4 of the IPHC's regulations would also change.

Commercial Halibut Fishery Opening and Closing Dates

The IPHC considers advice from the IPHC's two advisory boards when selecting opening and closing dates for the halibut fishery. The opening date for the tribal commercial fishery in Area 2A and for the commercial halibut fisheries in Areas 2B through 4E is March 24, 2018. The March 24 opening date is thirteen days later than the 2017 opening date. The IPHC took into account many factors when recommending the season start date, including but not limited to, the timing of halibut migration and spawning, and having a Saturday season opening to facilitate marketing. In addition, the majority of the fishing effort on the opening date has historically been for sablefish, whose opening date is tied to the halibut season dates, and not for halibut.

The closing date for the halibut fisheries is November 7, 2018. This date takes into account the anticipated time required to fully harvest the commercial halibut catch limits, seasonal holidays, and adequate time for IPHC staff to review the complete record of 2018 commercial catch data for use in the 2018 stock assessment process.

In the Area 2A non-treaty directed commercial fishery the IPHC recommended seven 10-hour fishing periods. Each fishing period shall begin at 0800 hours and terminate at 1800 hours local time on June 27, July 11, July 25, August 8, August 22, September 5, and September 19, 2018, unless the IPHC specifies otherwise. These 10-hour openings will occur until the quota is taken and the fishery is closed.

Area 2A Catch Sharing Plan

The NMFS West Coast Region published a proposed rule for changes to the Pacific Halibut Catch Sharing Plan for Area 2A off Washington, Oregon, and California on January 30, 2018 (83 FR 4175), with public comments accepted through March 1, 2018. A separate final rule will be published to approve changes to the Area 2A CSP and to implement the portions of the CSP and management measures that are not implemented through the IPHC annual management measures that are published in this final rule. These measures include the sport fishery allocations and management measures for Area 2A. Once published, the final rule implementing the Area 2A CSP will be available on the NOAA Fisheries West Coast Region's website at *http://www.westcoast.fisheries.noaa.gov/fisheries/management/pacific_halibut_management.html,* and under FDMS Docket Number NOAA–NMFS–2017–0157 at *www.regulations.gov*.

Area 2C and Area 3A Catch Sharing Plans

In 2014, NMFS implemented a CSP for Area 2C and Area 3A. The CSP defines an annual process for allocating halibut between the charter and commercial fisheries in Area 2C and Area 3A, and establishes allocations for each fishery. To allow flexibility for individual commercial and charter fishery participants, the CSP also authorizes annual transfers of commercial halibut IFQ as GAF to charter halibut permit holders for harvest in the charter fishery. Under the CSP, the IPHC recommends combined catch limits (CCLs) for the charter and commercial halibut fisheries in Area 2C and Area 3A. Each CCL includes estimates of discard mortality (wastage) for each fishery. The CSP was implemented to achieve the halibut fishery management goals of the NPFMC. More information is provided in the final rule implementing the CSP (78 FR 75844, December 12, 2013). Implementing regulations for the CSP are at 50 CFR 300.65. The Area 2C and Area 3A CSP allocation tables are located in Tables 1 through 4 of subpart E of 50 CFR part 300.

At its January 2018 annual meeting, the IPHC did not reach agreement or recommend catch limits or CSP allocations between the charter and commercial fisheries for Areas 2C and 3A for the 2018 fishing year. As a result, the Area 2C and 3A CSPs for 2017 remain in effect for 2018 until superseded by an action separate from this final rule. NMFS may implement more restrictive regulations for the fishery for halibut or components of it; therefore, anglers are advised to check the current U.S. Federal and IPHC regulations prior to fishing.

A complete description of the process for setting the 2017 Area 2C and Area 3A CSPs, and the specific details of each area plan, can be found in the **Federal Register** (82 FR 12730, March 7, 2017). A brief summary of the Area 2C and 3A 2017 catch limits follows here.

In 2017, the IPHC recommended a CCL of 5,250,000 lb (2,381.36 mt) for Area 2C. Following the CSP allocations in Tables 1 and 3 of subpart E of 50 CFR part 300, the charter fishery was allocated 915,000 lb (415.04 mt) of the CCL and the remainder of the CCL, 4,335,000 lb (1,966.32 mt), was allocated to the commercial fishery. Wastage in the amount of 123,000 lb

(55.79 mt) was deducted from the commercial allocation to obtain the commercial catch limit of 4,212,000 lb (1,910.53 mt). These Area 2C catch limits for 2017 remain in effect until superseded. NMFS may implement more restrictive regulations for the fishery for halibut or components of it; therefore, anglers are advised to check the current U.S. Federal and IPHC regulations prior to fishing.

Also in 2017, the IPHC recommended a CCL of 10,000,000 lb (4,535.92 mt) for Area 3A. Following the CSP allocations in Tables 2 and 4 of subpart E of 50 CFR part 300, the charter fishery was allocated 1,890,000 lb (857.29 mt) of the CCL and the remainder of the CCL, 8,110,000 lb (3,678.63 mt), was allocated to the commercial fishery. Wastage in the amount of 371,000 lb (168.28 mt) was deducted from the commercial allocation to obtain the commercial catch limit of 7,739,000 lb (3,510.35 mt). These Area 3A catch limits for 2017 remain in effect until superseded by an action separate from this final rule. NMFS may implement more restrictive regulations for the fishery for halibut or components of it; therefore, anglers are advised to check the current U.S. Federal and IPHC regulations prior to fishing.

Charter Halibut Management Measures for Area 2C and Area 3A

Guided (charter) recreational halibut anglers are managed under different regulations than unguided recreational halibut anglers in Areas 2C and 3A in Alaska. According to Federal regulations at 50 CFR 300.61, a charter vessel angler means a person, paying or non-paying, receiving sport fishing guide services for halibut. Sport fishing guide services means assistance, for compensation or with the intent to receive compensation, to a person who is sport fishing, to take or attempt to take halibut by accompanying or physically directing the sport fisherman in sport fishing activities during any part of a charter vessel fishing trip. A charter vessel fishing trip is the time period between the first deployment of fishing gear into the water from a charter vessel by a charter vessel angler and the offloading of one or more charter vessel anglers or any halibut from that vessel. The charter fishery regulations described below apply only to charter vessel anglers receiving sport fishing guide services during a charter vessel fishing trip for halibut in Area 2C or Area 3A. These regulations do not apply to unguided recreational anglers in any regulatory area in Alaska, or guided anglers in areas other than Areas 2C and 3A.

The NPFMC formed the Charter Halibut Management Committee to provide it with recommendations for annual management measures intended to limit charter harvest to the charter catch limit while minimizing negative economic impacts to charter fishery participants in times of low halibut abundance. The committee is composed of representatives from the charter fishing industry in Areas 2C and 3A. The committee considered previously analyzed alternatives and suggested new alternative measures to be analyzed in October 2017. After reviewing an analysis of the effects of the alternative measures on estimated charter removals, the committee made recommendations for preferred management measures to the NPFMC for 2018. The NPFMC considered the recommendations of the committee, its industry advisory body, and public testimony to develop its recommendation to the IPHC, and the IPHC took action consistent with the NPFMC's recommendations. The NPFMC has used this process to select and recommend annual management measures to the IPHC since 2012.

The IPHC recognizes the role of the NPFMC to develop policy and regulations that allocate the Pacific halibut resource among fishermen in and off Alaska, and that NMFS has developed numerous regulations to support the NPFMC's goals of limiting charter harvests.

At its January 2018 annual meeting, the IPHC did not agree upon or recommend catch limits or management measures for the 2018 charter halibut fisheries. As a result, the Areas 2C and 3A charter halibut management measures implemented in 2017 remain in effect for 2018 until superseded by an action separate from this final rule. NMFS may implement more restrictive regulations for the fishery for halibut or components of it; therefore, anglers are advised to check the current U.S. Federal and IPHC regulations prior to fishing.

A complete description of the process for setting the Area 2C and 3A 2017 charter halibut management measures, and the specific details of each area plan, can be found in the **Federal Register** at (82 FR 12730, March 7, 2017). A brief summary of the Area 2C and Area 3A 2017 halibut charter management measures follows below.

For Area 2C, the 2017 charter halibut management measures consisted of a one-fish daily bag limit with a reverse slot limit that prohibited a person on board a charter vessel from taking or possessing any halibut, with head on, that is greater than 44 inches (111.8 cm) and less than 80 inches (203.2 cm), as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail. For Area 3A, the 2017 the charter halibut management measures included: (1) A two-fish daily bag limit with a 28-inch (71.1 cm) size limit on one of the halibut; (2) a four-fish an annual limit, with a reporting requirement. (3) a one-trip per day limit for the entire season; (4) no retention of halibut on Wednesdays for the entire season; and, (5) no retention of halibut for three Tuesdays in 2017.

Other Regulatory Amendments

Although IPHC did not recommend new catch limits, or revised CSPs for Area 2C and 3A and for Areas 4C, 4D, and 4E, or revisions to charter halibut management measures in Areas 2C and 3A, the IPHC did recommend several amendments to the 2018 annual management measures. In addition to approving new halibut fishery opening and closing dates (described above), the other approved amendments are as follows:

Clarify the Head-On Weighing Requirement

Beginning in 2017, regulations in Section 14 (formerly Section 13) have required that all commercial Pacific halibut must be landed and weighed with their heads attached (head-on) for data reporting purposes. The head-on requirement is intended to improve the estimates of the weight of landed halibut. At the January 2018 annual IPHC meeting, the IPHC recommended revisions to Section 18(5) and 18(6) to clarify that the catch reporting requirements in these sections require head-on landing and weighing. The revisions specify that (1) all commercial halibut landed in Alaska regulatory areas must be weighed with the head on, and (2) the head-on weight must be reported in the applicable catch report. The regulations at Section 14(2) provides the following exception to the head-on requirement: Pacific halibut frozen at sea with its head removed may be possessed on board a vessel by persons in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E if authorized by Federal regulations.

Allow CDQ Groups To Lease Halibut QS in Areas 4B, 4C, and 4D

In June 2017, the NPFMC took final action to allow CDQ groups to lease (to receive by transfer) halibut catcher vessel IFQ in Areas 4B, 4C, and 4D in years of low halibut catch limits. This action is intended to provide additional harvest opportunities to CDQ groups

and provide IFQ holders with the opportunity to receive value for their IFQ when the halibut catch limits may not be large enough to provide for an economically viable fishery for IFQ holders. Under current NMFS regulations, CDQ groups cannot receive by transfer any IFQ derived from catcher vessel QS. These restrictions limit the options for CDQ groups to expand opportunities for halibut fishing for residents in times of low halibut abundance. The Council's action authorizes CDQ groups to receive IFQ by transfer in Areas 4B, 4C, and 4D in years of low Pacific halibut catch limits in Areas 4B and 4CDE.

Low Pacific halibut catch limits triggering this provision would be 1,000,000 pounds (453.59 t) in Area 4B and 1,500,000 pounds (680.39 t) in the combined Area 4CDE. A CDQ group may lease catcher vessel IFQ only in areas it is allocated Pacific halibut CDQ. Only vessels equal to or under 51 feet length overall would be eligible to harvest the leased IFQ. Vessels must comply with IFQ use restrictions for all IFQ received by transfer.

NMFS is currently developing a proposed rule to implement the Council's recommendation. As part of its action, the Council recommended that any Area 4D IFQ transferred to a CDQ group may be fished in Area 4E by vessels less than or equal to 51 feet in length overall (LOA) when the low catch limit threshold in Area 4CDE is triggered. The Council recommended this provision to provide additional harvest opportunities for CDQ residents to use Area 4D IFQ in Area 4E consistent with regulations that allow Area 4D CDQ to be used in Area 4E. Implementation of this provision requires revisions to IPHC regulations.

At the January 2018 annual IPHC meeting, the IPHC recommended revisions to Sections (8)(1) and (8)(3) to revise its regulations for consistency with NMFS regulations if a final rule is approved to implement the Council's recommendations. The revisions to IPHC regulations clarify that the retention and catch reporting requirements of halibut taken for personal use in Areas 4E and 4D also apply to halibut that are taken by persons who are fishing IFQ that is received by transfer by a CDQ organization. The IPHC also recommended revisions to the Areas 4D and 4E catch limit calculations in Section 12(8) to include the harvest resulting from IFQ received by transfer by a CDQ organization. Individual Fishing Quota that is designated for Area 4D may continue to be harvested in Area 4E, and the total allowable catch of halibut that may be taken in the Area 4E directed commercial fishery is equal to the combined annual catch limits specified for the Areas 4D and 4E CDQ fisheries and any Area 4D IFQ received by transfer by a CDQ organization.

Clarify Halibut Retention Requirements for Charter Vessel Anglers

At the IPHC's January 2018 annual meeting, the IPHC recommended a revision to Section 29(1)(f) of IPHC regulations to clarify that halibut harvested on a charter vessel fishing trip in Area 2C or Area 3A must be retained on board the charter vessel on which the halibut was caught until the end of the charter vessel fishing trip as defined at 50 CFR 300.61. To accomplish this clarification, the word ''all'' was deleted from Section 28(1)(f) to distinguish the requirement in Section 28(1)(f) to retain halibut on board a charter vessel until the end of a charter trip from the requirement to retain carcasses for size-restricted halibut (see 50 CFR 300.65(d)(5)).

Clarify Filleting at Sea Requirements

IPHC regulations at Section 29(1)(d) say that no person shall possess on board a vessel, including charter vessels and pleasure craft used for fishing, halibut that have been filleted, mutilated, or otherwise disfigured in any manner, except that each piece maybe cut into no more than 2 ventral pieces, 2 dorsal pieces, and 2 cheek pieces, with skin on all pieces. While this regulation is necessary for a proper accounting of fish on board a vessel and the enforcement of daily bag and possession limits, the precise amount of skin that must be left on each piece of halibut is not defined. Given that the purpose of the skin-on requirement is to distinguish pieces of halibut from the dorsal and ventral sides of the fish, it is not necessary to require all the skin to be left on all the pieces. To clarify the regulation, the IPHC determined that a patch of skin that is naturally attached on each piece of halibut that is cut into pieces as described in Section 29(1)(d) is adequate to satisfy the intent of the regulation.

Authorize Halibut To Be Taken With Pot Gear

On December 28, 2016, NMFS published a final rule to authorize longline pot gear for the IFQ sablefish fishery in the Gulf of Alaska (81 FR 95435). The Gulf of Alaska sablefish fishery takes place in a portion of Area 2C (not including the inside waters), all of Areas 3A, 3B, and that portion of 4A in the Gulf of Alaska west of Area 3B and east of 170°00′ W longitude. The NMFS final rule also requires retention of halibut caught incidentally in longline pot gear subject to current retention requirements for the halibut IFQ Program (*i.e.,* only if the halibut are of legal size and a person(s) on the vessel holds sufficient halibut IFQ). This recommendation is intended to avoid discard mortality of legal-size halibut caught incidentally in longline pots in the sablefish IFQ fishery, similar to current regulations that authorize sablefish and halibut IFQ holders using hook-and-line gear to retain legal-size halibut caught incidentally during the sablefish IFQ fishery. At its 2016 annual meeting, the IPHC recommended approval of longline pot gear, as defined by NMFS, as legal gear for the commercial halibut fishery in Alaska when NMFS regulations permit the use of this gear in the IFQ sablefish fishery.

At its 2018 annual meeting, the IPHC received a proposal for additional regulatory revisions that would allow halibut taken with pot gear to be retained in the Bering Sea and Aleutian Islands. The proposal was prompted by evidence of conflicts with whale depredation of halibut on longline gear and referenced the Council's consideration of an action to authorize longline pot gear for the IFQ sablefish fishery in the Bering Sea and Aleutian Islands. After considering the proposal, the IPHC recommended changes to Section 20 (Fishing Gear) in parts (1)(b) and (2)(b) to authorize longline or single pot gear and struck the phrase that restricted retention of halibut taken in pot gear to only pot gear used the sablefish IFQ fishery. In recommending these changes, the IPHC noted the existing references in each subsection that allow pots to be used for halibut fishing ''if such retention is authorized by NMFS regulations published at 50 CFR part 679''. Therefore, the regulatory revisions continue to authorize retention of halibut in the GOA sablefish IFQ fishery consistent with NMFS regulations. The revisions also would accommodate a potential future Council recommendation and NMFS implementation of regulations to authorize retention of halibut taken in pot gear in the Bering Sea and Aleutian Islands.

Changes to Area 3A Closure Dates for 2018

Annual management measures in the charter halibut fishery are implemented to limit the charter sector to its harvest allocation under the CSP with the commercial halibut fishery. The management measures are recommended to the NPFMC by its Charter Halibut Management

Committee. In recent years, one of the measures the Committee and the IPHC has recommended are closures on specific days of the week in Area 3A as a means to reduce the total charter sector harvest. In 2017, the management measures called for closures to halibut retention by charter vessel anglers on all Wednesdays over the entire season, and on three Tuesdays in July and August. As described in detail above, the IPHC did not adopt charter halibut management measures for 2018; as such, the management measures for 2017 remain in effect unless superseded by an action separate from this final rule. The regulatory revision recommended by the IPHC changes the reference dates published in the 2017 IPHC regulations to ensure that all the dates of the Tuesdays' closures fall on Tuesdays. If left unchanged, the three dates as written in the 2017 IPHC regulations would fall on Wednesdays in 2018. The revised dates are changed from 18 July, 25 July, and 1 August to 17 July, 24 July, and 31 July.

Annual Halibut Management Measures

The following annual management measures for the 2018 Pacific halibut fishery are those recommended by the IPHC and accepted by the Secretary of State, with the concurrence of the Secretary of Commerce.

1. Short Title

These Regulations may be cited as the Pacific Halibut Fishery Regulations

2. Application

(1) These Regulations apply to persons and vessels fishing for Pacific halibut in, or possessing Pacific halibut taken from, the maritime area as defined in Section 3.

(2) Sections 3 to 7 apply generally to all Pacific halibut fishing.

(3) Sections 8 to 21 apply to commercial fishing for Pacific halibut.

(4) Section 22 applies to tagged Pacific halibut caught by any vessel.

(5) Section 23 applies to the United States treaty Indian fishery in Subarea 2A–1.

(6) Section 24 applies to customary and traditional fishing in Alaska.

(7) Section 25 applies to Aboriginal groups fishing for food, social and ceremonial purposes in British Columbia.

(8) Sections 26 to 29 apply to sport fishing for Pacific halibut.

(9) These Regulations do not apply to fishing operations authorized or conducted by the Commission for research purposes.

3. Definitions

(1) In these Regulations,

(a) ''authorized officer'' means any State, Federal, or Provincial officer authorized to enforce these Regulations including, but not limited to, the National Marine Fisheries Service (NMFS), Canada's Department of Fisheries and Oceans (DFO), Alaska Wildlife Troopers (AWT), United States Coast Guard (USCG), Washington Department of Fish and Wildlife (WDFW), the Oregon State Police (OSP), and California Department of Fish and Wildlife (CDFW);

(b) ''authorized clearance personnel'' means an authorized officer of the United States, a representative of the Commission, or a designated fish processor;

(c) ''charter vessel'' outside of Alaska waters means a vessel used for hire in sport fishing for Pacific halibut, but not including a vessel without a hired operator, and in Alaska waters means a vessel used while providing or receiving sport fishing guide services for Pacific halibut;

(d) ''commercial fishing'' means fishing, the resulting catch of which is sold or bartered; or is intended to be sold or bartered, other than (i) sport fishing, (ii) treaty Indian ceremonial and subsistence fishing as referred to in section 23, (iii) customary and traditional fishing as referred to in section 24 and defined by and regulated pursuant to NMFS regulations published at 50 CFR part 300, and (iv) Aboriginal groups fishing in British Columbia as referred to in section 25;

(e) ''Commission'' or ''IPHC'' means the International Pacific Halibut Commission;

(f) ''daily bag limit'' means the maximum number of Pacific halibut a person may take in any calendar day from Convention waters;

(g) ''fishing'' means the taking, harvesting, or catching of fish, or any activity that can reasonably be expected to result in the taking, harvesting, or catching of fish, including specifically the deployment of any amount or component part of gear anywhere in the maritime area;

(h) ''fishing period limit'' means the maximum amount of Pacific halibut that may be retained and landed by a vessel during one fishing period;

(i) ''land'' or ''offload'' with respect to Pacific halibut, means the removal of halibut from the catching vessel;

(j) ''license'' means a Pacific halibut fishing license issued by the Commission pursuant to section 5;

(k) ''maritime area'', in respect of the fisheries jurisdiction of a Contracting Party, includes without distinction areas within and seaward of the territorial sea and internal waters of that Party;

(l) ''net weight'' of a Pacific halibut means the weight of Pacific halibut that is without gills and entrails, head-off, washed, and without ice and slime. If a Pacific halibut is weighed with the head on or with ice and slime, the required conversion factors for calculating net weight are a 2 percent deduction for ice and slime and a 10 percent deduction for the head;

(m) ''operator'', with respect to any vessel, means the owner and/or the master or other individual on board and in charge of that vessel;

(n) ''overall length'' of a vessel means the horizontal distance, rounded to the nearest foot, between the foremost part of the stem and the aftermost part of the stern (excluding bowsprits, rudders, outboard motor brackets, and similar fittings or attachments);

(o) ''person'' includes an individual, corporation, firm, or association;

(p) ''regulatory area'' means an IPHC Regulatory Area referred to in section 7;

(q) ''setline gear'' means one or more stationary, buoyed, and anchored lines with hooks attached;

(r) ''sport fishing'' or ''recreational fishing'' means all fishing other than (i) commercial fishing, (ii) treaty Indian ceremonial and subsistence fishing as referred to in section 23, (iii) customary and traditional fishing as referred to in section 24 and defined in and regulated pursuant to NMFS regulations published in 50 CFR part 300, and (iv) Aboriginal groups fishing in British Columbia as referred to in section 25;

(s) ''tender'' means any vessel that buys or obtains fish directly from a catching vessel and transports it to a port of landing or fish processor;

(t) ''VMS transmitter'' means a NMFS-approved vessel monitoring system transmitter that automatically determines a vessel's position and transmits it to a NMFS-approved communications service provider.[1]

(2) In these Regulations, all bearings are true and all positions are determined by the most recent charts issued by the United States National Ocean Service or the Canadian Hydrographic Service.

4. Limits

(1) The fishery limits resulting from the IPHC-adopted values and the Contracting Party catch sharing arrangements are as follows:

[1] Call NOAA Enforcement Division, Alaska Region, at 907–586–7225 between the hours of 0800 and 1600 local time for a list of NMFS-approved VMS transmitters and communications service providers.

IPHC Regulatory Area	Fishery limits (net weight)	
	Pounds (lbs)	Metric tons (t)
Area 2A (California, Oregon, Washington)	1,330,000	603.28
Non-treaty directed commercial (south of Pt. Chehalis)	225,591	102.33
Non-treaty incidental catch in salmon troll fishery	39,810	18.06
Non-treaty incidental catch in sablefish fishery (north of Pt. Chehalis)	70,000	31.75
Treaty Indian commercial	435,900	197.72
Treaty Indian ceremonial and subsistence (year-round)	29,600	13.43
Recreational—Washington	237,762	107.85
Recreational—Oregon	256,757	116.46
Recreational—California	34,580	15.69
Area 2B (British Columbia)(includes recreational catch allocation)	7,450,000	3,379.27
Area 2C (southeastern Alaska) (combined commercial/guided recreational)	5,250,000	2,381.36
Commercial fishery (4,212,000 catch and 123,000 incidental mortality)	4,335,000	1,966.33
Guided sport fishery (includes catch and incidental mortality)	915,000	415.04
Area 3A (central Gulf of Alaska) (combined commercial/guided recreational)	10,000,000	4,535.93
Commercial fishery (7,739,000 catch and 371,000 incidental mortality)	8,110,000	3,678.64
Guided recreational fishery (includes catch and incidental mortality)	1,890,000	857.29
Area 3B (western Gulf of Alaska)	3,140,000	1,424.28
Area 4A (eastern Aleutians)	1,390,000	630.49
Area 4B (central/western Aleutians)	1,140,000	517.10
Area 4CDE	1,700,000	771.11
Area 4C (Pribilof Islands)	752,000	341.10
Area 4D (northwestern Bering Sea)	752,000	341.10
Area 4E (Bering Sea flats)	196,000	88.90
Total	31,400,000	14,242.82

5. Licensing Vessels for IPHC Regulatory Area 2A

(1) No person shall fish for Pacific halibut from a vessel, nor possess Pacific halibut on board a vessel, used either for commercial fishing or as a charter vessel in IPHC Regulatory Area 2A, unless the Commission has issued a license valid for fishing in IPHC Regulatory Area 2A in respect of that vessel.

(2) A license issued for a vessel operating in IPHC Regulatory Area 2A shall be valid only for operating either as a charter vessel or a commercial vessel, but not both.

(3) A vessel with a valid IPHC Regulatory Area 2A commercial license cannot be used to sport fish for Pacific halibut in IPHC Regulatory Area 2A.

(4) A license issued for a vessel operating in the commercial fishery in Area 2A shall be valid for one of the following:

(a) The directed commercial fishery during the fishing periods specified in paragraph (2) of section 9;

(b) the incidental catch fishery during the sablefish fishery specified in paragraph (3) of section 9; or

(c) the incidental catch fishery during the salmon troll fishery specified in paragraph (4) of section 9.

(5) No person may apply for or be issued a license for a vessel operating in the incidental catch fishery during the salmon troll fishery in paragraph (4)(c), if that vessel was previously issued a license for either the directed commercial fishery in paragraph (4)(a) or the incidental catch fishery during the sablefish fishery in paragraph (4)(b).

(6) A license issued in respect to a vessel referred to in paragraph (1) of this section must be carried on board that vessel at all times and the vessel operator shall permit its inspection by any authorized officer.

(7) The Commission shall issue a license in respect to a vessel, without fee, from its office in Seattle, Washington, upon receipt of a completed, written, and signed ''Application for Vessel License for the Pacific Halibut Fishery'' form.

(8) A vessel operating in the directed commercial fishery in IPHC Regulatory Area 2A must have its ''Application for Vessel License for the Pacific Halibut Fishery'' form postmarked no later than 2359 hours local time on 30 April, or the first weekday in May if 30 April is a Saturday or Sunday.

(9) A vessel operating in the incidental catch fishery during the sablefish fishery in IPHC Regulatory Area 2A must have its ''Application for Vessel License for the Pacific Halibut Fishery'' form postmarked no later than 2359 hours local time on 15 March, or the next weekday in March if 15 March is a Saturday or Sunday.

(10) A vessel operating in the incidental catch fishery during the salmon troll fishery in IPHC Regulatory Area 2A must have its ''Application for Vessel License for the Pacific Halibut Fishery'' form postmarked no later than 2359 hours local time on 15 March, or the next weekday in March if 15 March is a Saturday or Sunday.

(11) Application forms may be obtained from any authorized officer or from the IPHC Secretariat.

(12) Information on ''Application for Vessel License for the Pacific Halibut Fishery'' form must be accurate.

(13) The ''Application for Vessel License for the Pacific Halibut Fishery'' form shall be completed and signed by the vessel owner.

(14) Licenses issued under this section shall be valid only during the year in which they are issued.

(15) A new license is required for a vessel that is sold, transferred, renamed, or the documentation is changed.

(16) The license required under this section is in addition to any license, however designated, that is required under the laws of the United States or any of its States.

(17) The United States may suspend, revoke, or modify any license issued under this section under policies and procedures in U.S. Code Title 15, CFR part 904.

6. In-Season Actions

(1) The Commission is authorized to establish or modify regulations during the season after determining that such action:

(a) Will not result in exceeding the catch limit established preseason for each IPHC Regulatory Area;

(b) is consistent with the Convention between Canada and the United States

of America for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, and applicable domestic law of either Canada or the United States of America; and

(c) is consistent, to the maximum extent practicable, with any domestic catch sharing plans or other domestic allocation programs developed by the United States or Canadian governments.

(2) In-season actions may include, but are not limited to, establishment or modification of the following:

(a) Closed areas;
(b) fishing periods;
(c) fishing period limits;
(d) gear restrictions;
(e) recreational bag limits;
(f) size limits; or
(g) vessel clearances.

(3) In-season changes will be effective at the time and date specified by the Commission.

(4) The Commission will announce in-season actions under this section by providing notice to major Pacific halibut processors; Federal, State, United States treaty Indian, and Provincial fishery officials; and the media.

7. Regulatory Areas

The following areas shall be IPHC Regulatory Areas (see Figure 1) for the purposes of the Convention:

(1) IPHC Regulatory Area 2A includes all waters off the states of California, Oregon, and Washington;

(2) IPHC Regulatory Area 2B includes all waters off British Columbia;

(3) IPHC Regulatory Area 2C includes all waters off Alaska that are east of a line running 340° true from Cape Spencer Light (58°11′56″ N latitude, 136°38′26″ W longitude) and south and east of a line running 205° true from said light;

(4) IPHC Regulatory Area 3A includes all waters between Area 2C and a line extending from the most northerly point on Cape Aklek (57°41′15″ N latitude, 155°35′00″ W longitude) to Cape Ikolik (57°17′17″ N latitude, 154°47′18″ W longitude), then along the Kodiak Island coastline to Cape Trinity (56°44′50″ N latitude, 154°08′44″ W longitude), then 140° true;

(5) IPHC Regulatory Area 3B includes all waters between Area 3A and a line extending 150° true from Cape Lutke (54°29′00″ N latitude, 164°20′00″ W longitude) and south of 54°49′00″ N latitude in Isanotski Strait;

(6) IPHC Regulatory Area 4A includes all waters in the Gulf of Alaska west of Area 3B and in the Bering Sea west of the closed area defined in section 10 that are east of 172°00′00″ W longitude and south of 56°20′00″ N latitude;

(7) IPHC Regulatory Area 4B includes all waters in the Bering Sea and the Gulf of Alaska west of IPHC Regulatory Area 4A and south of 56°20′00″ N latitude;

(8) IPHC Regulatory Area 4C includes all waters in the Bering Sea north of IPHC Regulatory Area 4A and north of the closed area defined in section 10 which are east of 171°00′00″ W longitude, south of 58°00′00″ N latitude, and west of 168°00′00″ W longitude;

(9) IPHC Regulatory Area 4D includes all waters in the Bering Sea north of IPHC Regulatory Areas 4A and 4B, north and west of IPHC Regulatory Area 4C, and west of 168°00′00″ W longitude; and

(10) Area 4E includes all waters in the Bering Sea north and east of the closed area defined in section 10, east of 168°00′00″ W longitude, and south of 65°34′00″ N latitude.

8. Fishing in Regulatory IPHC Regulatory Areas 4E and 4D

(1) Section 8 applies only to any person fishing for, or any vessel that is used to fish for, IPHC Regulatory Area 4E Community Development Quota (CDQ) Pacific halibut, IPHC Regulatory Area 4D CDQ Pacific halibut, or IPHC Regulatory Area 4D IFQ received by transfer by a CDQ organization provided that the total annual halibut catch of that person or vessel is landed at a port within IPHC Regulatory Areas 4E or 4D.

(2) A person may retain Pacific halibut taken with setline gear that are smaller than the size limit specified in section 14, provided that no person may sell or barter such Pacific halibut.

(3) The manager of a CDQ organization that authorizes persons to harvest Pacific halibut in the IPHC Regulatory Area 4E or 4D CDQ fisheries or IFQ received by transfer by a CDQ organization must report to the Commission the total number and weight of undersized Pacific halibut taken and retained by such persons pursuant to section 8, paragraph (2). This report, which shall include data and methodology used to collect the data, must be received by the Commission prior to 1 November of the year in which such Pacific halibut were harvested.

9. Fishing Periods

(1) The fishing periods for each regulatory area apply where the catch limits specified in section 12 have not been taken.

(2) Each fishing period in the IPHC Regulatory Area 2A directed commercial fishery [2] shall begin at 0800 hours and terminate at 1800 hours local time on 27 June, 11 July, 25 July, 8 August, 22 August, 5 September, and 19 September, unless the Commission specifies otherwise.

(3) Notwithstanding paragraph (7) of section 12, an incidental catch fishery [3] is authorized during the sablefish seasons in Area 2A in accordance with regulations promulgated by NMFS. This fishery will occur between 1200 hours local time on 24 March and 1200 hours local time on 7 November.

(4) Notwithstanding paragraph (2), and paragraph (7) of section 12, an incidental catch fishery is authorized during salmon troll seasons in Area 2A in accordance with regulations promulgated by NMFS. This fishery will occur between 1200 hours local time on 24 March and 1200 hours local time on 7 November.

(5) The fishing period in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall begin at 1200 hours local time on 24 March and terminate at 1200 hours local time on 7 November, unless the Commission specifies otherwise.

(6) All commercial fishing for Pacific halibut in IPHC Regulatory Areas 2A, 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall cease at 1200 hours local time on 7 November.

10. Closed Periods

(1) No person shall engage in fishing for Pacific halibut in any IPHC Regulatory Area other than during the fishing periods set out in section 9 in respect of that area.

(2) No person shall land or otherwise retain Pacific halibut caught outside a fishing period applicable to the regulatory area where the Pacific halibut was taken.

(3) Subject to paragraphs (7), (8), (9), and (10) of section 20, these Regulations do not prohibit fishing for any species of fish other than Pacific halibut during the closed periods.

(4) Notwithstanding paragraph (3), no person shall have Pacific halibut in his/her possession while fishing for any other species of fish during the closed periods.

(5) No vessel shall retrieve any Pacific halibut fishing gear during a closed period if the vessel has any Pacific halibut on board.

(6) A vessel that has no Pacific halibut on board may retrieve any Pacific halibut fishing gear during the closed

[2] The directed fishery is restricted to waters that are south of Point Chehalis, Washington, (46°53.30′ N latitude) under regulations promulgated by NMFS and published in the **Federal Register**.

[3] The incidental fishery during the directed, fixed gear sablefish season is restricted to waters that are north of Point Chehalis, Washington, (46°53.30′ N latitude) under regulations promulgated by NMFS at 50 CFR 300.63. Landing restrictions for Pacific halibut retention in the fixed gear sablefish fishery can be found at 50 CFR 660.231.

period after the operator notifies an authorized officer or representative of the Commission prior to that retrieval.

(7) After retrieval of Pacific halibut gear in accordance with paragraph (6), the vessel shall submit to a hold inspection at the discretion of the authorized officer or representative of the Commission.

(8) No person shall retain any Pacific halibut caught on gear retrieved in accordance with paragraph (6).

(9) No person shall possess Pacific halibut on board a vessel in a regulatory area during a closed period unless that vessel is in continuous transit to or within a port in which that Pacific halibut may be lawfully sold.

11. Closed Area

All waters in the Bering Sea north of 55°00′00″ N latitude in Isanotski Strait that are enclosed by a line from Cape Sarichef Light (54°36′00″ N latitude, 164°55′42″ W longitude) to a point at 56°20′00″ N latitude, 168°30′00″ W longitude; thence to a point at 58°21′25″ N latitude, 163°00′00″ W longitude; thence to Strogonof Point (56°53′18″ N latitude, 158°50′37″ W longitude); and then along the northern coasts of the Alaska Peninsula and Unimak Island to the point of origin at Cape Sarichef Light are closed to Pacific halibut fishing and no person shall fish for Pacific halibut therein or have Pacific halibut in his/her possession while in those waters except in the course of a continuous transit across those waters. All waters in Isanotski Strait between 55°00′00″ N latitude and 54°49′00″ N latitude are closed to Pacific halibut fishing.

12. Commercial Catch Limits

(1) The total allowable commercial catch of Pacific halibut to be taken during the commercial Pacific halibut fishing periods specified in section 9 shall be limited to the net weights expressed in pounds or metric tons shown in the following table:

IPHC Regulatory Area	Commercial catch limit—net weight	
	Pounds	Metric tons
2A: Directed commercial, and incidental commercial catch during salmon troll fishery	265,402	120.38
2A: Incidental commercial during sablefish fishery	70,000	31.75
2B [4]	6,271,971	2,844.92
2C [5]	4,212,000	1,910.53
3A [6]	7,739,000	3,510.36
3B	3,140,000	1,424.28
4A	1,390,000	630.49
4B	1,140,000	517.09
4C	752,000	341.10
4D	752,000	341.10
4E	196,000	88.90

(2) Notwithstanding paragraph (1), regulations pertaining to the division of the IPHC Regulatory Area 2A catch limit between the directed commercial fishery and the incidental catch fishery as described in paragraph (4) of section 9 will be promulgated by NMFS and published in the **Federal Register**.

(3) The Commission shall determine and announce to the public the date on which the catch limit for IPHC Regulatory Area 2A will be taken.

(4) Notwithstanding paragraph (1), the commercial fishing in IPHC Regulatory Area 2B will close only when all Individual Vessel Quotas (IVQs) assigned by DFO are taken, or 7 November, whichever is earlier.

(5) Notwithstanding paragraph (1), IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E will each close only when all Individual Fishing Quotas (IFQ) and all CDQs issued by NMFS have been taken, or 7 November, whichever is earlier.

(6) If the Commission determines that the catch limit specified for IPHC Regulatory Area 2A in paragraph (1) would be exceeded in an unrestricted 10-hour fishing period as specified in paragraph (2) of section 9, the catch limit for that area shall be considered to have been taken and the directed commercial fishery closed as announced by the Commission.

(7) When under paragraphs (2), (3), and (6) the Commission has announced a date on which the catch limit for IPHC Regulatory Area 2A will be taken, no person shall fish for Pacific halibut in that area after that date for the rest of the year, unless the Commission has announced the reopening of that area for Pacific halibut fishing.

(8) Notwithstanding paragraph (1), the total allowable catch of Pacific halibut that may be taken in the IPHC Regulatory Area 4E directed commercial fishery is equal to the combined annual catch limits specified for the IPHC Regulatory Areas 4D and 4E CDQ fisheries and any IPHC Regulatory Area 4D IFQ received by transfer by a CDQ organization. The annual IPHC Regulatory Area 4D catch limit will decrease by the equivalent amount of CDQ and IFQ received by transfer by a CDQ organization taken in IPHC Regulatory Area 4E in excess of the annual IPHC Regulatory Area 4E catch limit.

(9) Notwithstanding paragraph (1), the total allowable catch of Pacific halibut that may be taken in the IPHC Regulatory Area 4D directed commercial fishery is equal to the combined annual catch limits specified for IPHC Regulatory Areas 4C and 4D. The annual IPHC Regulatory Area 4C catch limit will decrease by the equivalent amount of Pacific halibut taken in IPHC Regulatory Area 4D in excess of the annual IPHC Regulatory Area 4D catch limit.

[4] IPHC allocates the catch limit to IPHC Regulatory Area 2B as a combined commercial and sport catch limit (7,450,000 pounds). DFO allocates that amount between commercial and sport according to their allocation policy. In addition to the commercial fishery amount, 60,000 pounds has been allocated for research purposes. This amount also excludes any overage/underage adjustments. See section 28 for sport fishing regulations.

[5] For IPHC Regulatory Area 2C, the commercial catch limit adopted by the Commission includes catch (4,212,000 pounds) reported in the table plus estimated incidental mortality from the commercial fishery (123,000 pounds) for a total of 4,335,000 pounds. This total amount is included in the combined commercial and guided sport sector catch limit set by IPHC and allocated by NMFS by a catch sharing plan (5,250,000 pounds).

[6] For IPHC Regulatory Area 3A, the commercial catch limit adopted by the Commission includes catch (7,739,000 pounds) reported in the table plus estimated incidental mortality from the commercial fishery (371,000 pounds) for a total of 8,110,000 pounds. This total amount is included in the combined commercial and guided sport sector catch limit set by IPHC and allocated by NMFS by a catch sharing plan (10,000,000 pounds).

13. Fishing Period Limits

(1) It shall be unlawful for any vessel to retain more Pacific halibut than authorized by that vessel's license in any fishing period for which the Commission has announced a fishing period limit.

(2) The operator of any vessel that fishes for Pacific halibut during a fishing period when fishing period limits are in effect must, upon commencing an offload of Pacific halibut to a commercial fish processor, completely offload all Pacific halibut on board said vessel to that processor and ensure that all Pacific halibut is weighed and reported on State fish tickets.

(3) The operator of any vessel that fishes for Pacific halibut during a fishing period when fishing period limits are in effect must, upon commencing an offload of Pacific halibut other than to a commercial fish processor, completely offload all Pacific halibut on board said vessel and ensure that all Pacific halibut are weighed and reported on State fish tickets.

(4) The provisions of paragraph (3) are not intended to prevent retail over-the-side sales to individual purchasers so long as all the Pacific halibut on board is ultimately offloaded and reported.

(5) When fishing period limits are in effect, a vessel's maximum retainable catch will be determined by the Commission based on:

(a) The vessel's overall length in feet and associated length class;

(b) the average performance of all vessels within that class; and

(c) the remaining catch limit.

(6) Length classes are shown in the following table:

Overall length (in feet)	Vessel class
1–25	A
26–30	B
31–35	C
36–40	D
41–45	E
46–50	F
51–55	G
56+	H

(7) Fishing period limits in IPHC Regulatory Area 2A apply only to the directed Pacific halibut fishery referred to in paragraph (2) of section 9.

14. Size Limits

(1) No person shall take or possess any Pacific halibut that:

(a) With the head on, is less than 32 inches (81.3 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with the mouth closed, to the extreme end of the middle of the tail, as illustrated in Figure 2; or

(b) with the head removed, is less than 24 inches (61.0 cm) as measured from the base of the pectoral fin at its most anterior point to the extreme end of the middle of the tail, as illustrated in Figure 2.

(2) No person on board a vessel fishing for, or tendering, Pacific halibut in any IPHC Regulatory Area shall possess any Pacific halibut that has had its head removed, except that Pacific halibut frozen at sea with its head removed may be possessed on board a vessel by persons in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E if authorized by Federal regulations.

(3) The size limit in paragraph (1)(b) will not be applied to any Pacific halibut that has had its head removed after the operator has landed the Pacific halibut.

15. Careful Release of Pacific Halibut

(1) All Pacific halibut that are caught and are not retained shall be immediately released outboard of the roller and returned to the sea with a minimum of injury by:

(a) Hook straightening;

(b) cutting the gangion near the hook; or

(c) carefully removing the hook by twisting it from the Pacific halibut with a gaff.

(2) Except that paragraph (1) shall not prohibit the possession of Pacific halibut on board a vessel that has been brought aboard to be measured to determine if the minimum size limit of the Pacific halibut is met and, if sublegal-sized, is promptly returned to the sea with a minimum of injury.

16. Vessel Clearance in IPHC Regulatory Area 4

(1) The operator of any vessel that fishes for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D must obtain a vessel clearance before fishing in any of these areas, and before the landing of any Pacific halibut caught in any of these areas, unless specifically exempted in paragraphs (10), (13), (14), (15), or (16).

(2) An operator obtaining a vessel clearance required by paragraph (1) must obtain the clearance in person from the authorized clearance personnel and sign the IPHC form documenting that a clearance was obtained, except that when the clearance is obtained via VHF radio referred to in paragraphs (5), (8), and (9), the authorized clearance personnel must sign the IPHC form documenting that the clearance was obtained.

(3) The vessel clearance required under paragraph (1) prior to fishing in IPHC Regulatory Area 4A may be obtained only at Nazan Bay on Atka Island, Dutch Harbor or Akutan, Alaska, from an authorized officer of the United States, a representative of the Commission, or a designated fish processor.

(4) The vessel clearance required under paragraph (1) prior to fishing in IPHC Regulatory Area 4B may only be obtained at Nazan Bay on Atka Island or Adak, Alaska, from an authorized officer of the United States, a representative of the Commission, or a designated fish processor.

(5) The vessel clearance required under paragraph (1) prior to fishing in IPHC Regulatory Area 4C or 4D may be obtained only at St. Paul or St. George, Alaska, from an authorized officer of the United States, a representative of the Commission, or a designated fish processor by VHF radio and allowing the person contacted to confirm visually the identity of the vessel.

(6) The vessel operator shall specify the specific regulatory area in which fishing will take place.

(7) Before unloading any Pacific halibut caught in IPHC Regulatory Area 4A, a vessel operator may obtain the clearance required under paragraph (1) only in Dutch Harbor or Akutan, Alaska, by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor.

(8) Before unloading any Pacific halibut caught in IPHC Regulatory Area 4B, a vessel operator may obtain the clearance required under paragraph (1) only in Nazan Bay on Atka Island or Adak, by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor by VHF radio or in person.

(9) Before unloading any Pacific halibut caught in IPHC Regulatory Areas 4C and 4D, a vessel operator may obtain the clearance required under paragraph (1) only in St. Paul, St. George, Dutch Harbor, or Akutan, Alaska, either in person or by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor. The clearances obtained in St. Paul or St. George, Alaska, can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel.

(10) Any vessel operator who complies with the requirements in section 19 for possessing Pacific halibut on board a vessel that was caught in more than one regulatory area in IPHC

Regulatory Area 4 is exempt from the clearance requirements of paragraph (1) of this section, provided that:

(a) The operator of the vessel obtains a vessel clearance prior to fishing in IPHC Regulatory Area 4 in either Dutch Harbor, Akutan, St. Paul, St. George, Adak, or Nazan Bay on Atka Island by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor. The clearance obtained in St. Paul, St. George, Adak, or Nazan Bay on Atka Island can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel. This clearance will list the areas in which the vessel will fish; and

(b) before unloading any Pacific halibut from IPHC Regulatory Area 4, the vessel operator obtains a vessel clearance from Dutch Harbor, Akutan, St. Paul, St. George, Adak, or Nazan Bay on Atka Island by contacting an authorized officer of the United States, a representative of the Commission, or a designated fish processor. The clearance obtained in St. Paul or St. George can be obtained by VHF radio and allowing the person contacted to confirm visually the identity of the vessel. The clearance obtained in Adak or Nazan Bay on Atka Island can be obtained by VHF radio.

(11) Vessel clearances shall be obtained between 0600 and 1800 hours, local time.

(12) No Pacific halibut shall be on board the vessel at the time of the clearances required prior to fishing in IPHC Regulatory Area 4.

(13) Any vessel that is used to fish for Pacific halibut only in IPHC Regulatory Area 4A and lands its total annual Pacific halibut catch at a port within IPHC Regulatory Area 4A is exempt from the clearance requirements of paragraph (1).

(14) Any vessel that is used to fish for Pacific halibut only in IPHC Regulatory Area 4B and lands its total annual Pacific halibut catch at a port within IPHC Regulatory Area 4B is exempt from the clearance requirements of paragraph (1).

(15) Any vessel that is used to fish for Pacific halibut only in IPHC Regulatory Areas 4C or 4D or 4E and lands its total annual Pacific halibut catch at a port within IPHC Regulatory Areas 4C, 4D, 4E, or the closed area defined in section 11, is exempt from the clearance requirements of paragraph (1).

(16) Any vessel that carries a transmitting VMS transmitter while fishing for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D and until all Pacific halibut caught in any of these areas is landed, is exempt from the clearance requirements of paragraph (1) of this section, provided that:

(a) The operator of the vessel complies with NMFS' vessel monitoring system regulations published at 50 CFR 679.28(f)(3), (4) and (5); and

(b) the operator of the vessel notifies NOAA Fisheries Office for Law Enforcement at 800–304–4846 (select option 1 to speak to an Enforcement Data Clerk) between the hours of 0600 and 0000 (midnight) local time within 72 hours before fishing for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D and receives a VMS confirmation number.

17. Logs

(1) The operator of any U.S. vessel fishing for Pacific halibut that has an overall length of 26 feet (7.9 meters) or greater shall maintain an accurate log of Pacific halibut fishing operations. The operator of a vessel fishing in waters in and off Alaska must use one of the following logbooks: The Groundfish/IFQ Longline and Pot Gear Daily Fishing Logbook, in electronic or paper form, provided by NMFS; the Alaska hook-and-line logbook provided by Petersburg Vessel Owners Association or Alaska Longline Fisherman's Association; the Alaska Department of Fish and Game (ADFG) longline-pot logbook; or the logbook provided by IPHC. The operator of a vessel fishing in IPHC Regulatory Area 2A must use either the WDFW Voluntary Sablefish Logbook, Oregon Department of Fish and Wildlife (ODFW) Fixed Gear Logbook, or the logbook provided by IPHC.

(2) The logbook referred to in paragraph (1) must include the following information:

(a) The name of the vessel and the State (ADFG, WDFW, ODFW, or CDFW) or Tribal ID number;

(b) the date(s) upon which the fishing gear is set or retrieved;

(c) the latitude and longitude coordinates or a direction and distance from a point of land for each set or day;

(d) the number of skates deployed or retrieved, and number of skates lost; and

(e) the total weight or number of Pacific halibut retained for each set or day.

(3) The logbook referred to in paragraph (1) shall be:

(a) Maintained on board the vessel;

(b) updated not later than 24 hours after 0000 (midnight) local time for each day fished and prior to the offloading or sale of Pacific halibut taken during that fishing trip;

(c) retained for a period of two years by the owner or operator of the vessel;

(d) open to inspection by an authorized officer or any authorized representative of the Commission upon demand; and

(e) kept on board the vessel when engaged in Pacific halibut fishing, during transits to port of landing, and until the offloading of all Pacific halibut is completed.

(4) The log referred to in paragraph (1) does not apply to the incidental Pacific halibut fishery during the salmon troll season in IPHC Regulatory Area 2A defined in paragraph (4) of section 9.

(5) The operator of any Canadian vessel fishing for Pacific halibut shall maintain an accurate record in the British Columbia Integrated Groundfish Fishing Log.

(6) The log referred to in paragraph (5) must include the following information:

(a) The name of the vessel and the DFO vessel registration number;

(b) the date(s) upon which the fishing gear is set and retrieved;

(c) the latitude and longitude coordinates for each set;

(d) the number of skates deployed or retrieved, and number of skates lost; and

(e) the total weight or number of Pacific halibut retained for each set.

(7) The log referred to in paragraph (5) shall be:

(a) Maintained on board the vessel;

(b) retained for a period of two years by the owner or operator of the vessel;

(c) open to inspection by an authorized officer or any authorized representative of the Commission upon demand;

(d) kept on board the vessel when engaged in Pacific halibut fishing, during transits to port of landing, and until the offloading of all Pacific halibut is completed;

(e) submitted to the DFO within seven days of offloading; and

(f) submitted to the Commission within seven days of the final offload if not previously collected by a Commission employee.

(8) No person shall make a false entry in a log referred to in this section.

18. Receipt and Possession of Pacific Halibut

(1) No person shall receive Pacific halibut caught in IPHC Regulatory Area 2A from a United States vessel that does not have on board the license required by section 5.

(2) No person shall possess on board a vessel a Pacific halibut other than whole or with gills and entrails removed, except that this paragraph shall not prohibit the possession on board a vessel of:

(a) Pacific halibut cheeks cut from Pacific halibut caught by persons authorized to process the Pacific halibut on board in accordance with NMFS

regulations published at 50 CFR part 679;

(b) fillets from Pacific halibut offloaded in accordance with section 18 that are possessed on board the harvesting vessel in the port of landing up to 1800 hours local time on the calendar day following the offload; [7] and

(c) Pacific halibut with their heads removed in accordance with section 14.

(3) No person shall offload Pacific halibut from a vessel unless the gills and entrails have been removed prior to offloading.

(4) It shall be the responsibility of a vessel operator who lands Pacific halibut to continuously and completely offload at a single offload site all Pacific halibut on board the vessel.

(5) A registered buyer (as that term is defined in regulations promulgated by NMFS and codified at 50 CFR part 679) who receives Pacific halibut harvested in IFQ and CDQ fisheries in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, directly from the vessel operator that harvested such Pacific halibut must weigh all the Pacific halibut received and record the following information on Federal catch reports: Date of offload; name of vessel; vessel number (State, Tribal or Federal, not IPHC vessel number); scale weight obtained at the time of offloading, including the scale weight (in pounds) of Pacific halibut purchased by the registered buyer, the scale weight (in pounds) of Pacific halibut offloaded in excess of the IFQ or CDQ, the scale weight of Pacific halibut (in pounds) retained for personal use or for future sale, and the scale weight (in pounds) of Pacific halibut discarded as unfit for human consumption. All Pacific halibut harvested in IFQ or CDQ fisheries in Areas IPHC Regulatory 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, must be weighed with the head on and the head-on weight must be recorded on Federal catch reports as specified in this paragraph, unless the Pacific halibut is frozen at sea and exempt from the head-on landing requirement at Section 14(2).

(6) The first recipient, commercial fish processor, or buyer in the United States who purchases or receives Pacific halibut directly from the vessel operator that harvested such Pacific halibut must weigh and record all Pacific halibut received and record the following information on State fish tickets: The date of offload; vessel number (State or Federal, not IPHC vessel number) or Tribal ID number; total weight obtained at the time of offload including the weight (in pounds) of Pacific halibut purchased; the weight (in pounds) of Pacific halibut offloaded in excess of the IFQ, CDQ, or fishing period limits; the weight of Pacific halibut (in pounds) retained for personal use or for future sale; and the weight (in pounds) of halibut discarded as unfit for human consumption. All Pacific halibut harvested in IFQ or CDQ fisheries in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, must be weighed with the head on and the head-on weight must be recorded on State fish tickets as specified in this paragraph, unless the Pacific halibut is frozen at sea and exempt from the head-on landing requirement at Section 14(2).

(7) For Pacific halibut landings made in Alaska, the requirements as listed in paragraphs (5) and (6) can be met by recording the information in the Interagency Electronic Reporting Systems, eLandings in accordance with NMFS regulation published at 50 CFR part 679.

(8) The master or operator of a Canadian vessel that was engaged in Pacific halibut fishing must weigh and record all Pacific halibut on board said vessel at the time offloading commences and record on Provincial fish tickets or Federal catch reports: The date; locality; name of vessel; the name(s) of the person(s) from whom the Pacific halibut was purchased; and the scale weight obtained at the time of offloading of all Pacific halibut on board the vessel including the pounds purchased, pounds in excess of IVQs, pounds retained for personal use, and pounds discarded as unfit for human consumption. All Pacific halibut must be weighed with the head on and the head-on weight must be recorded on the Provincial fish tickets or Federal catch reports as specified in this paragraph, unless the Pacific halibut is frozen at sea and exempt from the head-on landing requirement at Section 14(2).

(9) No person shall make a false entry on a State or Provincial fish ticket or a Federal catch or landing report referred to in paragraphs (5), (6), and (8) of section 18.

(10) A copy of the fish tickets or catch reports referred to in paragraphs (5), (6), and (8) shall be:

(a) Retained by the person making them for a period of three years from the date the fish tickets or catch reports are made; and

(b) open to inspection by an authorized officer or any authorized representative of the Commission.

(11) No person shall possess any Pacific halibut taken or retained in contravention of these Regulations.

(12) When Pacific halibut are landed to other than a commercial fish processor, the records required by paragraph (6) shall be maintained by the operator of the vessel from which that Pacific halibut was caught, in compliance with paragraph (10).

(13) No person shall tag Pacific halibut unless the tagging is authorized by IPHC permit or by a Federal or State agency.

19. Fishing Multiple Regulatory Areas

(1) Except as provided in this section, no person shall possess at the same time on board a vessel Pacific halibut caught in more than one IPHC Regulatory Area.

(2) Pacific halibut caught in more than one of the IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E may be possessed on board a vessel at the same time only if:

(a) Authorized by NMFS regulations published at 50 CFR 679.7(f)(4); and

(b) the operator of the vessel identifies the regulatory area in which each Pacific halibut on board was caught by separating Pacific halibut from different areas in the hold, tagging Pacific halibut, or by other means.

20. Fishing Gear

(1) No person shall fish for Pacific halibut using any gear other than hook and line gear,

(a) except that vessels licensed to catch sablefish in IPHC Regulatory Area 2B using sablefish trap gear as defined in the Condition of Licence can retain Pacific halibut caught as bycatch under regulations promulgated by DFO; or

(b) except that a person may retain Pacific halibut taken with longline or single pot gear if such retention is authorized by NMFS regulations published at 50 CFR part 679.

(2) No person shall possess Pacific halibut taken with any gear other than hook and line gear,

(a) except that vessels licensed to catch sablefish in IPHC Regulatory Area 2B using sablefish trap gear as defined by the Condition of Licence can retain Pacific halibut caught as bycatch under regulations promulgated by DFO; or

(b) except that a person may possess Pacific halibut taken with longline or single pot gear if such possession is authorized by NMFS regulations published at 50 CFR part 679.

(3) No person shall possess Pacific halibut while on board a vessel carrying any trawl nets or fishing pots capable of catching Pacific halibut,

(a) except that in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E, Pacific halibut heads, skin, entrails, bones or fins for use as bait may be possessed on board a vessel carrying

[7] DFO has more restrictive regulations; therefore, section 18 paragraph (2)(b) does not apply to fish caught in IPHC Regulatory Area 2B or landed in British Columbia.

pots capable of catching Pacific halibut, provided that a receipt documenting purchase or transfer of these Pacific halibut parts is on board the vessel; or

(b) except that in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E, Pacific halibut may be possessed on board a vessel carrying pots capable of catching Pacific halibut, provided such possession is authorized by NMFS regulations published at 50 CFR part 679 as referenced in paragraphs (1) and (2) of this section; or

(c) except that in IPHC Regulatory Area 2B, Pacific halibut may be possessed on board a vessel carrying sablefish trap gear, provided such possession is authorized by the Condition of Licence regulations promulgated by DFO as referenced in paragraphs (1) and (2) of this section.

(4) All gear marker buoys carried on board or used by any United States vessel used for Pacific halibut fishing shall be marked with one of the following:

(a) The vessel's State license number; or

(b) the vessel's registration number.

(5) The markings specified in paragraph (4) shall be in characters at least four inches in height and one-half inch in width in a contrasting color visible above the water and shall be maintained in legible condition.

(6) All gear marker buoys carried on board or used by a Canadian vessel used for Pacific halibut fishing shall be:

(a) Floating and visible on the surface of the water; and

(b) legibly marked with the identification plate number of the vessel engaged in commercial fishing from which that setline is being operated.

(7) No person on board a vessel used to fish for any species of fish anywhere in IPHC Regulatory Area 2A during the 72-hour period immediately before the fishing period for the directed commercial fishery shall catch or possess Pacific halibut anywhere in those waters during that Pacific halibut fishing period unless, prior to the start of the Pacific halibut fishing period, the vessel has removed its gear from the water and has either:

(a) Made a landing and completely offloaded its catch of other fish; or

(b) submitted to a hold inspection by an authorized officer.

(8) No vessel used to fish for any species of fish anywhere in IPHC Regulatory Area 2A during the 72-hour period immediately before the fishing period for the directed commercial fishery may be used to catch or possess Pacific halibut anywhere in those waters during that Pacific halibut fishing period unless, prior to the start of the Pacific halibut fishing period, the vessel has removed its gear from the water and has either:

(a) Made a landing and completely offloaded its catch of other fish; or

(b) submitted to a hold inspection by an authorized officer.

(9) No person on board a vessel from which setline gear was used to fish for any species of fish anywhere in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E during the 72-hour period immediately before the opening of the Pacific halibut fishing season shall catch or possess Pacific halibut anywhere in those areas until the vessel has removed all of its setline gear from the water and has either:

(a) Made a landing and completely offloaded its entire catch of other fish; or

(b) submitted to a hold inspection by an authorized officer.

(10) No vessel from which setline gear was used to fish for any species of fish anywhere in IPHC Regulatory Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, or 4E during the 72-hour period immediately before the opening of the Pacific halibut fishing season may be used to catch or possess Pacific halibut anywhere in those areas until the vessel has removed all of its setline gear from the water and has either:

(a) Made a landing and completely offloaded its entire catch of other fish; or

(b) submitted to a hold inspection by an authorized officer.

(11) Notwithstanding any other provision in these Regulations, a person may retain, possess and dispose of Pacific halibut taken with trawl gear only as authorized by Prohibited Species Donation regulations of NMFS.

21. Supervision of Unloading and Weighing

The unloading and weighing of Pacific halibut may be subject to the supervision of authorized officers to assure the fulfillment of the provisions of these Regulations.

22. Retention of Tagged Pacific Halibut

(1) Nothing contained in these Regulations prohibits any vessel at any time from retaining and landing a Pacific halibut that bears a Commission external tag at the time of capture, if the Pacific halibut with the tag still attached is reported at the time of landing and made available for examination by a representative of the Commission or by an authorized officer.

(2) After examination and removal of the tag by a representative of the Commission or an authorized officer, the Pacific halibut:

(a) May be retained for personal use; or

(b) may be sold only if the Pacific halibut is caught during commercial Pacific halibut fishing and complies with the other commercial fishing provisions of these Regulations.

(3) Any Pacific halibut that bears a Commission external tag must count against commercial IVQs, CDQs, or IFQs unless otherwise exempted by State, Provincial, or Federal regulations.

(4) Any Pacific halibut that bears a Commission external tag will not count against sport daily bag limits or possession limits, may be retained outside of sport fishing seasons, and are not subject to size limits in these regulations.

(5) Any Pacific halibut that bears a Commission external tag will not count against daily bag limits, possession limits, or catch limits in the fisheries described in section 23, paragraph (7), section 24, or section 25.

23. Fishing by United States Treaty Indian Tribes

(1) Pacific halibut fishing in Subarea 2A–1 by members of United States treaty Indian tribes located in the State of Washington shall be regulated under regulations promulgated by NMFS and published in the **Federal Register**.

(2) Subarea 2A–1 includes all waters off the coast of Washington that are north of the Quinault River, WA (47°21.00′ N lat.), and east of 125°44.00′ W long; all waters off the coast of Washington that are between the Quinault River, WA (47°21.00′ N lat.), and Point Chehalis, WA (46°53.30′ N lat.), and east of 125°08.50′ W long.; and all inland marine waters of Washington.

(3) Section 14 (size limits), section 15 (careful release of Pacific halibut), section 17 (logs), section 18 (receipt and possession of Pacific halibut) and section 20 (fishing gear), except paragraphs (7) and (8) of section 20, apply to commercial fishing for Pacific halibut in Subarea 2A–1 by the treaty Indian tribes.

(4) Regulations in paragraph (3) of this section that apply to State fish tickets apply to Tribal tickets that are authorized by WDFW.

(5) Section 4 (Licensing Vessels for IPHC Regulatory Area 2A) does not apply to commercial fishing for Pacific halibut in Subarea 2A–1 by treaty Indian tribes.

(6) Commercial fishing for Pacific halibut in Subarea 2A–1 is permitted with hook and line gear from 24 March through 7 November, or until 435,900 pounds (197.72 metric tons) net weight is taken, whichever occurs first.

(7) Ceremonial and subsistence fishing for Pacific halibut in Subarea 2A–1 is permitted with hook and line gear from January 1 through December 31, and is estimated to take 29,600 pounds (13.43 metric tons) net weight.

24. Customary and Traditional Fishing in Alaska

(1) Customary and traditional fishing for Pacific halibut in IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall be governed pursuant to regulations promulgated by NMFS and published in 50 CFR part 300.

(2) Customary and traditional fishing is authorized from 1 January through 31 December.

25. Aboriginal Groups Fishing for Food, Social and Ceremonial Purposes in British Columbia

(1) Fishing for Pacific halibut for food, social and ceremonial purposes by Aboriginal groups in IPHC Regulatory Area 2B shall be governed by the Fisheries Act of Canada and regulations as amended from time to time.

26. Sport Fishing for Pacific Halibut—General

(1) No person shall engage in sport fishing for Pacific halibut using gear other than a single line with no more than two hooks attached; or a spear.

(2) Any size limit promulgated under IPHC or NMFS regulations shall be measured in a straight line passing over the pectoral fin from the tip of the lower jaw with the mouth closed, to the extreme end of the middle of the tail.

(3) Any Pacific halibut brought aboard a vessel and not immediately returned to the sea with a minimum of injury will be included in the daily bag limit of the person catching the Pacific halibut.

(4) No person may possess Pacific halibut on a vessel while fishing in a closed area.

(5) No Pacific halibut caught by sport fishing shall be offered for sale, sold, traded, or bartered.

(6) No Pacific halibut caught in sport fishing shall be possessed on board a vessel when other fish or shellfish aboard said vessel are destined for commercial use, sale, trade, or barter.

(7) The operator of a charter vessel shall be liable for any violations of these Regulations committed by an angler on board said vessel. In Alaska, the charter vessel guide, as defined in 50 CFR 300.61 and referred to in 50 CFR 300.65, 300.66, and 300.67, shall be liable for any violation of these Regulations committed by an angler on board a charter vessel.

27. Sport Fishing for Pacific Halibut—IPHC Regulatory Area 2A

(1) The total allowable catch of Pacific halibut shall be limited to:

(a) 237,762 pounds (107.85 metric tons) net weight in waters off Washington;

(b) 256,757 pounds (116.46 metric tons) net weight in waters off Oregon; and

(c) 34,580 pounds (15.69 metric tons) net weight in waters off California.

(2) The Commission shall determine and announce closing dates to the public for any area in which the catch limits promulgated by NMFS are estimated to have been taken.

(3) When the Commission has determined that a subquota under paragraph (8) of this section is estimated to have been taken, and has announced a date on which the season will close, no person shall sport fish for Pacific halibut in that area after that date for the rest of the year, unless a reopening of that area for sport halibut fishing is scheduled in accordance with the Catch Sharing Plan for IPHC Regulatory Area 2A, or announced by the Commission.

(4) In California, Oregon, or Washington, no person shall fillet, mutilate, or otherwise disfigure a Pacific halibut in any manner that prevents the determination of minimum size or the number of fish caught, possessed, or landed.

(5) The possession limit on a vessel for Pacific halibut in the waters off the coast of Washington is the same as the daily bag limit. The possession limit for Pacific halibut on land in Washington is two daily bag limits.

(6) The possession limit on a vessel for Pacific halibut caught in the waters off the coast of Oregon is the same as the daily bag limit. The possession limit for Pacific halibut on land in Oregon is three daily bag limits.

(7) The possession limit on a vessel for Pacific halibut caught in the waters off the coast of California is one daily bag limit. The possession limit for Pacific halibut on land in California is one daily bag limit.

(8) Specific regulations describing fishing periods, catch limits, fishing dates, and daily bag limits are promulgated by NMFS and published in the **Federal Register**.

28. Sport Fishing for Pacific Halibut—IPHC Regulatory Area 2B

(1) In all waters off British Columbia: [8] [9]

(a) The sport fishing season will open on 1 February unless more restrictive regulations are in place;

(b) the sport fishing season will close when the sport catch limit allocated by DFO, is taken, or 31 December, whichever is earlier; and

(c) the daily bag limit is two Pacific halibut of any size per day per person.

(2) In British Columbia, no person shall fillet, mutilate, or otherwise disfigure a Pacific halibut in any manner that prevents the determination of minimum size or the number of fish caught, possessed, or landed.

(3) The possession limit for Pacific halibut in the waters off the coast of British Columbia is three Pacific halibut.[9] [10]

29. Sport Fishing for Pacific Halibut—IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, 4E

(1) In Convention waters in and off Alaska: [10] [11]

(a) The sport fishing season is from 1 February to 31 December.

(b) The daily bag limit is two Pacific halibut of any size per day per person unless a more restrictive bag limit applies in Commission regulations or Federal regulations at 50 CFR 300.65.

(c) No person may possess more than two daily bag limits.

(d) No person shall possess on board a vessel, including charter vessels and pleasure craft used for fishing, Pacific halibut that have been filleted, mutilated, or otherwise disfigured in any manner, except that each Pacific halibut may be cut into no more than 2 ventral pieces, 2 dorsal pieces, and 2 cheek pieces, with a patch of skin on each piece, naturally attached.

(e) Pacific halibut in excess of the possession limit in paragraph (1)(c) of this section may be possessed on a vessel that does not contain sport fishing gear, fishing rods, hand lines, or gaffs.

(f) Pacific halibut harvested on a charter vessel fishing trip in IPHC Regulatory Areas 2C or 3A must be retained on board the charter vessel on which the Pacific halibut was caught until the end of the charter vessel fishing trip as defined at 50 CFR 300.61.

(g) Guided angler fish (GAF), as described at 50 CFR 300.65, may be

[8] DFO could implement more restrictive regulations for the sport fishery, therefore anglers are advised to check the current Federal or Provincial regulations prior to fishing.

[9] For regulations on the experimental recreational fishery implemented by DFO check the current Federal or Provincial regulations.

[10] NMFS could implement more restrictive regulations for the sport fishery or components of it, therefore, anglers are advised to check the current Federal or State regulations prior to fishing.

[11] Charter vessels are prohibited from harvesting Pacific halibut in IPHC Regulatory Areas 2C and 3A during one charter vessel fishing trip under regulations promulgated by NMFS at 50 CFR 300.66.

used to allow a charter vessel angler to harvest additional Pacific halibut up to the limits in place for unguided anglers, and are exempt from the requirements in paragraphs (2) and (3) of this section.

(2) For guided sport fishing (as referred to in 50 CFR 300.65) in IPHC Regulatory Area 2C:

(a) The total allocation, including estimated harvest and discard mortality (wastage), is 915,000 pounds (415.04 metric tons).

(b) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain more than one Pacific halibut per calendar day.

(c) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain any Pacific halibut that with head on is greater than 44 inches (111.8 cm) and less than 80 inches (203.2 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail.

(3) For guided sport fishing (as referred to in 50 CFR 300.65) in IPHC Regulatory Area 3A:

(a) The total allocation, including estimated harvest and discard mortality (wastage), is 1,890,000 pounds (857.29 metric tons).

(b) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain more than two Pacific halibut per calendar day.

(c) At least one of the retained Pacific halibut must have a head-on length of no more than 28 inches (71.1 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail. If a person sport fishing on a charter vessel in IPHC Regulatory Area 3A retains only one Pacific halibut in a calendar day, that Pacific halibut may be of any length.

(d) A charter halibut permit (as referred to in 50 CFR 300.67) may only be used for one charter vessel fishing trip in which Pacific halibut are caught and retained per calendar day. A charter vessel fishing trip is defined at 50 CFR 300.61 as the time period between the first deployment of fishing gear into the water by a charter vessel angler (as defined at 50 CFR 300.61) and the offloading of one or more charter vessel anglers or any Pacific halibut from that vessel. For purposes of this trip limit, a charter vessel fishing trip ends at 2359 (Alaska local time) on the same calendar day that the fishing trip began, or when any anglers or Pacific halibut are offloaded, whichever comes first.

(e) A charter vessel on which one or more anglers catch and retain Pacific halibut may only make one charter vessel fishing trip per calendar day. A charter vessel fishing trip is defined at 50 CFR 300.61 as the time period between the first deployment of fishing gear into the water by a charter vessel angler (as defined at 50 CFR 300.61) and the offloading of one or more charter vessel anglers or any Pacific halibut from that vessel. For purposes of this trip limit, a charter vessel fishing trip ends at 2359 (Alaska local time) on the same calendar day that the fishing trip began, or when any anglers or Pacific halibut are offloaded, whichever comes first.

(f) No person on board a charter vessel may catch and retain Pacific halibut on any Wednesday, or on the following Tuesdays: 17 July, 24 July, and 31 July.

(g) Charter vessel anglers may catch and retain no more than four (4) Pacific halibut per calendar year on board charter vessels in IPHC Regulatory Area 3A. Pacific halibut that are retained as GAF, retained while on a charter vessel fishing trip in other Commission regulatory areas, or retained while fishing without the services of a guide do not accrue toward the 4-fish annual limit. For purposes of enforcing the annual limit, each angler must:

(1) Maintain a nontransferable harvest record in the angler's possession if retaining a Pacific halibut for which an annual limit has been established. Such harvest record must be maintained either on the back of the angler's State of Alaska sport fishing license or on a Sport Fishing Harvest Record Card obtained, without charge, from ADFG offices, the ADFG website, or fishing license vendors; and

(2) immediately upon retaining a Pacific halibut for which an annual limit has been established, record the date, location (IPHC Regulatory Area 3A), and species of the catch (Pacific halibut), in ink, on the harvest record; and

(3) record the information required by paragraph 3(g)(2) on any duplicate or additional sport fishing license issued to the angler or any duplicate or additional Sport Fishing Harvest Record Card obtained by the angler for all Pacific halibut previously retained during that year that were subject to the harvest record reporting requirements of this section; and

(4) carry the harvest record on his or her person while fishing for Pacific halibut.

30. Previous Regulations Superseded

These Regulations shall supersede all previous regulations of the Commission, and these Regulations shall be effective each succeeding year until superseded.

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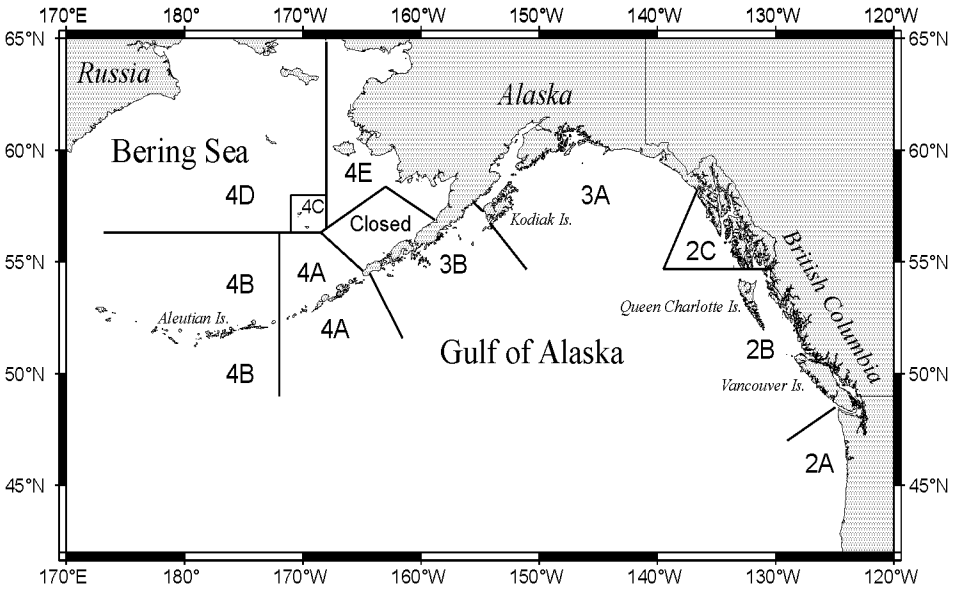

Figure 1. Regulatory areas for the Pacific halibut fishery.

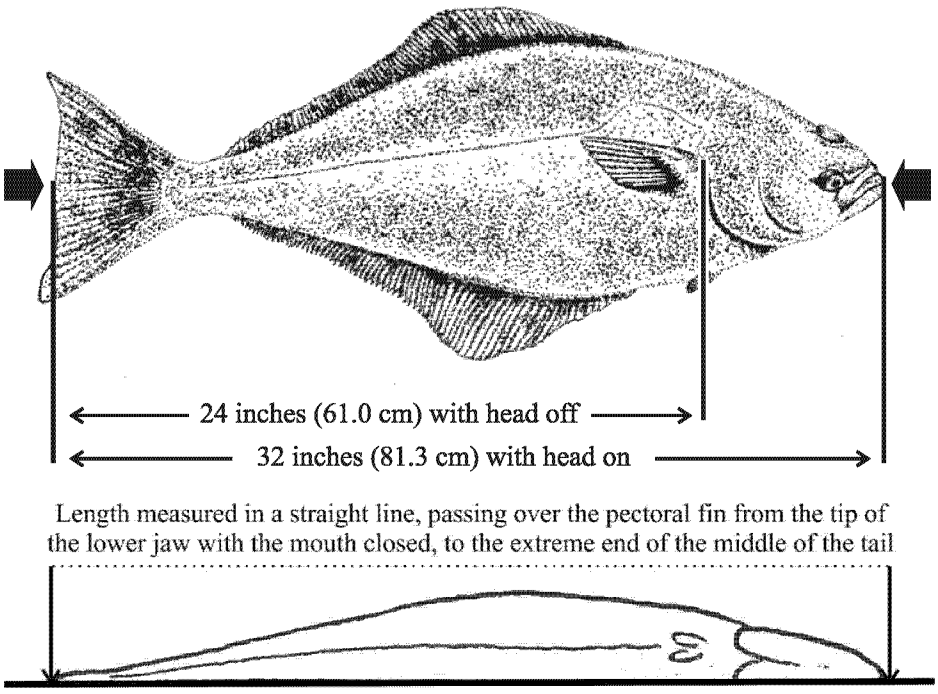

Figure 2. Minimum commercial size.

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Classification

IPHC Regulations

These IPHC annual management measures are a product of an agreement between the United States and Canada and are published in the **Federal Register** to provide notice of their effectiveness and content. Pursuant to section 4 of the Northern Pacific Halibut Act of 1982, 16 U.S.C. 773c, the Secretary of State, with the concurrence of the Secretary of Commerce, may ''accept or reject'' but not modify these recommendations of the IPHC. The notice-and-comment and delay-in-effectiveness date provisions of the Administrative Procedure Act (APA), 5 U.S.C. 553(b) and (d), are inapplicable to IPHC management measures because this regulation involves a foreign affairs function of the United States, 5 U.S.C. 553(a)(1). As stated above, the Secretary of State has no discretion to modify the recommendations of the IPHC. The additional time necessary to comply with the notice-and-comment and delay-in-effectiveness requirements of the APA would disrupt coordinated international conservation and management of the halibut fishery pursuant to the Convention. Furthermore, no other law requires prior notice and public comment for this rule. Because prior notice and an opportunity for public comment are not required to be provided for these portions of this rule by 5 U.S.C. 553, or 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 for this portion of the rule and none has been prepared. This final rule has been determined to be not significant for the purposes of Executive Order 12866.

Authority: 16 U.S.C. 773 *et seq.*

Dated: March 6, 2018.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2018–04818 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 170816769–8162–02]

RIN 0648–XF893

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Hook-and-Line Catcher/Processors in the Central Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by hook-and-line catcher/processors in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allowance of the 2018 Pacific cod total allowable catch apportioned to hook-and-line catcher/processors in the Central Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), March 6, 2018, through 1200 hours, A.l.t., June 10, 2018.

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

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679. Regulations governing sideboard protections for GOA groundfish fisheries appear at subpart B of 50 CFR part 680.

The A season allowance of the 2018 Pacific cod total allowable catch (TAC) apportioned to hook-and-line catcher/processors in the Central Regulatory Area of the GOA is 248 metric tons (mt), as established by the final 2018 and 2019 harvest specifications for groundfish of the GOA (83 FR 8786, March 1, 2018).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator) has determined that the A season allowance of the 2018 Pacific cod TAC apportioned to hook-and-line catcher/processors in the Central Regulatory Area of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 238 mt and is setting aside the remaining 10 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by hook-and-line catcher/processors in the Central Regulatory Area of the GOA. After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the directed fishing closure of Pacific cod by hook-and-line catcher/processors in the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 5, 2018.

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

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: March 6, 2018.

Emily H. Menashes,

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

[FR Doc. 2018–04826 Filed 3–6–18; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 83, No. 47
Friday, March 9, 2018

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.

NUCLEAR REGULATORY COMMISSION

10 CFR Chapter I

[NRC–2018–0038]

Clarification of the Requirements for Reactor Pressure Vessel Upper Head Bare Metal Visual Examinations

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft regulatory issue summary; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on a draft regulatory issue summary (RIS). The draft RIS informs all addressees of a clarification of the requirements for the bare metal visual examination. The draft RIS is relevant to all holders and applicants for a pressurized-water power reactor (PWR) operating license or construction permit, except those that have certified that they have permanently ceased operations and have permanently removed all fuel from the reactor vessel.

DATES: Submit comments by May 8, 2018. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

ADDRESSES: You may submit comments by any of the following methods:

- *Federal Rulemaking Website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2018–0038. Address questions about NRC dockets to Jennifer Borges; telephone: 301–287–9127; email: *Jennifer.Borges@nrc.gov*. For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* May Ma, Office of Administration, Mail Stop: TWFN–7–A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Stephen Cumblidge, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2823, email: *Stephen.Cumblidge@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2018–0038 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 Website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2018–0038.
- *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*. NRC Draft Regulatory Issue Summary 2018–XX, ''Clarification of the Requirements for Reactor Pressure Vessel Upper Head Bare Metal Visual Examinations,'' is available in ADAMS under Accession ML17228A409.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2018–0038 in your comment submission. The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

The NRC issues RISs to communicate with stakeholders on a broad range of matters. This may include communicating and clarifying NRC technical or policy positions on regulatory matters that have not been communicated to or are not broadly understood by the nuclear industry. This draft RIS informs addressees of a clarification of the requirements for the bare metal visual examination, which can be either the visual examination (VE) of the bare metal of the upper head or a visual testing (VT)-2 examination under the insulation to meet the requirements of notes 1 and 4 in Table 1 in the American Society of Mechanical Engineers (ASME) Code Case N–729–4, ''Alternative Examination Requirements for PWR Reactor Vessel Upper Heads With Nozzles Having Pressure-Retaining Partial-Penetration Welds Section XI, Division 1.''

Proposed Action

The NRC is requesting public comments on the draft RIS. The NRC staff will make a final determination regarding issuance of the RIS after it considers any public comments received in response to this request.

Dated at Rockville, Maryland, this 26th day of February 2018.

For the Nuclear Regulatory Commission.

Tanya M. Mensah,

Senior Project Manager, ROP and Generic Communications Branch, Division of Inspection and Regional Support, Office of Nuclear Reactor Regulation.

[FR Doc. 2018–04350 Filed 3–8–18; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0160; Product Identifier 2017–NM–139–AD]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2016–24–03, which applies to certain Bombardier, Inc., Model DHC–8–400 series airplanes. AD 2016–24–03 requires repetitive detailed inspections of barrel nuts and cradles, a check of the bolt torque of the preload indicating (PLI) washers, and corrective actions if necessary. Since we issued AD 2016–24–03, the manufacturer has developed a modification that, when incorporated, terminates the repetitive inspections. This proposed AD would require modifying the airplane by installing a sealing disk to a certain location and replacing certain barrel nuts. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by April 23, 2018.

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

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd.qseries@aero.bombardier.com;* internet *http://www.bombardier.com*. You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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–2018–0160; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Aziz Ahmed, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7329; fax 516–794–5531.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2018–0160; Product Identifier 2017–NM–139–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

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

Discussion

We issued AD 2016–24–03, Amendment 39–18720 (81 FR 88623, December 8, 2016) (''AD 2016–24–03''), for certain Bombardier, Inc., Model DHC–8–400 series airplanes. AD 2016–24–03 requires repetitive detailed inspections of barrel nuts and cradles, a check of the bolt torque of the PLI washers, and corrective action if necessary. AD 2016–24–03 resulted from reports of cracked and corroded barrel nuts found at the mid-spar location of the horizontal-stabilizer-to-vertical-stabilizer attachment joint. We issued AD 2016–24–03 to detect and correct cracked and corroded barrel nuts, which could compromise the structural integrity of the vertical-stabilizer attachment joints and lead to loss of control of the airplane.

Actions Since AD 2016–24–03 Was Issued

Since we issued AD 2016–24–03, Bombardier, Inc. has issued new service information that describes a modification. We have determined that accomplishment of this modification will address the unsafe condition and terminate the repetitive inspections required by AD 2016–24–03. This modification was applied to certain airplanes in production.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2015–13R1, dated June 26, 2017 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Bombardier, Inc., Model DHC–8–400 series airplanes. The MCAI states:

> There has been one in-service report of a cracked and corroded barrel nut, part number (P/N) DSC228–12, found at the mid-spar location of the horizontal stabilizer to vertical stabilizer attachment joint. There have also been two other reports of corroded barrel nuts found at mid-spar locations.
>
> Preliminary investigation determined that the cracking is initiated by corrosion. Further investigation confirmed that the corrosion was caused by inadequate cadmium plating on the barrel nuts. Failure of the barrel nuts could compromise the structural integrity of the joint and could lead to loss of control of the aeroplane.
>
> The original version of this [Canadian] AD was issued to mandate the initial and repetitive inspections of the barrel nuts [and cradles for cracks and corrosion] at each of the horizontal stabilizer to vertical stabilizer attachment joints.
>
> Revision 1 of this [Canadian] AD is issued to terminate the repetitive inspection requirement by requiring the incorporation of a modification to install a sealing disc at the middle spar location of the horizontal stabilizer to vertical stabilizer attachment joint, and the replacement of the DSC228 series barrel nuts with B0203073 series barrel nuts that are more resistant to corrosion. The applicability has been changed to account for the introduction of the modifications in production.

Required actions include a bolt preload check of the PLI washers and applicable corrective actions (retorque of the bolts and replacement of the barrel nut), a detailed inspection of cracked or broken barrel nuts for damaged bores of the fittings, replacement of discrepant barrel nuts (those with signs of structural damaged, corrosion, or cracking, or having a part number other than B0203073 series), adding an aluminum sealing disk to the

mid-spar barrel nut bore, and repair of damage and corrosion.

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–2018–0160.

Explanation of Changes From AD 2016–24–03

In paragraph (h)(2) of AD 2016–24–03, we stated ''. . . replace the barrel nut accomplish corrective actions in accordance with [methods approved by the FAA, TCCA, or Bombardier's TCCA Design Approval Organization].'' We intended to match the language in the MCAI and allow operators to either replace the discrepant barrel nut in accordance with the applicable service information or to request an alternative method of compliance (AMOC). In addition, we left ''paragraph (h)(2)'' out of the credit paragraph in AD 2016–24–03. We have updated the retained requirements in this proposed AD to correct those errors.

Related Service Information Under 1 CFR Part 51

Bombardier, Inc. has issued the following service information.

- Bombardier Service Bulletin 84–55–06, dated January 31, 2017. The service information describes procedures for installing an aluminum sealing disk at the mid-spar location of the vertical stabilizer.
- Bombardier Service Bulletin 84–55–08, Revision A, dated August 2, 2017. The service information describes procedures for an inspection for part number and damage of the barrel nuts at the horizontal-to-vertical-stabilizer attachment joints, and replacement of discrepant parts.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Differences Between This Proposed AD and the MCAI or Service Information

The applicability of Canadian AD CF–2015–13R1, dated June 26, 2017, is limited to Bombardier, Inc., Model DHC–8–400, –401 and –402 airplanes, serial numbers 4001 through 4547. However, the applicability of this proposed AD includes Bombardier, Inc., Model DHC–8–400, –401 and –402 airplanes, serial numbers 4001 and subsequent. Because the affected barrel nuts are rotable parts, we have determined that discrepant parts could later be installed on airplanes that were initially delivered with B0203073 series barrel nuts, thereby subjecting those airplanes to the unsafe condition.

Costs of Compliance

We estimate that this proposed AD affects 54 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspections (retained actions from AD 2016–24–03).	8 work-hours × $85 per hour = $680	$0	$680	$36,720
Sealing disk installation (new proposed action).	4 work-hours × $85 per hour = $340	781	1,121	60,534
Replacement of DSC228 series barrel nuts (new proposed action).	2 work-hours × $85 per hour = $170	2,236	2,406	129,924

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

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement (retained action from AD 2016–24–03)	2 work-hours × $85 per hour = $170	$8,881	$9,051

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

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has

delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

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

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

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2016–24–03, Amendment 39–18720 (81 FR 88623, December 8, 2016), and adding the following new AD:

Bombardier, Inc.: Docket No. FAA–2018–0160; Product Identifier 2017–NM–139–AD.

(a) Comments Due Date

We must receive comments by April 23, 2018.

(b) Affected ADs

This AD replaces AD 2016–24–03, Amendment 39–18720 (81 FR 88623, December 8, 2016) (''AD 2016–24–03'').

(c) Applicability

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

(d) Subject

Air Transport Association (ATA) of America Code 55, Stabilizers.

(e) Reason

This AD was prompted by reports of cracked and corroded barrel nuts found at the mid-spar location of the horizontal-stabilizer-to-vertical-stabilizer attachment joint, and the issuance of new service information that includes a terminal modification. We are issuing this AD to detect and correct cracked and corroded barrel nuts, which could compromise the structural integrity of the vertical-stabilizer attachment joints and lead to loss of control of the airplane.

(f) Compliance

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

(g) Retained Detailed Inspection of Barrel Nuts for Cracks and Corrosion, With No Changes

This paragraph restates the requirements of paragraphs (g)(1) and (g)(2) of AD 2016–24–03, with no changes.

(1) For airplanes that have accumulated 5,400 flight hours or more, or have been in service 32 months or more since the date of issuance of the original certificate of airworthiness or the date of issuance of the original export certificate of airworthiness, as of January 12, 2017 (the effective date of AD 2016–24–03): Within 600 flight hours or 4 months, whichever occurs first after January 12, 2017, do a detailed visual inspection for signs of cracks and corrosion of the barrel nut and cradle, in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Alert Service Bulletin A84–55–04, Revision C, dated May 3, 2016.

(2) For airplanes that have less than 5,400 flight hours, and have been in-service for less than 32 months since the date of issuance of the original certificate of airworthiness or the date of issuance of the original export certificate of airworthiness, as of January 12, 2017: Before the accumulation of 6,000 total flight hours or 36 months since the date of issuance of the original certificate of airworthiness or the date of issuance of the original export certificate of airworthiness, whichever occurs first, do a detailed visual inspection of the barrel nut for signs of cracks and corrosion of the barrel nut and cradle, in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Alert Service Bulletin A84–55–04, Revision C, dated May 3, 2016.

(h) Retained Corrective Actions, Detailed Inspection, and Repetitive Inspections, With New Service Information, Reference to Terminating Action, and Reference to Corrective Actions

This paragraph restates the requirements of paragraph (h) of AD 2016–24–03, with new service information and terminating action. Depending on the findings of any inspection required by paragraphs (g) and (j) of this AD, do the applicable actions in paragraphs (h)(1), (h)(2), (h)(3), and (h)(4) of this AD. Accomplishment of the actions required by paragraphs (l) and (m) of this AD, as applicable, terminates the requirements of this paragraph.

(1) If any barrel nut or cradle is found cracked or broken, before further flight, replace the barrel nut and associated hardware, in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Service Bulletin 84–55–08, Revision A, dated August 2, 2017.

(i) Concurrently with the replacement of any barrel nut, do a detailed inspection for corrosion and damage of the bore of the fitting, in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Service Bulletin 84–55–08, Revision A, dated August 2, 2017, and, before further flight, repair all corrosion and damage, in accordance with Bombardier Repair Drawing (RD) 8/4–55–1143, Issue 1, dated May 21, 2015. If the bore of the fitting cannot be repaired in accordance with Bombardier RD 8/4–55–1143, Issue 1, dated May 21, 2015, accomplish corrective actions in accordance with the procedures specified in paragraph (q)(2) of this AD.

(ii) Within 600 flight hours or 4 months, whichever occurs first, after the replacement of a cracked barrel nut, replace the remaining barrel nuts and their associated hardware at the horizontal-stabilizer-to-vertical-stabilizer attachment joints, in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Service Bulletin 84–55–08, Revision A, dated August 2, 2017.

(2) If any corrosion is found on any barrel nut on the front or rear-spar joints, before further flight, replace the barrel nut in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Service Bulletin 84–55–08, Revision A, dated August 2, 2017, or accomplish corrective actions in accordance with the procedures specified in paragraph (q)(2) of this AD.

(3) If any corrosion above level 1, as defined in Bombardier Alert Service Bulletin A84–55–04, Revision C, dated May 3, 2016, is found on a barrel nut at the mid-spar joint, before further flight, replace the barrel nut and accomplish corrective actions in accordance with the procedures specified in paragraph (q)(2) of this AD.

(4) If all corrosion found is at level 1 or below, as defined in Bombardier Alert Service Bulletin A84–55–04, Revision C, dated May 3, 2016, on a barrel nut at the mid-spar joint, repeat the inspection specified in paragraph (g) of this AD at intervals not to exceed 600 flight hours or 4 months, whichever occurs first, until completion of the actions required by paragraph (k) of this AD.

(i) Retained Preload Indicating (PLI) Washer Check, With New Terminating Action

This paragraph restates the requirements of paragraph (i) of AD 2016–24–03, with new terminating action. For airplanes with PLI washers installed at the front and rear-spar joints, before further flight after accomplishing any inspection required by

paragraph (g) of this AD and all applicable corrective actions required by paragraph (h) of this AD, check the bolt preload, and do all applicable corrective actions, in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Alert Service Bulletin A84–55–04, Revision C, dated May 3, 2016. Do all applicable corrective actions before further flight. Accomplishment of the actions required by paragraphs (l) and (m) of this AD, as applicable, terminates the requirements of this paragraph.

(j) Retained Repetitive Inspection Interval, With New Terminating Action

This paragraph restates the requirements of paragraph (j) of AD 2016–24–03, with new terminating action. Repeat the inspection and preload check required by paragraphs (g) and (i) of this AD at intervals not to exceed 3,600 flight hours or 18 months, whichever occurs first, except as provided by paragraph (k) of this AD. Accomplishment of the actions required by paragraphs (l) and (m) of this AD, as applicable, terminates the requirements of this paragraph.

(k) Retained Optional Barrel Nut Replacement, With New Service Information

This paragraph restates the provisions of paragraph (k) of AD 2016–24–03, with new service information. Inspection and replacement of all barrel nuts at the horizontal-stabilizer-to-vertical-stabilizer attachment joints, in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Service Bulletin 84–55–08, Revision A, dated August 2, 2017, extends the next inspection required by paragraph (j) of this AD to within 6,000 flight hours or 36 months, whichever occurs first, after accomplishing the replacement.

(l) New Requirement of This AD: Sealing Disk Installation

Within 8,000 flight hours or 48 months, whichever occurs first, after the effective date of this AD, install a sealing disk at the mid-spar location of the vertical stabilizer in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Service Bulletin 84–55–06, dated January 31, 2017. Accomplishment of the actions required by paragraphs (l) and (m) of this AD, as applicable, terminates the requirements of paragraphs (h), (i), and (j) of this AD.

(m) New Requirement of This AD: Replacement of DSC228 Series Barrel Nuts

For Bombardier, Inc., Model DHC–8–400, –401 and –402 airplanes, serial numbers 4001 through 4524 inclusive: Within 8,000 flight hours or 48 months, whichever occurs first, after the effective date of this AD, replace all DSC228 series barrel nuts at the horizontal-stabilizer-to-vertical-stabilizer attachment joints with B0203073 series barrel nuts in accordance with paragraph 3.B., ''Procedure,'' of the Accomplishment Instructions of Bombardier Service Bulletin 84–55–08, Revision A, dated August 2, 2017. Accomplishment of the actions required by paragraphs (l) and (m) of this AD, as applicable, terminates the requirements of paragraphs (h), (i), and (j) of this AD.

(n) Parts Installation Prohibition

After modification of an airplane as required by paragraphs (l) and (m) of this AD, no person may install a DSC228 series barrel nut at the horizontal-stabilizer-to-vertical-stabilizer attachment joint on the modified airplane.

(o) Terminating Actions

Accomplishment of the actions required by paragraphs (l) and (m) of this AD, as applicable, terminates the requirements of paragraphs (h), (i), and (j) of this AD.

(p) Credit for Previous Actions

(1) This paragraph provides credit for actions required by paragraphs (g)(1), (g)(2), (h)(1), (h)(1)(i), (h)(1)(ii), (h)(2), (h)(3), (h)(4), (i), and (k) of this AD, if those actions were performed before the effective date of this AD using the service information identified in paragraphs (p)(1)(i) through (p)(1)(iii) of this AD.

(i) Bombardier Alert Service Bulletin A84–55–04, dated May 21, 2015, which is not incorporated by reference in this AD.

(ii) Bombardier Alert Service Bulletin A84–55–04, Revision A, dated June 2, 2015, which is not incorporated by reference in this AD.

(iii) Bombardier Alert Service Bulletin A84–55–04, Revision B, dated July 30, 2015, which is not incorporated by reference in this AD.

(2) This paragraph provides credit for actions required by paragraphs (h)(1), (h)(1)(i), (h)(1)(ii), (h)(2), and (k) of this AD, if those actions were performed before the effective date of this AD using the service information identified in paragraphs (p)(2)(i) and (p)(2)(ii) of this AD.

(i) Bombardier Service Bulletin 84–55–08, dated January 27, 2017, which is not incorporated by reference in this AD.

(ii) Bombardier Alert Service Bulletin A84–55–04, Revision C, dated May 3, 2016, which was incorporated by reference in AD 2016–24–03.

(q) Other FAA AD Provisions

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO Branch, 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 certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531.

(i) 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.

(ii) AMOCs approved previously for AD 2016–24–03 are approved as AMOCs for the corresponding provisions of this AD.

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

(r) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) TCCA Airworthiness Directive CF–2015–13R1, dated June 26, 2017, 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–2018–0160.

(2) For more information about this AD, contact Aziz Ahmed, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7329; fax 516–794–5531.

(3) For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd.qseries@aero.bombardier.com;* internet *http://www.bombardier.com.* You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued in Renton, Washington, on March 2, 2018.

Michael Kaszycki,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2018–04720 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0165; Product Identifier 2017–NM–122–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all Airbus Model A318–111 and –112 airplanes, Model A319–111, –112, –113, –114, and –115 airplanes, Model A320–211, –212, –214, and –216 airplanes, and Model A321–111, –112, –211, –212, and –213 airplanes. This proposed AD was prompted by a report of a production quality deficiency on the

inner retainer installed on link assemblies of the aft engine mount, which could result in failure of the retainer. This proposed AD would require modifying and re-identifying the aft engine mount assemblies. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by April 23, 2018.

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

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For Airbus service information identified in this NPRM, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* internet *http://www.airbus.com.*

For Goodrich Aerospace service information identified in this NPRM, contact Goodrich Corporation, Aerostructures, 850 Lagoon Drive, Chula Vista, CA 91910–2098; phone: 619–691–2719; email: *jan.lewis@goodrich.com;* internet: *http://www.goodrich.com/TechPubs.*

You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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–2018–0165; 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 NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3223.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2018–0165; Product Identifier 2017–NM–122–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. We will consider all comments received by the closing date and may amend this NPRM based on those comments.

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

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2017–0251, dated December 15, 2017 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for all Airbus Model A318–111 and –112 airplanes, Model A319–111, –112, –113, –114, and –115 airplanes, Model A320–211, –212, –214, and –216 airplanes, and Model A321–111, –112, –211, –212, and –213 airplanes. The MCAI states:

> During in-service inspections, several aft engine mount inner retainers, fitted on aeroplanes equipped with CFM56–5A/5B engines, were found broken. Investigation identified that the main cause of crack initiation was the vibration dynamic effect that affects the retainers, and that the ''dull'' surface finish pitting is an aggravating factor when compared with the ''bright'' surface finishing.
>
> This condition, if not detected and corrected, could lead to in-flight loss of an aft engine mount link, possibly resulting in damage to the aeroplane and/or injury to persons on the ground.
>
> To address this potential unsafe condition, Airbus issued Alert Operators Transmission (AOT) A71N001–12 (later revised) and EASA issued AD 2013–0050 [which corresponds to FAA AD 2014–14–06, Amendment 39–17901 (79 FR 42655, July 23, 2014)], later superseded by EASA AD 2015–0021 [which corresponds to FAA AD 2016–14–09, Amendment 39–18590 (81 FR 44989, July 12, 2016) (''AD 2016–14–09'')], requiring repetitive detailed inspections (DET) of all aft engine mount inner retainers and, depending on findings, their replacement.
>
> After EASA AD 2015–0021 was issued, a production quality deficiency was identified by Airbus and Goodrich Aerostructures, the engine mount retainer manufacturer, on the inner retainer, Part Number (P/N) 238–0252–505, installed in the three link assemblies of the engine mount fitted on CFM56–5A/5B engines. Airbus issued AOT A71N011–15 and Service Bulletin (SB) A320–71–1070, providing a list of affected parts and applicable corrective actions.
>
> Consequently, EASA issued AD 2016–0010 (later revised), retaining the requirements of EASA AD 2015–0021, which was superseded, and in addition requiring the identification and replacement of all non-conforming aft engine mount inner retainers [EASA AD 2016–0010 R1 corresponds to FAA AD 2017–04–10, Amendment 39–18805 (82 FR 11791, February 27, 2017) (''AD 2017–04–10'')].
>
> After that [EASA] AD was issued, a new engine mount retainer was developed by Goodrich Aerostructures to improve the retainer efficiency. For retrofit purposes, Goodrich Aerostructures issued SB RA32071–164, and Airbus issued SB A320–71–1071, providing instructions to modify and re-identify the engine mount assemblies as instructed in the Goodrich Aerostructures SB. Subsequently, it was observed that, on aeroplanes equipped with certain engines fitted with a Turbine Rear Frame (TRF) with 4 lugs configuration, the installation of the new engine mount retainers can lead to interference, and Goodrich Aerostructures revised SB RA32071–164, providing instructions not to install the new engine retainers on affected engines. Airbus SB A320–71–1071 is expected to be revised accordingly. For engines fitted with a TRF with 4 lugs, a new installation (potentially requiring different engine mount retainers) is being developed by Goodrich Aerospace and Airbus.
>
> Consequently, EASA issued AD 2017–0138, retaining the requirements of EASA AD 2016–0010R1, which was superseded, and, except for aeroplanes equipped with engines fitted with a TRF with 4 lugs configuration, requiring modification and identification of aft engine mount assemblies as terminating action for the repetitive inspections of the retainers. That [EASA] AD also included additional instructions applicable to installation of engines fitted with a TRF with 4 lugs configuration.
>
> Since EASA AD 2017–0138 was issued, it was determined that installation of new engine mount assemblies must not be allowed for some specific engine configurations, and that installation of Goodrich Aerostructures SB RA32071–164 alone can be referred to, in order to accomplish the terminating action as required by that [EASA] AD.
>
> For the reason described above, this [EASA] AD retains the requirements of EASA AD 2017–0138, which is superseded, adds reference to Goodrich Aerostructures SB RA32071–164 * * *, and introduces new requirement for aeroplanes equipped with engines fitted with a TRF with 4 lugs configuration.

This NPRM would not supersede AD 2017–04–10. Rather, we have determined that a stand-alone AD would be more appropriate to address the changes in the MCAI. This NPRM would require modifying and re-identifying the aft engine mount assemblies. Accomplishment of the proposed actions would then terminate the repetitive detailed inspections required by paragraph (l) of AD 2016–14–09, and serve as a method of compliance for the requirements of paragraph (g) of AD 2017–04–10. 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–2018–0165.

Related Service Information Under 1 CFR Part 51

Airbus has issued Service Bulletin A320–71–1071, dated November 8, 2016. Goodrich Aerostructures has issued Service Bulletin RA32071–164, Revision 1, dated July 19, 2017. The service information describes procedures for modifying and re-identifying the aft engine mount retainer assembly. These documents are distinct since they apply to different airplane models in different configurations.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of these same type designs.

Costs of Compliance

We estimate that this proposed AD affects 500 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Modification and re-identification	20 work-hours × $85 per hour = $1,700	$3,152	$4,852	$2,426,000

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.

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

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

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

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus: Docket No. FAA–2018–0165; Product Identifier 2017–NM–122–AD.

(a) Comments Due Date

We must receive comments by April 23, 2018.

(b) Affected ADs

This AD affects AD 2016–14–09, Amendment 39–18590 (81 FR 44989, July 12, 2016) (''AD 2016–14–09''); and AD 2017–04–10, Amendment 39–18805 (82 FR 11791, February 27, 2017) (''AD 2017–04–10'').

(c) Applicability

This AD applies to the Airbus airplanes identified in paragraphs (c)(1) through (c)(4) of this AD, certificated in any category, all manufacturer serial numbers.

(1) Model A318–111 and –112 airplanes.

(2) Model A319–111, –112, –113, –114, and –115 airplanes.

(3) Model A320–211, –212, –214, and –216 airplanes.

(4) Model A321–111, –112, –211, –212, and –213 airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 71, Powerplant.

(e) Reason

This AD was prompted by a report of a production quality deficiency on the inner retainer installed on link assemblies of the aft engine mount, which could result in failure of the retainer. We are issuing this AD to address non-conforming retainers of the aft engine mount. This condition could result in loss of the locking feature of the nuts of the inner and outer pins; loss of the pins will result in the aft mount engine link no longer being secured to the aft engine mount, possibly resulting in damage to the airplane.

(f) Compliance

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

(g) Definitions

(1) For the purpose of this AD: A Group 1 airplane has an aft engine mount assembly installed, having a part number (P/N) identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD. A Group 2 airplane does not have any aft engine mount assembly installed having a part number identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD.

(2) For the purpose of this AD, a 4-lugs engine is a CFM56–5A1, CFM56–5A3, CFM56–5A4, CFM56–5A4/F, CFM56–5A5, or CFM56–5A5/F engine, fitted with a turbine rear frame (TRF) having a part number as identified in figure 2 to paragraph (g) of this AD.

FIGURE 1 TO PARAGRAPHS (g), (h), (i), (j), (k), AND (l) OF THIS AD—PART RE-IDENTIFICATION

Old P/N	New P/N
238–0230–11	238M0230–11
238–0230–15	238M0230–15
238–0230–5	238M0230–5
642–2300–3	642–2300–11

FIGURE 2 TO PARAGRAPH (g) OF THIS AD—TRF WITH 4-LUGS CONFIGURATION

Part No.
336–031–615–0
336–031–617–0
336–031–618–0
336–031–621–0
336–031–650–0
336–031–651–0
336–031–652–0
336–031–653–0
336–031–660–0
336–031–661–0
336–031–662–0
336–031–663–0
336–031–670–0
336–031–671–0
336–031–672–0
336–031–673–0
336–031–640–0
336–031–642–0

(h) Modification

For Group 1 airplanes: Within 48 months after the effective date of this AD, except for 4-lugs engines, modify the aft engine mount assembly, having a part number identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD, and re-identify it with the corresponding part number identified as ''New P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320–71–1071, dated November 8, 2016; or Goodrich Aerostructures Service Bulletin RA32071–164, Revision 1, dated July 19, 2017.

(i) Other Acceptable Method of Compliance

Replacement on an airplane of each aft engine mount assembly, identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD, with a corresponding aft engine mount assembly, identified as ''New P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD, is an acceptable method to comply with the requirements of paragraph (h) of this AD for that airplane.

(j) Identification of Certain Airplanes That Do Not Have Affected Parts

An airplane on which Airbus modification 158435 has been embodied in production and on which it can be positively determined that no aft engine mount assembly, identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD, is installed, is considered a Group 2 airplane. A review of airplane maintenance records is acceptable to make this determination, if it can be conclusively determined that no aft engine mount assembly identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD is installed. Group 2 airplanes are not affected by the requirements of paragraph (h) of this AD.

(k) Parts Installation Prohibition

(1) For Group 1 airplanes: Do not install an aft engine mount assembly identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD on any airplane after modification of the airplane as required by paragraph (h) of this AD, or after any replacement specified in paragraph (i) of this AD.

(2) For Group 2 airplanes: As of the effective date of this AD, do not install an aft engine mount assembly identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD on any airplane.

(3) For airplanes equipped with a 4-lugs engine (left-hand (LH) or right-hand (RH) side): As of the effective date of this AD, do not modify any aft engine mount assembly identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD, as required by paragraph (h) of this AD, and do not install on an affected engine pylon (LH or RH) any aft engine mount assembly identified as ''New P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD.

(l) 4-Lugs Engine Installation

(1) From the effective date of this AD, it is allowed to install or reinstall a 4-lugs engine on an airplane (LH or RH) provided that the airplane is equipped with an aft engine mount assembly identified as ''Old P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD on the affected engine pylon (LH or RH).

(2) For airplanes equipped with a 4-lugs engine (LH or RH), and on which, prior to the effective date of this AD, an aft engine mount assembly identified as ''New P/N'' in figure 1 to paragraphs (g), (h), (i), (j), (k), and (l) of this AD has been installed on the affected engine pylon (LH or RH), or on which the aft engine part assembly has been modified as specified in paragraph (h) of this AD: Within 30 days after the effective date of this AD, obtain repair instructions using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA), and accomplish those instructions accordingly. If approved by the DOA, the approval must include the DOA-authorized signature.

(m) Terminating Action and Method of Compliance

(1) Modification of an airplane as required by paragraph (h) of this AD, or as specified in paragraph (i) of this AD, constitutes terminating action for the repetitive detailed inspections required by paragraph (l) of AD 2016–14–09 for that airplane.

(2) Modification of an airplane as required by paragraph (h) of this AD, or as specified in paragraph (i) of this AD, is a method of compliance with the requirements of paragraph (g) of AD 2017–04–10 for that airplane.

(n) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards Branch, 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 Section, send it to the attention of the person identified in paragraph (p)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* 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 Section, Transport Standards Branch, FAA; or EASA; or Airbus's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* If any service information contains procedures or tests that are identified as RC, those procedures and tests must be done to comply

with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified 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 procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(o) Special Flight Permits

Special flight permits, as described in Section 21.197 and Section 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), are not allowed.

(p) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2017–0251 dated December 15, 2017, 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–2018–0165.

(2) For more information about this AD, contact Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3223.

(3) For Airbus service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* internet *http://www.airbus.com.*

(4) For Goodrich Aerospace service information identified in this AD, contact Goodrich Corporation, Aerostructures, 850 Lagoon Drive, Chula Vista, CA 91910–2098; phone: 619–691–2719; email: *jan.lewis@goodrich.com;* internet: *http://www.goodrich.com/TechPubs.* You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued in Renton, Washington, on March 5, 2018.

Michael Kaszycki,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2018–04727 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0161; Product Identifier 2017–NM–088–AD]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2013–11–12, which applies to certain Bombardier, Inc., Model BD–100–1A10 airplanes. AD 2013–11–12 requires inspecting for the correct serial number of a certain hydraulic system accumulator, and replacing affected hydraulic system accumulators with new or serviceable accumulators. Since we issued AD 2013–11–12, we have determined that certain other hydraulic system accumulators must be modified or replaced and life limits must be added. This proposed AD would expand the applicability and require modifying or replacing certain hydraulic brake system accumulators. This proposed AD would also require revising the maintenance or inspection program to add life limits for the accumulators. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by April 23, 2018.

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

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email *thd.crj@aero.bombardier.com;* internet *http://www.bombardier.com.* You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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–2018–0161; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

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

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2018–0161; Product Identifier 2017–NM–088–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

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

Discussion

We issued AD 2013–11–12, Amendment 39–17472 (78 FR 33206, June 4, 2013) (''AD 2013–11–12''), for certain Bombardier, Inc., Model BD–100–1A10 airplanes. AD 2013–11–12 requires inspecting for the correct serial number of a certain hydraulic system accumulator, and replacing affected hydraulic system accumulators with new or serviceable accumulators. AD 2013–11–12 resulted from reports of failure of a screw cap or end cap of the hydraulic system accumulator while on the ground, which resulted in loss of

use of that hydraulic system and high-energy impact damage to adjacent systems and structures. We issued AD 2013–11–12 to prevent failure of a screw cap or end cap and loss of the related hydraulic system, which could result in damage to airplane structure and consequent reduced controllability of the airplane.

Actions Since AD 2013–11–12 Was Issued

Since we issued AD 2013–11–12, we have determined that certain other hydraulic system accumulators (specifically, hydraulic brake system accumulators) must be modified or replaced and life limits must be added.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2011–41R1, dated March 27, 2017 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Bombardier, Inc. Model BD–100–1A10 airplanes. The MCAI states:

> Seven cases of on-ground hydraulic accumulator screw cap/end cap failure have been experienced on CL–600–2B19 aeroplanes, resulting in loss of the associated hydraulic system and high-energy impact damage to adjacent systems and structure. To date, the lowest number of flight cycles accumulated at the time of failure has been 6991.
>
> Although there have been no failures to date on any BD–100–1A10 aeroplanes, accumulators similar to those installed on the CL–600–2B19 are installed on the BD–100–1A10. The affected part numbers (P/Ns) of the accumulators installed on BD–100–1A10 are 900095–1 (Auxiliary Hydraulic System accumulator), 33–155500 (Inboard Brake accumulator), and 33–147500 (Outboard Brake accumulator).
>
> A detailed analysis of the calculated line of trajectory of a failed screw cap/end cap for the accumulators has been conducted, resulting in the identification of areas where systems and/or structural components could potentially be damaged. Although all of the failures on the CL–600–2B19 to date have occurred on the ground, an in-flight failure affecting such components could potentially have an adverse effect on the controllability of the aeroplane.
>
> Revision 1 of this [Canadian] AD is issued to mandate the [inspection and] replacement [of] Brake System Hydraulic accumulators that are not identified by the letter ''E'' or ''NAE'' after the serial number on the identification plate. Revision 1 also mandates the re-orientation of the brake accumulators P/N 33–147500 and P/N 33–155500 and the insertion of three discard tasks in the Challenger 300 Time Limits/Maintenance Checks (TLMC) Manual.

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–2018–0161.

Related Service Information Under 1 CFR Part 51

Bombardier, Inc. has issued the following service information:

- Service Bulletin 100–32–20, Revision 02, dated April 14, 2015, which describes procedures for modifying (*e.g.,* re-orienting) the installation of the hydraulic brake accumulators.
- Service Bulletin 100–32–21, dated May 24, 2012, which describes procedures for replacing the hydraulic brake system accumulators.
- Task 29–21–13–101 of Chapter 5, Part 2, Airworthiness Limitations, of Bombardier Challenger 300 BD–100 Time Limits/Maintenance Checks, Revision 17, dated December 15, 2016, which describes procedures for removal and installation of the hydraulic brake system accumulators.
- Task 32–43–37–101 of Chapter 5, Part 2, Airworthiness Limitations, of Bombardier Challenger 300 BD–100 Time Limits/Maintenance Checks, Revision 17, dated December 15, 2016, which describes procedures for removal and installation of the brake accumulators.
- Task 32–44–05–101 of Chapter 5, Part 2, Airworthiness Limitations, of Bombardier Challenger 300 BD–100 Time Limits/Maintenance Checks, Revision 17, dated December 15, 2016, which describes procedures for removal and installation of the emergency parking brake accumulators.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (p)(1) of this proposed AD. The request should include a description of changes to the required actions that will ensure the continued damage tolerance of the affected structure.

Costs of Compliance

We estimate that this proposed AD affects 187 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection to determine part numbers (retained actions from AD 2013–11–12).	1 work-hour × $85 per hour = $85.	$0	$85	$15,895.
Modifying or replacing hydraulic brake system accumulators and revising the maintenance or inspection program (new proposed actions).	59 work-hours × $85 per hour = $5,015.	Up to $31,500	Up to $36,515	Up to $6,828,305.

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

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Hydraulic accumulator replacement	5 work-hours × $85 per hour = $340	$4,510	$4,850

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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

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

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

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2013–11–12, Amendment 39–17472 (78 FR 33206, June 4, 2013), and adding the following new AD:

Bombardier, Inc.: Docket No. FAA–2018–0161; Product Identifier 2017–NM–088–AD.

(a) Comments Due Date

We must receive comments by April 23, 2018.

(b) Affected ADs

This AD replaces AD 2013–11–12, Amendment 39–17472 (78 FR 33206, June 4, 2013) (''AD 2013–11–12'').

(c) Applicability

This AD applies to Bombardier, Inc., Model BD–100–1A10 airplanes, certificated in any category, having serial numbers 20003 through 20604 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 29, Hydraulic Power.

(e) Reason

This AD was prompted by reports of failure of a screw cap or end cap of the hydraulic system accumulator while on the ground, which resulted in loss of use of that hydraulic system and high-energy impact damage to adjacent systems and structures. We are issuing this AD to prevent failure of a screw cap or end cap and loss of the related hydraulic system, which could result in damage to airplane structure and consequent reduced controllability of the airplane.

(f) Compliance

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

(g) Retained Inspection With No Changes

This paragraph restates the requirements of paragraph (g) of AD 2013–11–12 with no changes. For airplanes having serial numbers 20003 through 20335 inclusive: At the applicable time specified in paragraph (g)(1), (g)(2), or (g)(3) of this AD: Inspect the identification plate on the hydraulic system accumulator having part number (P/N) 900095–1 to determine if an ''E'' is part of the suffix of the serial number stamped on the identification plate, as listed in paragraph 2.B. of the Accomplishment Instructions of Bombardier Service Bulletin 100–29–14, dated December 16, 2010. A review of airplane maintenance records is acceptable in lieu of this inspection if the suffix of the serial number can be conclusively determined from that review.

(1) For an accumulator that has accumulated more than 3,150 total flight cycles as of July 9, 2013 (the effective date of AD 2013–11–12), inspect that accumulator within 350 flight cycles after July 9, 2013.

(2) For an accumulator that has accumulated 3,150 or fewer total flight cycles as of July 9, 2013 (the effective date of AD 2013–11–12), inspect that accumulator before it has accumulated 3,500 total flight cycles.

(3) For an accumulator on which it is not possible to determine the total flight cycles accumulated as of July 9, 2013 (the effective date of AD 2013–11–12), inspect that accumulator within 350 flight cycles after July 9, 2013.

(h) Retained Replacement With No Changes

This paragraph restates the requirements of paragraph (h) of AD 2013–11–12 with no changes. If, during the inspection required by paragraph (g) of this AD, any accumulator having P/N 900095–1 is found on which the letter ''E'' is not part of the suffix of the serial number on the identification plate: Before further flight, replace the accumulator with a new or serviceable accumulator, in accordance with paragraph 2.C. of the Accomplishment Instructions of Bombardier Service Bulletin 100–29–14, dated December 16, 2010.

(i) Retained Parts Installation Prohibition With No Changes

This paragraph restates the requirements of paragraph (i) of AD 2013–11–12 with no changes. For airplanes having serial numbers 20003 through 20335 inclusive: As of July 9, 2013 (the effective date of AD 2013–11–12), no person may install on any airplane a hydraulic system accumulator having P/N 900095–1, on which the letter ''E'' is not part of the suffix of the serial number on the identification plate.

(j) New Requirement of This AD: Replacement of Brake System Hydraulic Accumulators

For airplanes having serial numbers 20003 through 20347 inclusive: At the applicable time specified in paragraph (j)(1), (j)(2), or (j)(3) of this AD, replace all brake system hydraulic accumulators having P/N 33–147500 or P/N 33–155500 that are not identified by the letter ''E'' or ''NAE'' after the serial number on the identification plate with an accumulator of the same part number that is identified by the letter ''E'' or ''NAE'' after the serial number. Do the replacement in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 100–32–21, dated May 24, 2012.

(1) For an accumulator that has accumulated more than 4,700 total flight cycles as of the effective date of this AD, inspect that accumulator within 300 flight cycles after the effective date of this AD.

(2) For an accumulator that has accumulated 4,700 or fewer total flight cycles as of the effective date of this AD, inspect that accumulator before it has accumulated 5,000 total flight cycles.

(3) For an accumulator on which it is not possible to determine the total flight cycles accumulated as of the effective date of this AD, inspect that accumulator within 300 flight cycles after the effective date of this AD.

(k) New Requirement of This AD: Additional Parts Installation Prohibition

For airplanes having serial numbers 20003 through 20347 inclusive: As of the effective date of this AD, no person may install on any airplane a hydraulic system accumulator having P/N 33–147500 or P/N 33–155500, on which the letter ''E'' or ''NAE'' is not after the serial number on the identification plate.

(l) New Requirement of This AD: Modification of the Inboard and Outboard Brake Accumulators

For airplanes having serial numbers 20003 through 20395 inclusive: Within 1,600 flight hours or 14 months after the effective date of this AD, whichever occurs first, modify (re-orient) the installation of the inboard and outboard brake accumulators, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 100–32–20, Revision 02, dated April 14, 2015.

(m) Credit for Previous Actions

This paragraph provides credit for the actions specified in paragraph (l) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 100–32–20, dated February 25, 2013; or Revision 01, dated March 5, 2015.

(n) New Requirement of This AD: Maintenance or Inspection Program Revision

For airplanes having serial numbers 20003 through 20604 inclusive: Within 30 days after the effective date of this AD, revise the maintenance or inspection program, as applicable, to incorporate life limit tasks 29–21–13–101, 32–43–37–101, and 32–44–05–101 of Chapter 5, Part 2, Airworthiness Limitations, of Bombardier Challenger 300 BD–100 Time Limits/Maintenance Checks, Revision 17, dated December 15, 2016. The initial compliance time for the tasks is within the applicable time specified in that service information, or within 30 days after the effective date of this AD, whichever occurs later.

(o) No Alternative Actions and Intervals

After the maintenance or inspection program has been revised as required by paragraph (n) of this AD, no alternative actions (*e.g.,* inspections) or intervals may be used unless the actions or intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (p)(1) of this AD.

(p) Other FAA AD Provisions

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO Branch, 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 certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 516–228–7300; fax: 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

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

(q) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF–2011–41R1, dated March 27, 2017, 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–2018–0161.

(2) For more information about this AD, contact Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 516–228–7318; fax: 516–794–5531.

(3) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email *thd.crj@aero.bombardier.com;* internet *http://www.bombardier.com.* You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued in Renton, Washington, on March 2, 2018.

Michael Kaszycki,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2018–04719 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–13–P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Chapter II

[Docket No. CPSC–2018–0003]

Petition Requesting Rulemaking To Exempt Certain Head Protection Devices From the Safety Standard for Bicycle Helmets

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: The U.S. Consumer Product Safety Commission (Commission or CPSC) received a petition from Hövding Sweden AB (petitioner or Hövding) requesting the Commission to exempt ''inflatable head protective devices for bicyclists,'' such as Hövding's product, from the testing requirements of the Safety Standard for Bicycle Helmets, if such product complies with, and is certified to, requirements in another standard that Hövding states is appropriate to test such products. The Commission invites written comments concerning this petition.

DATES: Submit comments by May 8, 2018.

ADDRESSES: Submit comments, identified by Docket No. CPSC–2018–0003, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written comments by mail/hand delivery/courier to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and

docket number for this notice. All comments received may be posted without change to *http://www.regulations.gov,* including any personal identifiers, contact information, or other personal information provided. Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted by mail/hand delivery/courier.

Docket: For access to the docket to read background documents or comments received, go to: *http://www.regulations.gov,* insert docket number CPSC–2018–0003 into the ''Search'' box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Rocky Hammond, Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone: 301–504–6833; email: *RHammond@cpsc.gov.*

SUPPLEMENTARY INFORMATION: On December 15, 2017, Hövding submitted a petition requesting that the Commission exempt ''inflatable head protective devices for bicyclists'' from the testing requirements of the Safety Standard for Bicycle Helmets, 16 CFR part 1203 (Bike Helmet Standard), if such product complies with, and is certified to, requirements in a standard developed by SP Technical Research Institute of Sweden, SP-method 4439, *Inflatable head protective devices with electronic triggering system for pedal cyclists* (SP-Method 4439).[1]

Hövding manufactures and markets a product that is intended to prevent or reduce head injuries to bicyclists in a crash. The Hövding product is worn around the cyclist's neck, like a collar. In the event of a crash, it inflates to cover the rider's head for a few seconds and then deflates. Hövding points out that the requirements in the Bike Helmet Standard only anticipate hard shell bike helmets and does not anticipate other types of designs that protect a cyclist's head. Hövding states that protective devices like its product cannot meet the Bike Helmet Standard, as written, because the test procedures are not appropriate for these types of inflatable products. According to Hövding, the Swedish standard, SP-Method 4439, was designed to ensure that some of the performance criteria applied to hard shell helmets in the Bike Helmet Standard are applied to inflatable head protection devices, sufficient to demonstrate that such products can protect a cyclist's head in an accident.

By this notice, the Commission seeks comments concerning this petition. In particular, the Commission seeks comments on the following:

- Does an inflatable helmet provide equivalent or greater protection against skull fractures compared to a typical hard shell bicycle helmet? Please provide any underlying data or studies relevant to this issue.
- Does an inflatable helmet provide equivalent or greater protection against concussion compared to a typical hard shell bicycle helmet? Please provide any underlying data or studies relevant to this issue including identifying the source of any injury thresholds relied upon.
- Are there any crash scenarios where the deployment of an inflatable helmet will be too slow to protect the user?
- What modifications to the test method in 16 CFR 1203 would be needed to evaluate inflatable helmets for the positional stability, retention system strength, and impact attenuation requirements?
- What existing standards or other performance requirements could be used to evaluate the reliability and integrity of the deployment systems in inflatable helmets, such as sensors and batteries?
- What existing standards or other performance requirements could be used to evaluate the fit of inflatable helmets?

The petition is available at: *http://www.regulations.gov,* under Docket No. CPSC–2018–0003, Supporting and Related Materials. Alternatively, interested parties may obtain a copy of the petition by writing or calling the Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504–6833.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2018–04769 Filed 3–8–18; 8:45 am]

BILLING CODE 6355–01–P

[1] Hövding requests that the Commission grant such exemption through an interim final rule to expedite Hövding's ability to sell products in the U.S. market.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0083]

RIN 1625–AA08

Safety Zone; Mississippi Sound, Biloxi, MS

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a temporary safety zone for certain navigable waters on the Mississippi Sound over the Biloxi Harbor Channel in Biloxi, MS. The proposed rulemaking is necessary to provide for the safety of life and property on these navigable waters during the 2018 Biloxi Air Show. This proposed rulemaking would prohibit persons and vessels from entering the safety zone unless specifically authorized by the Captain of the Port Sector Mobile (COTP) or a designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before April 9, 2018.

ADDRESSES: You may submit comments identified by docket number USCG–2018–0083 using the Federal eRulemaking Portal at *http://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email LT Kyle D. Berry, Sector Mobile, Waterways Management Division, U.S. Coast Guard; telephone 251–441–5940, email *Kyle.D.Berry@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Sector Mobile
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
PATCOM Patrol Commander
§ Section
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

On January 3, 2018, the sponsor for the 2018 Biloxi Air Show submitted an application for a marine event permit

for the air show that will take place every day from 9 a.m. through 5 p.m. from July 19, 2018 through July 22, 2018. The air show will consist of various flight demonstrations over the Mississippi Sound in the Biloxi Harbor Channel in Biloxi, MS. Over the years, there have been unfortunate instances of aircraft mishaps that involve crashing during performances at various air shows around the world. Occasionally, these incidents result in a wide area of scattered debris in the water that can damage property or cause significant injury or death to the public observing the air shows. The Captain of the Port Sector Mobile (COTP) has determined that a safety zone is necessary to protect the general public from hazards associated with aerial flight demonstrations.

The purpose of this rulemaking is to ensure the safety of vessels and persons during the air show on the navigable waters of the Mississippi Sound in the Biloxi Harbor Channel in Biloxi, MS. The Coast Guard proposes this rulemaking under authority in 33 U.S.C. 1231.

III. Discussion of Proposed Rule

The Coast Guard proposes to establish a temporary safety zone on the Mississippi Sound within the positions of 30°23′22.6″ N, 88°50′54.9″ W; 30°23′25.5″ N, 88°53′12.1″ W; 30°22′52.3″ N, 88°50′55.8″ W; 30°22′56.3″ N, 88°53′11.9″ W over the Biloxi Harbor Channel in Biloxi, MS from 9 a.m. through 5 p.m. on July 19, 2018 through July 22, 2018. The proposed rulemaking is needed to provide for the safety of life and property on these navigable waters during the 2018 Biloxi Air Show. This proposed rulemaking restricts transit into, through, and within the zone unless specifically authorized by the COTP. No vessel or person would be permitted to enter the zone without obtaining permission from the COTP or a designated representative. A designated representative may be a Patrol Commander (PATCOM). The PATCOM would be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The PATCOM may be contacted on Channel 16 VHF–FM (156.8 MHz) by the call sign ''PATCOM''. All persons and vessels not registered with the sponsor as participants or official patrol vessels are considered spectators. The ''official patrol vessels'' consist of any Coast Guard, state, or local law enforcement and sponsor provided vessels assigned or approved by the COTP to patrol the zone.

Spectator vessels desiring to transit the zone may do so only with prior approval of the PATCOM and when so directed by that officer would be operated at a minimum safe navigation speed in a manner which will not endanger any other vessels. No spectator vessel shall anchor, block, loiter, or impede the through transit of official patrol vessels in the zone during the effective dates and times, unless cleared for entry by or through an official patrol vessel. Any spectator vessel may anchor outside the zone, but may not anchor in, block, or loiter in a navigable channel. Spectator vessels may be moored to a waterfront facility within the zone in such a way that they shall not interfere with the progress of the air show. Such mooring must be complete at least 30 minutes prior to the establishment of the zone and remain moored through the duration of the air show.

The COTP or a designated representative may forbid and control the movement of all vessels in the zone. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the directions given. Failure to do so may result in expulsion from the zone, citation for failure to comply, or both.

The COTP or a designated representative may terminate the operation of any vessel at any time it is deemed necessary for the protection of life or property. The COTP or a designated representative would terminate enforcement of the safety zone at the conclusion of the air show.

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

IV. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This NPRM has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on size, location, and duration of the proposed rulemaking. The proposed safety zone would take place on a small area of Mississippi Sound, during a short duration of only eight hours, lasting for only four days from July 19, 2018 through July 22, 2018. Additionally, the Coast Guard would issue Broadcast Notices to Mariners via VHF–FM marine channel 16 about the safety zone so that waterway users may plan accordingly for transits during this restriction, and the proposed rule also allows vessels to seek permission from the COTP or a designated representative to enter the zone.

B. Impact on Small Entities

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

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

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone on the Mississippi Sound, within the positions of 30°23′22.6″ N, 88°50′54.9″ W; 30°23′25.5″ N, 88°53′12.1″ W; 30°22′52.3″ N, 88°50′55.8″ W; 30°22′56.3″ N, 88°53′11.9″ W over the Biloxi Harbor Channel in Biloxi, MS. It is categorically excluded from further review under paragraph L60 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration (REC) supporting this determination is available in the docket where indicated under **ADDRESSES**.

We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

G. Protest Activities

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

V. Public Participation and Request for Comments

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

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

We accept anonymous comments. All comments received will be posted without change to *http://www.regulations.gov* and will include any personal information you have provided. For more about privacy and the docket, visit *http://www.regulations.gov/privacyNotice.*

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add§ 165.T08–0083 to read as follows:

§ 165.T08–0083 Safety Zone; Mississippi Sound, Biloxi, MS

(a) *Location.* The following area is a proposed safety zone: All navigable waters of the Mississippi Sound, within the positions of 30°23′22.6″ N, 88°50′54.9″ W; 30°23′25.5″ N, 88°53′12.1″ W; 30°22′52.3″ N, 88°50′55.8″ W; 30°22′56.3″ N, 88°53′11.9″ W over the Biloxi Harbor Channel in Biloxi, MS.

(b) *Enforcement period.* This section is effective from 9 a.m. on July 19, 2018 through 5 p.m. on July 22, 2018.

(c) *Regulations.*

(1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting through, or exiting from this area is prohibited unless authorized by the Captain of the Port Sector Mobile (COTP) or a designated representative. A designated representative may be a Patrol Commander (PATCOM). The PATCOM will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The PATCOM may be contacted on Channel 16 VHF–FM (156.8 MHz) by the call sign ''PATCOM''.

(2) All persons and vessels not registered with the event sponsor as participants or official patrol vessels are considered spectators. The ''official patrol vessels'' consist of any Coast Guard, state, or local law enforcement and sponsor provided vessels assigned or approved by the COTP to patrol the regulated area.

(3) Spectator vessels desiring to transit the regulated area may do so only with prior approval of the PATCOM and when so directed by that officer will be operated at a minimum safe navigation speed in a manner that will not endanger participants in the zone or any other vessels.

(4) No spectator vessel shall anchor, block, loiter, or impede the through transit of participants or official patrol vessels in the regulated area during the effective dates and times, unless cleared for entry by or through an official patrol vessel.

(5) Any spectator vessel may anchor outside the regulated area, but may not anchor in, block, or loiter in a navigable channel. Spectator vessels may be moored to a waterfront facility within the regulated area in such a way that they shall not interfere with the progress of the event. Such mooring must be complete at least 30 minutes prior to the establishment of the regulated area and remain moored through the duration of the event.

(6) The COTP or a designated representative may forbid and control the movement of all vessels in the regulated area. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the directions given. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(7) The COTP or a designated representative may terminate the operation of any vessel at any time it is deemed necessary for the protection of life or property.

(8) The COTP or a designated representative can terminate enforcement of the safety zone at the conclusion of the event.

(d) *Informational broadcasts.* The COTP or a designated representative will inform the public through Broadcast Notices to Mariners of the enforcement period for the temporary safety zone as well as any changes in the planned schedule.

Dated: February 2, 2018

M.R. McLellan,

Captain, U.S. Coast Guard, Captain of the Port Sector Mobile.

[FR Doc. 2018–04734 Filed 3–8–18; 8:45 am]

BILLING CODE 9110–04–P

Notices

Federal Register
Vol. 83, No. 47
Friday, March 9, 2018

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

National Institute of Food and Agriculture

Privacy Act of 1974; System of Records

AGENCY: National Institute of Food and Agriculture, United States Department of Agriculture.

ACTION: Notice of a revised system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of Agriculture (''USDA''), National Institute of Food and Agriculture (''NIFA'') is revising one Privacy Act system of records titled, ''Veterinary Medicine Loan Repayment Program Records System, USDA/NIFA–1'' published on 12/13/2010 to update the system location, categories of records, authorities, purposes, routine uses, and record sources.

DATES: Submit comments on or before April 9, 2018. The revisions to this system will be effective April 9, 2018.

ADDRESSES: You may submit comments, identified by [Docket No. 2018–0001] by one of the following methods:

- *Federal e-Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: vmlrp@nifa.usda.gov.* Include the text ''VMLRP System of Records'' in the subject line of the message.
- *Fax:* (202) 401–7752.
- *Mail:* Joseph Perez; Program Analyst, Office of Grants and Financial Management; National Institute of Food and Agriculture, Department of Agriculture, STOP 2272, 1400 Independence Avenue SW, Washington, DC 20250–2272.
- *Hand Delivery/Courier:* Joseph Perez; Program Analyst, Office of Grants and Financial Management; National Institute of Food and Agriculture; Department of Agriculture; Room 2302, Waterfront Centre; 800 9th Street SW, Washington, DC 20024.
- *Instructions:* All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.
- *Docket:* For access to the docket to read background documents or comments received go to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: For general questions please contact: Joseph Perez, Program Analyst, Office of Grants and Financial Management, National Institute of Food and Agriculture, Department of Agriculture, STOP 2272, 1400 Independence Avenue SW, Washington, DC 20250–2272; Voice: 202–401–3486; Fax: 202–401–6158; Email: *jperez@nifa.usda.gov.* For privacy issues, please contact: Marj Leaming, USDA Privacy Officer, Policy, E-Government and Fair Information Practices, Office of the Chief Information Officer, USDA, 1400 Independence Avenue SW, Room 450–W, Washington, DC 20250; telephone 202–205–0926.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with the Privacy Act of 1974, Veterinary Medicine Loan Repayment Program, USDA/NIFA–1, is being revised. The purpose of this revision to the system of records is to update the system location, add additional categories of records maintained in this system, add additional purposes for this system, update the authorities to add 31 U.S.C. 7701 and delete 26 U.S.C. 6109, and add one additional record source.

NIFA has made editorial changes to Routine Use I concerning the parent locator service for clarification. In addition, four routine uses were added as follows:

- Routine Use U. was added for disclosure of records to other federal agencies, entities, or persons when a breach is suspected or confirmed to prevent, minimize or remedy any harm.
- Routine Use V. was added to permit another federal agency or federal entity to investigate breaches and remedy risk to individuals.
- Routine Use W. was added for disclosure for contractors to assist in administering the program.
- Routine Use X. was added for disclosure to credit bureaus to conduct identity proofing.

One routine use was revised as follows:

- Routine Use F, was revised to require the entities listed to maintain PA safeguards with respect to the records

The entire notice is republished for the convenience of the public.

Consistent with USDA's information sharing mission, information stored in the ''Veterinary Medicine Loan Repayment Program Records System, USDA/NIFA–1'' may be shared with other USDA components, as well as appropriate Federal, State, local, tribal, foreign, or international government agencies as permitted by the Privacy Act. This sharing will only take place after USDA determines that the receiving component or entity has a need to know the information to carry out national security, law enforcement, immigration, intelligence, or other functions consistent with the routine uses set forth in this system of records notice or the provisions of the Privacy Act.

II. Privacy Act

The Privacy Act embodies fair information principles in a statutory framework governing the means by which the United States Government collects, maintains, uses, and disseminates individuals' records. The Privacy Act applies to information that is maintained in a ''system of records.'' A ''system of records'' is a group of any records under the control of an agency for which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined to encompass United States citizens and lawful permanent residents.

The Privacy Act requires each agency to publish in the **Federal Register** a description denoting the type and character of each system of records that the agency maintains, and the routine uses that are contained in each system in order to make agency record keeping practices transparent, to notify individuals regarding the uses to their records are put, and to assist individuals

to more easily find such files within the agency.

Below is the description of the Veterinary Medicine Loan Repayment Program system of records, USDA/NIFA–1.

In accordance with 5 U.S.C. 552a(r), USDA has provided a report of this system of records to the Office of Management and Budget and to Congress.

Dated: December 27, 2017.

Sonny Ramaswamy,

Director, National Institute of Food and Agriculture, U.S. Department of Agriculture.

SYSTEM NAME AND NUMBER:

Veterinary Medicine Loan Repayment Program (VMLRP) Record System, USDA/NIFA–1.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Records are maintained at National Institute of Food and Agriculture (NIFA), Department of Agriculture (USDA), 800 9th Street SW, Washington, DC 20024.

SYSTEM MANAGER:

Program Coordinator, Division of Animal Systems, National Institute of Food and Agriculture, Department of Agriculture, 1400 Independence Avenue SW, Washington, DC 20250.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 3151a; 28 U.S.C. 3201; 31 U.S.C. 7701.

PURPOSE(S) OF THE SYSTEM:

The purpose of this system is to: (1) Identify and select applicants for the Veterinary Medicine Loan Repayment Program (VMLRP); (2) monitor loan repayment activities, such as payment tracking, deferment of service obligation, and default; (3) compile and generate statistical reports (4) respond to inquiries from Program applicants and participants, their qualified representatives, and Congressional representatives and (5) assist NIFA officials in the collection of overdue debts owed under the VMLRP. Records may be transferred to ''Administrative Billings and Collections, National Finance Center, Office of the Chief Financial Officer, USDA, for debt collection purposes when NIFA officials are unable to collect overdue debts owed under the VMLRP.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Categories of individuals covered by this system include: Individuals who have applied for, who have been approved to receive, are receiving, and have received funds under the VMLRP; and individuals who are interested in participation in the VMLRP.

CATEGORIES OF RECORDS IN THE SYSTEM:

Categories of records in this system include: Name, address, Social Security number, program application and associated forms (which includes reports and surveys), service pay-back obligations, employment data, professional performance and credentialing history of licensed veterinarians; personal, professional, and demographic background information; standard veterinary school expected expenses; financial data including loan balances, deferment, forbearance, and repayment/delinquent/default status information; commercial credit reports; educational data including tuition and other related educational expenses; educational data including academic program and status; employment status verification (which includes certifications and verifications of continuing participation in qualified service); Federal, State and county tax related information, including copies of tax returns, correspondence to and from Program applicants and participants and/or their representatives.

RECORD SOURCE CATEGORIES:

Records are obtained by subject individual; participating lending and loan servicing institutions; educational and grantee institutions; other Federal agencies; consumer reporting agencies/credit bureaus; National Student Clearinghouse; employers of subject individuals currently participating in VMLRP; and third parties that provide references concerning the subject individual.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside USDA as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To the Department of Justice (DOJ), including United States Attorney Offices, or other Federal agency conducting litigation or in proceedings before any court, adjudicative or administrative body, when it is necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:

1. USDA or any component thereof;

2. Any employee of USDA in his/her official capacity;

3. Any employee of USDA in his/her individual capacity where DOJ or USDA has agreed to represent the employee; or

4. The United States or any agency thereof, is a party to the litigation or has an interest in such litigation, and USDA determines that the records are both relevant and necessary to the litigation and the use of such records is compatible with the purpose for which USDA collected the records.

B. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the written request of the individual to whom the record pertains.

C. To the National Archives and Records Administration or other Federal government agencies pursuant to records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

D. To an agency, organization, or individual for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function.

E. To appropriate agencies, entities, and persons when:

1. NIFA suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised;

2. USDA has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by USDA or another agency or entity) or harm to the individual that rely upon the compromised information; and

3. The disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with USDA's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

F. To contractors and their agents, grantees, experts, consultants, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for USDA, when necessary to accomplish an agency function related to this system of records. Individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to USDA officers and employees. Before entering into such a contract, the Department shall require the contractor to maintain Privacy Act safeguards as required under 5 U.S.C. 552a(m) with respect to the records in the system.

G. To an appropriate Federal, State, Tribal, local, international, or foreign law enforcement agency or other appropriate authority charged with investigating or prosecuting a violation or enforcing or implementing a law, rule, regulation, or order, where a record, either on its face or in conjunction with other information, indicates a violation or potential violation of law, which includes criminal, civil, or regulatory violations, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto if the information disclosed is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility of the receiving entity.

H. USDA will disclose information about individuals from this system of records in accordance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109–282; codified at 31 U.S.C. 6101, *et seq.*); section 204 of the E-Government Act of 2002 (Pub. L. 107–347; 44 U.S.C. 3501 note), and the Office of Federal Procurement Policy Act (41 U.S.C. 403 *et seq.*), or similar statutes requiring agencies to make available publicly information concerning Federal financial assistance, including grants, subgrants, loan awards, cooperative agreements and other financial assistance; and contracts, subcontracts, purchase orders, task orders, and delivery orders.

I. NIFA may disclose the name and current address of an individual to the parent locator service of the Department of Health and Human Services or other authorized person pursuant to 42 U.S.C. 653. J. NIFA may disclose information from this system of records to private parties such as present and former employers, references listed on applications and associated forms, other references and educational institutions, as necessary to evaluate an individual's professional and or academic accomplishments and plans, performance, credentials, and educational background, and to determine if an applicant is suitable for participation in the VMLRP.

K. NIFA may disclose from this system of records a delinquent debtor's or a defaulting participant's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim, and the agency or program under which the claim arose, as follows:

1. To another Federal agency so that agency can affect a salary offset for debts owed by Federal employees; if the claim arose under the Social Security Act, the employee must have agreed in writing to the salary offset.

2. To another Federal agency so that agency can affect an authorized administrative offset; *i.e.,* withhold money, other than Federal salaries, payable to or held on behalf of the individual.

3. To the Treasury Department, Internal Revenue Service (IRS), to request an individual's current mailing address to locate him/her for purposes of either collecting or compromising a debt or to have a commercial credit report prepared.

L. NIFA may disclose information from this system of records to another agency that has asked the USDA to affect a salary or administrative offset to help collect a debt owed to the United States. Disclosure is limited to the individual's name, address, Social Security number, and other information necessary to identify the individual, information about the money payable to or held for the individual, and other information concerning the offset.

M. NIFA may disclose to the IRS information about an individual applying for the VMLRP to find out whether the applicant has a delinquent tax account. This disclosure is for the sole purpose of determining the applicant's creditworthiness and is limited to the individual's name, address, Social Security number, other information necessary to identify him/her, and the program for which the information is being obtained.

N. NIFA may report to the IRS, as taxable income, the written-off amount of a debt owed by an individual to the Federal Government when a debt becomes partly or wholly uncollectible, either because the time period for collection under statute or regulations has expired, or because the Government agrees with the individual to forgive or compromise the debt.

O. NIFA may disclose to debt collection agents, other Federal agencies, and other third parties who are authorized to collect a Federal debt, information necessary to identify a delinquent debtor or a defaulting participant. Disclosure will be limited to the individual's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim, and the agency or program under which the claim arose.

P. NIFA may disclose information from this system of records to any third party that may have information about a delinquent debtor's or a defaulting participant's current address, such as a U.S. post office, a State motor vehicle administration, a university's office of the registrar or dean's office, a professional organization, an alumni association, etc., for the purpose of obtaining the individual's current address. This disclosure will be strictly limited to information necessary to identify the individual, without any reference to the reason for the agency's need for obtaining the current address.

Q. NIFA may disclose information from this system of records to other Federal agencies that also provide loan repayment at the request of these Federal agencies in conjunction with a matching program conducted by these Federal agencies to detect or curtail fraud and abuse in Federal loan repayment programs, and to collect delinquent loans or benefit payments owed to the Federal Government.

R. NIFA will disclose from this system of records to the Department of Treasury, IRS: (1) A delinquent debtor's or a defaulting participant's name, address, Social Security number, and other information necessary to identify the individual; (2) the amount of the debt; and (3) the program under which the debt arose, so that the IRS can offset against the debt any income tax refunds which may be due to the individual.

S. NIFA may disclose information provided by a lender or educational institution to other Federal agencies, debt collection agents, and other third parties who are authorized to collect a Federal debt. The purpose of this disclosure is to identify an individual who is delinquent in loan or benefit payments owed to the Federal Government and the nature of the debt.

T. NIFA may disclose records to USDA contractors and subcontractors for the purpose of recruiting, screening, and matching veterinarians for employment in qualified shortage area positions under the VMLRP. In addition, USDA contractors and subcontractors:

1. May disclose biographic data and information supplied by potential applicants.

(a) To references listed on application and associated forms for the purpose of evaluating the applicant's professional qualifications, experience, and suitability, and

(b) to a State or local government veterinary medical licensing board and/or to the American Association of Veterinary State Boards or a similar nongovernmental entity for the purpose of verifying that all claimed background and employment data are valid and all claimed credentials are current and in good standing;

2. May disclose biographic data and information supplied by references listed on application and associated

forms to other references for the purpose of inquiring into the applicant's professional qualifications and suitability; and

3. May disclose professional suitability evaluation information to NIFA officials for the purpose of appraising the applicant's professional qualifications and suitability for participation in the VMLRP.

Contractors maintain, and are also required to ensure that subcontractors maintain, Privacy Act safeguards with respect to such records.

U. To appropriate agencies, entities, and persons when (1) NIFA suspects or has confirmed that there has been a breach of the system of records, (2) NIFA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, NIFA (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with NIFA efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

V. To another Federal agency or Federal entity, when NIFA determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

W. If the Department contracts with an entity for the purpose of performing any function that requires disclosure of records including but not limited to helpdesk operations, password resets, system administration, application operations, program support, the Department may disclose the records as a routine use to those contract employees, when necessary to accomplish an agency function related to this system of records. Individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to USDA officers and employees. Before entering into such a contract, the Department shall require the contractor to maintain Privacy Act safeguards as required under 5 U.S.C. 552a(m) with respect to the records in the system.

X. Disclosures may be made from this system to ''consumer reporting agencies'' as defined in the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3701(a)(3)). The purposes of these disclosures are: (1) To provide an incentive for debtors to repay delinquent debts to the Federal Government by making these debts part of their credit records, and (2) to enable NIFA to improve the quality of loan repayment decisions by taking into account the financial reliability of applicants, including obtaining a commercial credit report to assess and verify the ability of an individual to repay debts owed to the Federal Government. Disclosure of records will be limited to the individual's name, Social Security number, and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records in this system are stored electronically or on paper in secure facilities. The records are stored in file folders and electronic media, including computer tape, discs, servers, connected to local area networks, and internet servers.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved by name, Social Security number, or other identifying numbers or characteristics.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of under the authority of the REE Policies and Procedures contained in REE Manual 251.8 ''Records Management'' and 251.8M ''Records Management (Manual)'', which establishes REE policies and procedures for the creation, maintenance, and disposition of records, and in accordance with the General Records Schedules issued by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Records in this system are safeguarded in accordance with applicable rules and policies, including all applicable USDA automated systems security and access policies. Strict controls have been imposed to minimize the risk of compromising the information that is being stored. Access to the computer system containing the records in this system is limited to those individuals who have a need to know the information for the performance of their official duties and who have appropriate clearances or permissions. Physical records (files and folders) are stored in an enclosed office that is controlled by on-site personnel and will be locked whenever the room is not in use, even during regular business hours. Security guards perform random checks on the physical security of the data after hours, including weekends and holidays. A password is required to access the terminal and a data set name controls the release of data to only authorized users. Data on local area network computer files is accessed by keyword known only to authorized personnel.

RECORD ACCESS PROCEDURES:

See ''NOTIFICATION PROCEDURE''.

CONTESTING RECORD PROCEDURES:

See ''NOTIFICATION PROCEDURE''.

NOTIFICATION PROCEDURE:

Individuals seeking notification of and access to any record contained in this system of records, or seeking to contest its content, may submit a request in writing to the Headquarters or component's Freedom of Information Act (FOIA) Officer, whose contact information can be found at *http://www.da.usda.gov/foia.htm* under ''contacts.'' If an individual believes more than one component maintains Privacy Act records concerning him or her, the individual may submit the request to the Chief FOIA Officer, Department of Agriculture, 1400 Independence Avenue SW, Washington, DC 20250.

When seeking records about yourself from this system of records or any other Departmental system of records your request must conform with the Privacy Act regulations set forth in 6 CFR part 5. You must first verify your identity, meaning that you must provide your full name, current address and date and place of birth. You must sign your request, and your signature must either be notarized or submitted under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization. While no specific form is required, you may obtain forms for this purpose from the Chief FOIA Officer, Department of Agriculture, 1400 Independence Avenue SW, Washington, DC 20250. In addition you should provide the following:

An explanation of why you believe the Department would have information on you; Identify the component(s) of the Department you believe may have the information about you; Specify when you believe the records would have been created; Any additional information that will help the FOIA staff

determine which USDA component agency may have responsive records; The dates of enrollment in the VMLRP and current enrollment status, such as pending application approval or approved for participation; If your request is seeking records pertaining to another living individual, you must include a statement from that individual certifying his/her agreement for you to access his/her records. Without this bulleted information the component(s) may not be able to conduct an effective search, and your request may be denied due to lack of specificity or lack of compliance with applicable regulations.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

75 FR 77607.

[FR Doc. 2018–04759 Filed 3–8–18; 8:45 am]

BILLING CODE 3410–22–P

BROADCASTING BOARD OF GOVERNORS

Government in the Sunshine Act Meeting Notice

DATE AND TIME: Wednesday, March 14, 2018, 1:00 p.m. ET.

PLACE: Cohen Building, Room 3321, 330 Independence Ave. SW, Washington, DC 20237.

SUBJECT: Notice of Meeting of the Broadcasting Board of Governors.

SUMMARY: The Broadcasting Board of Governors (Board) will be meeting at the time and location listed above. The Board will vote on a consent agenda consisting of the minutes of its November 15, 2017 meeting, a resolution honoring the 75th anniversary of Voice of America's (VOA) Serbian Service, a resolution honoring the 60th anniversary of VOA's Bangla Service, a resolution honoring the fifth anniversary of VOA's Bambara Service, a resolution honoring the 65th anniversary of Radio Free Europe/Radio Liberty's (RFE/RL) Azerbaijani Service—Azadliq Radiosu, a resolution honoring the 65th anniversary of RFE/RL's Russian Service, and a resolution honoring the 65th anniversary of RFE/RL's Turkmen Service. The Board will receive a report from the Chief Executive Officer and Director of BBG.

This meeting will be available for public observation via streamed webcast, both live and on-demand, on the agency's public website at *www.bbg.gov.* Information regarding this meeting, including any updates or adjustments to its starting time, can also be found on the agency's public website.

The public may also attend this meeting in person at the address listed above as seating capacity permits. Members of the public seeking to attend the meeting in person must register at *https://bbgboardmeetingnmarch 2018.eventbrite.com* by 12:00 p.m. (ET) on March 13. For more information, please contact BBG Public Affairs at (202) 203–4400 or by email at *pubaff@bbg.gov.*

CONTACT PERSON FOR MORE INFORMATION: Persons interested in obtaining more information should contact Oanh Tran at (202) 203–4545.

Oanh Tran,

Managing Director.

[FR Doc. 2018–04917 Filed 3–7–18; 4:15 pm]

BILLING CODE 8610–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Arizona Advisory Committee

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 (FACA) that meetings of the Arizona Advisory Committee (Committee) to the Commission will be held at 12:00 p.m. (Mountain Time) Monday, March 19, 2018; 12:00 p.m. (Mountain Time) Monday, April 9, 2018; 12:00 p.m. (Mountain Time) Monday, April 30, 2018; 12:00 p.m. (Mountain Time) Wednesday, May 23, 2018; and 1:00 p.m. (Mountain Time) Wednesday, May 30, 2018. The purpose of these meetings is for the Committee to discuss findings and recommendations regarding voting rights in the state to include in an advisory memorandum issued to the U.S. Commission on Civil Rights.

DATES: These meetings will be held on Monday, March 19, 2018 at 12:00 p.m. MT; Monday, April 9, 2018 at 12:00 p.m. MT; Monday, April 30, 2018 at 12:00 p.m. MT; Wednesday, May 23, 2018 at 12:00 p.m. MT; and Wednesday, May 30, 2018 at 1:00 p.m. MT.

FOR FURTHER INFORMATION CONTACT: Ana Victoria Fortes (DFO) at *afortes@usccr.gov* or (213) 894–3437.

SUPPLEMENTARY INFORMATION:

Public Call Information:

Dial: 888–695–0609
Conference ID: 8258945

These meetings are available to the public through the following toll-free call-in number: 888–695–0609, conference ID number: 8258945. Any interested member of the public may call this number and listen to the meetings. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are entitled to make comments during the open period at the end of the meetings. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments may be mailed to the Western Regional Office, U.S. Commission on Civil Rights, 300 North Los Angeles Street, Suite 2010, Los Angeles, CA 90012. They may be faxed to the Commission at (213) 894–0508, or emailed to Ana Victoria Fortes at *afortes@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit at (213) 894–3437.

Records and documents discussed during the meeting will be available for public viewing prior to and after the meetings at *https://facadatabase.gov/committee/meetings.aspx?cid=235.* Please click on the ''Meeting Details'' and ''Documents'' links. Records generated from these meetings may also be inspected and reproduced at the Regional Programs Unit, as they become available, both before and after the meetings. Persons interested in the work of this Committee are directed to the Commission's website, *https://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda

I. Welcome
II. Approval of minutes from previous meeting
III. Discuss findings and recommendations
IV. Public Comment
V. Next Steps
VI. Adjournment

Dated: March 6, 2018.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2018–04795 Filed 3–8–18; 8:45 am]

BILLING CODE 6335–01–P

CIVIL RIGHTS COMMISSION

Sunshine Act Meeting Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of Commission public business meeting.

DATES: Friday, March 16, 2018, 10:00 a.m. EST.

ADDRESSES: *Place:* National Place Building, 1331 Pennsylvania Ave. NW, Suite 1150, Washington, DC 20245 (Entrance on F Street NW).

FOR FURTHER INFORMATION CONTACT: Brian Walch, phone: (202) 376–8371; TTY: (202) 376–8116; email: *publicaffairs@usccr.gov.*

SUPPLEMENTARY INFORMATION: This business meeting is open to the public. There will also be a call-in line for individuals who desire to listen to the presentations: (877) 857–6177; Conference ID 979–8957.

Persons with disabilities who need accommodation should contact Pamela Dunston at (202) 376–8105 or at *access@usccr.gov* at least seven (7) business days before the scheduled date of the meeting.

Meeting Agenda

I. Approval of Agenda

II. Business Meeting

A. Presentation from Maine Advisory Committee member Rachel Talbot Ross on the Committee's Advisory Memorandum on Racial Discrimination in Criminal Prosecution and Sentencing in Maine

B. Presentation from Maryland Advisory Committee Chair Tom Mackall on the Committee's Advisory Memorandum on Fees and Fines and Bail Reform in Maryland

C. Presentation from Illinois Advisory Committee Chair Juan Carlos Linares on the Committee's report Civil Rights and Voting in Illinois

D. Discussion and Vote on Timeline, Discovery Plan, and Outline for Commission project, ''In the Name of Hate: Examining the Federal Government's Role in Preventing Hate Crimes''

E. Management and Operations

- Staff Director's Report

F. Commemoration of Women's History Month

- Page Harrington, Historian and Preservationist
- Fatima Goss Graves, President and CEO, National Women's Law Center

III. Adjourn Meeting

Dated: March 7, 2018.

Brian Walch,

Director, Communications and Public Engagement.

[FR Doc. 2018–04915 Filed 3–7–18; 4:15 pm]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the Kansas Advisory Committee

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 Kansas Advisory Committee (Committee) will hold a meeting on Thursday, March 22, 2018 from 11:30 a.m.–1:30 p.m. Central time. The Committee will hear testimony from state legislators as part of their current study on civil rights and school funding.

DATES: The meeting will take place on Thursday, March 22, 2018 from 11:30 a.m.–1:30 p.m. Central time.

Public Call Information: (audio only) Dial: 877–340–7912, Conference ID: 6019760.

Web Access Information: (visual only): *https://cc.readytalk.com/r/tljh8wkwil3f&eom.*

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 above listed toll free number (audio only) and web access link (visual only). Please use both the call in number and the web access link in order to fully access 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 1–800–877–8339 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, 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 Corrine Sanders at *csanders@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, Kansas Advisory Committee link (*http://www.facadatabase.gov/committee/meetings.aspx?cid=249*). Click on ''meeting details'' and then ''documents'' to download. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda

Welcome and Introduction
Panel Testimony: Civil Rights and School Funding in Kansas
Public Comment
Adjournment

Dated: March 5, 2018.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2018–04716 Filed 3–8–18; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Office of the Secretary

Proposed Information Collection; Comment Request; Research Performance Progress Report

AGENCY: Office of the Chief Information Officer, Office of the Secretary, Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to

take this opportunity to comment on a proposed extension of an existing information collection: The standardized Research Performance Progress Report (RPPR), as required by the Paperwork Reduction Act of 1995. The purpose of this notice is to allow for 60 days of public comment.

DATES: To ensure consideration, written comments must be submitted on or before May 8, 2018.

ADDRESSES: Written comments may be submitted by any of the following methods:

- *Email: PRAcomments@doc.gov.* Include ''0690–0032 comment'' in the subject line of the message.
- *Mail:* Jennifer Jessup, Departmental PRA Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to the Office of Policy and Governance, Paperwork Reduction Act Compliance, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230, or via email to *PRAcomments@doc.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The development of the Research Performance Progress Report (RPPR) resulted from an initiative of the Research Business Models (RBM), an Interagency Working Group of the Social, Behavioral & Economic Research, Subcommittee of the Committee on Science (CoS), a committee of the National Science and Technology Council (NSTC). One of the RBM Subcommittee's priority areas was to create greater consistency in the administration of Federal research awards. Given the increasing complexity of interdisciplinary and interagency research, it is important for Federal agencies to manage awards in a similar fashion. The RPPR is an OMB approved uniform format to be used by Federal agencies in submission of progress reports that support research and research-related activities. It is intended to replace other performance reporting formats currently in use by Federal agencies. However, the RPPR does not change the performance reporting requirements specified in 2 CFR 200.

The Research Performance Progress Report (RPPR) directly benefits award recipients by making it easier for them to administer Federal grant and cooperative agreement programs through standardization of the types of information required in performance reports—thereby reducing their administrative effort and costs. The RPPR also will make it easier to compare the outputs, outcomes, etc. of research and research-related programs across the government.

The RPPR is intended to address progress for the most recently completed period, at the frequency required or designated by the sponsoring agency. Information, once reported, does not have to be provided again on subsequent reports. The RPPR requests various types of information, regarding: accomplishments, products, participants and other collaborating organizations, impact, changes/problems, budgetary information and outcomes.

II. Method of Collection

A paper format, email, and electronic submission.

III. Data

OMB Control Number: 0690–0032.

Form Number(s): None.

Type of Review: Regular Submission (extension of a currently approved information collection).

Affected Public: Individuals or households; Business or other for-profit organizations; Not-for-profit institutions; State, Local, or Tribal government; Federal government.

Estimated Number of Respondents: 2,550.

Estimated Time per Response: 5 hours.

Estimated Total Annual Burden Hours: 12,750.

Estimated Total Annual Cost to Public: $0. (This is not the cost of respondents' time, but the indirect costs respondents may incur for such things as purchases of specialized software or hardware needed to report, or expenditures for accounting or records maintenance services required specifically by the collection.)

Respondent's Obligation: Mandatory.

Legal Authority: The Federal Financial Assistance Management Improvement Act of 1999 (Pub. L. 106–107), and 2 CFR Section 200.328.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance 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.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Sheleen Dumas,

Departmental Lead PRA Officer, Office of the Chief Information Officer.

[FR Doc. 2018–04733 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–17–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, U.S. Department of Commerce.

ACTION: Notice and opportunity for public comment.

SUMMARY: The Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of the firms contributed importantly to the total or partial separation of the firms' workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

SUPPLEMENTARY INFORMATION:

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE

[02/15/2018 through 02/28/2018]

Firm name	Firm address	Date accepted for investigation	Product(s)
CoorsTek Medical, LLC	560 West Golf Course Road, Providence, UT 84332.	2/22/2018	The firm manufactures medical devices.
LPF High Performance Coatings, LLC.	3030 Wilson Avenue, Leavenworth, KS 66048.	2/23/2018	The firm manufactures custom powder coatings made from plastic resins, pigments, and flow agents.
Air Comm Corporation, LLC	1575 West 124th Avenue, Westminster, CO 80234.	2/27/2018	The firm manufactures air conditioning and heating systems for aircraft.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance Division, Room 71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. These petitions are received pursuant to section 251 of the Trade Act of 1974, as amended.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Irette Patterson,

Program Analyst.

[FR Doc. 2018–04721 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–WH–P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

First Responder Network Authority

First Responder Network Authority Combined Committee and Board Meeting

AGENCY: First Responder Network Authority (FirstNet), U.S. Department of Commerce.

ACTION: Notice of public meeting of the First Responder Network Authority Board.

SUMMARY: The Board of the First Responder Network Authority (Board) will convene an open public meeting of the Board and the Board Committees on March 15, 2018.

DATES: A joint meeting of the four FirstNet Board Committees and the FirstNet Board will be held on March 15, 2018, between 8:00 a.m. and 12:00 p.m. (CDT). The meeting of the FirstNet Board and the Governance and Personnel, Technology, Consultation and Outreach, and Finance Committees will be open to the public from 8:00 a.m. to 12:00 p.m. (CDT).

ADDRESSES: The meeting on March 15, 2018 will be held at the Hilton Garden Inn Little Rock Downtown, 322 Rock St, Little Rock, AR 72202. Members of the public may listen to the meeting by dialing toll free 1–888–677–5734 and entering participant code 1277627#.

FOR FURTHER INFORMATION CONTACT: Karen Miller-Kuwana, Board Secretary, FirstNet, 12201 Sunrise Valley Drive, M/S 243, Reston, VA 20192; telephone: (571) 665–6177; email: *Karen.Miller-Kuwana@firstnet.gov.* Please direct media inquiries to Ryan Oremland at (571) 665–6186.

SUPPLEMENTARY INFORMATION: This notice informs the public that the FirstNet Board and the Board Committees will convene an open public meeting on March 15, 2018.

Background: The Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. 112–96, Title VI, 126 Stat. 256 (codified at 47 U.S.C. 1401 *et seq.*)) (Act) established FirstNet as an independent authority within the National Telecommunications and Information Administration that is headed by a Board. The Act directs FirstNet to ensure the building, deployment, and operation of a nationwide, interoperable public safety broadband network. The FirstNet Board is responsible for making strategic decisions regarding FirstNet's operations. The FirstNet Board held its first public meeting on September 25, 2012.

Matters to be Considered: FirstNet will post a detailed agenda for the Combined Board Committees and Board Meeting on its website, *http://www.firstnet.gov,* prior to the meetings. The agenda topics are subject to change. Please note that the subjects that will be discussed by the Committees and the Board may involve commercial or financial information that is privileged or confidential or other legal matters affecting FirstNet. As such, the Committee Chairs and Board Chair may call for a vote to close the meetings only for the time necessary to preserve the confidentiality of such information, pursuant to 47 U.S.C. 1424(e)(2).

Times and Dates of Meeting: A combined meeting of the FirstNet Board and FirstNet Board Committees will be held on March 15, 2018 between 8:00 a.m. and 12:00 p.m. (CDT). The meeting of the FirstNet Board and the Governance and Personnel, Technology, Consultation and Outreach, and Finance Committees will be open to the public from 8:00 a.m. to 12:00 p.m. (CDT). The times listed above are subject to change. Please refer to FirstNet's website at *www.firstnet.gov* for the most up-to-date information.

Place: The meetings on March 15, 2018 will be held at the Hilton Garden Inn Little Rock Downtown, 322 Rock St, Little Rock, AR 72202. Members of the public may listen to the meeting by dialing toll free 1–888–677–5734 and entering participant code 1277627#.

Other Information: These meetings are open to the public and press on a first-come, first-served basis. Space is limited. To ensure an accurate headcount, all expected attendees are asked to provide notice of intent to attend by sending an email to *BoardRSVP@firstnet.gov.* If the number of RSVPs indicates that expected attendance has reached its capacity, FirstNet will respond to all subsequent notices indicating that capacity has been reached and that in-person viewing may no longer be available but that the meeting may still be viewed by webcast as detailed below. For access to the meetings, valid government issued photo identification may be requested for security reasons.

The Combined Committee and Board Meetings are accessible to people with

disabilities. Individuals requiring accommodations, such as sign language interpretation or other ancillary aids, are asked to notify Ms. Miller-Kuwana by telephone (571) 665–6177 or email at *Karen.Miller-Kuwana@firstnet.gov* at least five (5) business days before the applicable meeting.

The meeting will also be webcast. Please refer to FirstNet's website at *www.firstnet.gov* for webcast instructions and other information. Viewers experiencing any issues with the live webcast may email *support@sparkstreetdigital.com* or call 202–684–3361 x3 for support. A variety of automated troubleshooting tests are also available via the ''Troubleshooting Tips'' button on the webcast player. The meetings will also be available to interested parties by phone. To be connected to the meetings in listen-only mode by telephone, please dial toll free 1–888–677–5734 and entering participant code 1277627#. If you experience technical difficulty, please contact the Conferencing Center customer service at 1–866–900–1011.

Records: FirstNet maintains records of all Board proceedings. Minutes of the Board Meeting and the Committee meetings will be available at *www.firstnet.gov.*

Dated: March 5, 2018.

Karen Miller-Kuwana,

Board Secretary, First Responder Network Authority.

[FR Doc. 2018–04715 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–TL–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–980]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order

AGENCY: International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on crystalline silicone photovoltaic (CSPV) cells, whether or not assembled into modules, from the People's Republic of China (China) would be likely to lead to continuation or recurrence of a countervailable subsidy at the levels indicated in the ''Final Results of Sunset Review'' section of this notice.

DATES: Applicable March 9, 2018.

FOR FURTHER INFORMATION CONTACT: Caitlin Monks, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone (202) 482–2670.

SUPPLEMENTARY INFORMATION:

Background

On December 7, 2012, Commerce published the CVD order on CSPV cells from China.[1] On November 1, 2017, Commerce published a notice of initiation of the first sunset review of the *Order,* pursuant to section 751(c)(2) of the Tariff Act of 1930, as amended (the Act).[2] On November 13, 2017, SolarWorld Americas, Inc. (SolarWorld or the petitioner) filed a notice of intent to participate in the review within the deadline specified in 19 CFR 351.218(d)(1)(i).[3] SolarWorld claimed interested party status pursuant to section 771(9)(C) of the Act, as a manufacturer of CSPV cells and modules in the United States.

Commerce received an adequate substantive response from the domestic industry within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). Commerce did not receive a response from the Government of China (GOC), nor any other respondent interested party to the proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(l)(ii)(B)(2) and (C)(2), Commerce conducted an expedited review of the *Order.* The deadline for this sunset review was extended to March 5, 2018, as a result of the tolling of deadlines for the January 20–22, 2018, closure of the Federal Government.[4]

Scope of the Order

The merchandise subject to the *Order* is crystalline silicon photovoltaic cells, whether or not assembled into modules, from China. Certain CSVP cells that are the subject of the *Order* are currently classifiable under subheadings 8501.61.0000, 8507.20.80, 8541.40.6020, 8541.40.6030, and 8501.31.8000 of the Harmonized Tariff Schedule of the United States (HTSUS). While HTSUS subheadings are provided for convenience and customs purposes, the written description is dispositive. The Issues and Decision Memorandum, which is hereby adopted by this notice, provides a full description of the scope of the *Order.*[5]

Analysis of Comments Received

All issues raised in this review are addressed in the accompanying Issues and Decision Memorandum. The issues include the likelihood of continuation or recurrence of a countervailable subsidy, the net countervailable subsidy rate likely to prevail if the *Order* were revoked, and the nature of the subsidies. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov,* and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed at *http://enforcement.trade.gov/frn/.* The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Final Results of Sunset Review

Pursuant to sections 752(b)(1) and (3) of the Act, we determine that revocation of the CVD order on CSPV from China would be likely to lead to continuation or recurrence of a net countervailable subsidy at the rates listed below:

Manufacturers/exporters/producers	Net countervailable subsidy rate (percent)
Suntech	18.2
Trina	19.41
All Others	18.82

Notification Regarding Administrative Protective Order

This notice also serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective orders

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012) (*Order*).

[2] *See Initiation of Five-Year (Sunset) Reviews,* 82 FR 50612 (November 1, 2017).

[3] *See* Petitioner's Letter, ''Notice of Intent to Participate in Sunset Review,'' dated November 13, 2017, (Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Notice of Intent to Participate in Sunset Review).

[4] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated January 23, 2018.

[5] *See* Issues and Decision Memorandum dated concurrently with this **Federal Register** notice.

is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Commerce is issuing and publishing these final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: March 5, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2018–04753 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–863]

Honey From the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the antidumping duty order on honey from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping at the level indicated in the ''Final Results of Sunset Review'' section of this notice.

DATES: Applicable March 9, 2018.

FOR FURTHER INFORMATION CONTACT: Ian Hamilton, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4798.

SUPPLEMENTARY INFORMATION:

Background

On November 1, 2017, Commerce published the notice of initiation of the third sunset review of the antidumping duty order on honey from the China, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).[1] On November 13, 2017, Commerce received a notice of intent to participate from American Honey Producers Association and the Sioux Honey Association (collectively, the petitioners) as domestic interested parties, within the deadline specified in 19 CFR 351.218(d)(1)(i).[2] The petitioners claimed interested party status under section 771(9)(E) of the Act, as a trade association whose members are engaged in the business of producing honey in the United States.

On December 1, 2017, we received a complete substantive response for the review from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).[3] We received no substantive responses from respondent interested parties with respect to the order covered by this sunset review, nor was a hearing requested. Pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce is conducting an expedited (120-day) sunset review of this order.

Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from January 20 through 22, 2018. If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the final results of this sunset review is now March 5, 2018.[4]

Scope of the Order

The merchandise subject to the order is honey. For a complete description of the scope of this order, *see* the accompanying Issues and Decision Memorandum.[5]

Analysis of Comments Received

All issues raised in this review, including the likelihood of continuation or recurrence of dumping in the event of revocation and the magnitude of the margin likely to prevail if the order was revoked, are addressed in the accompanying Issues and Decision Memorandum. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov,* and to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/.* The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Final Result of Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, we determine that revocation of the antidumping duty order on honey from China would likely lead to continuation or recurrence of dumping and that the magnitude of the dumping margins likely to prevail would be weighted-average dumping margins up to the following weighted-average dumping margin: 183.80.

Notification to Interested Parties

This notice serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing these results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: March 5, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the Orders
IV. History of the Orders
V. Legal Framework
VI. Discussion of the Issues
1. Likelihood of Continuation or Recurrence of Dumping

[1] *See Initiation of Five-Year (Sunset) Reviews,* 82 FR 50612 (November 1, 2017).

[2] *See* the petitioners' Letter, ''Honey from the People's Republic of China: Petitioners' Notice of Intent to Participate,'' dated November 13, 2017.

[3] The petitioners' Letter, ''Five-Year (Sunset) Reviews of the Antidumping Duty Order on Honey from the People's Republic of China—Petitioners' Substantive Response,'' dated December 1, 2017.

[4] *See* Memorandum for The Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, ''Deadlines Affected by the Shutdown of the Federal Government'' (Tolling Memorandum), dated January 23, 2018. All deadlines in this segment of the proceeding have been extended by 3 days.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Expedited Third Sunset Review of the Antidumping Duty Orders on Honey from the People's Republic of China'' (Issues and Decision Memorandum), dated concurrently with, and hereby adopted by, this notice.

2. Magnitude of the Margins Likely to Prevail
VII. Final Result of Sunset Review
VIII. Recommendation

[FR Doc. 2018–04754 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–849, A–552–812]

Steel Wire Garment Hangers From Taiwan and Vietnam: Final Results of the Expedited First Sunset Reviews of the Antidumping Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of these sunset reviews, the Department of Commerce (Commerce) finds that revocation of the antidumping duty orders on steel wire garment hangers (hangers) from Taiwan and the Socialist Republic of Vietnam (Vietnam) would be likely to lead to continuation or recurrence of dumping at the level indicated in the ''Final Results of Sunset Reviews'' section of this notice.

DATES: Effective March 9, 2018.

FOR FURTHER INFORMATION CONTACT: Ian Hamilton, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4798.

SUPPLEMENTARY INFORMATION:

Background

On November 1, 2017, Commerce published the notice of initiation of the first sunset reviews of the antidumping duty orders on hangers from Taiwan and Vietnam, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).[1] On November 6, 2017, Commerce received a notice of intent to participate from M&B Metal Products Company, Inc. (the petitioner) as a domestic interested party, within the deadline specified in 19 CFR 351.218(d)(1)(i).[2] The petitioner claimed interested party status under section 771(9)(C) of the Act, as a manufacturer of a domestic like product in the United States.

On November 30, 2017, we received a complete substantive response for the review from the domestic interested party within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).[3] We received no substantive responses from respondent interested parties with respect to the orders covered by these sunset reviews, nor was a hearing requested. Commerce received no comments on the adequacy of responses in these sunset reviews. Pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce is conducting expedited (120-day) sunset reviews of these orders.

Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from January 20 through 22, 2018. If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the final results of these sunset reviews are now March 5, 2018.[4]

Scope of the Orders

The merchandise subject to the orders is hangers. For a complete description of the scope of these orders, *see* the accompanying Issues and Decision Memorandum.[5]

Analysis of Comments Received

All issues raised in these reviews, including the likelihood of continuation or recurrence of dumping in the event of revocation and the magnitude of the margins of dumping likely to prevail if the orders were revoked, are addressed in the accompanying Issues and Decision Memorandum. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov,* and to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/.* The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Final Results of Sunset Reviews

Pursuant to sections 751(c)(1) and 752(c)(1), (2) and (3) of the Act, we determine that revocation of the antidumping duty orders on hangers from Taiwan and Vietnam would be likely lead to continuation or recurrence of dumping up to the following weighted-average dumping margins:

Country	Weighted-average dumping margin (percent)
Taiwan	125.43
Vietnam	220.68

Notification to Interested Parties

This notice serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing these results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: March 5, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the Orders
IV. History of the Orders
V. Legal Framework
VI. Discussion of the Issues
1. Likelihood of Continuation or Recurrence of Dumping
2. Magnitude of the Margins of Dumping Likely to Prevail

[1] *See Initiation of Five-Year (Sunset) Reviews,* 82 FR 50612 (November 1, 2017).

[2] *See* Petitioner's Letter ''First Sunset Reviews of Steel Wire Garment Hangers from Taiwan and Vietnam—Notice of Intent to Participate,'' dated November 6, 2017 (Intent to Participate).

[3] Petitioner's Letter, ''First Sunset Review of Steel Wire Garment Hangers from Taiwan—Substantive Response of Domestic Producer to Notice of Initiation,'' dated November 30, 2017; Petitioner's Letter, ''First Sunset Review of Antidumping Duty Order on Steel Wire Garment Hangers from Vietnam—Substantive Response of Domestic Producer to Notice of Initiation,'' dated November 30, 2017.

[4] *See* Memorandum for The Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, ''Deadlines Affected by the Shutdown of the Federal Government'' (Tolling Memorandum), dated January 23, 2018. All deadlines in this segment of the proceeding have been extended by 3 days.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Expedited First Sunset Review of the Antidumping Duty Orders on Steel Wire Garment Hanges from Taiwan and Vietnam'' (Issues and Decision Memorandum), dated concurrently with these results and hereby adopted by this notice.

VII. Final Results of Sunset Reviews
VIII. Recommendation

[FR Doc. 2018–04752 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Proposed Information Collection; Comment Request; Events and Efforts Supporting National Cybersecurity Career Awareness Week

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, 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, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before May 8, 2018.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at *PRAcomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to The NICE Program Office, (301) 975–5048; *nice.nist@nist.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

As part of NIST's charge for National Cybersecurity Awareness and Education outlined in the Cybersecurity Enhancement Act of 2014, the National Initiative for Cybersecurity Education (NICE) energizes and promotes a robust network and an ecosystem of cybersecurity education, training, and workforce development. NICE, led by NIST, fulfills this mission by coordinating with government, academic, and industry partners to build on existing successful programs, facilitate change and innovation, and bring leadership and vision to increase the number of skilled cybersecurity professionals helping to keep our Nation secure.

Further, in support of the NICE Strategic Plan goals and objectives, the National Cybersecurity Career Awareness Week has been established to inspire, educate, and engage children through adults to pursue careers in cybersecurity. The annual week-long celebration provides for learning about the contributions, innovations, and opportunities that can be found by exploring cybersecurity as a field of study or career choice. The NICE community is encouraged to organize and participate in activities and initiatives during the week that:

- Create excitement around increasing public awareness and engagement in building a strong cybersecurity workforce.
- Emphasize the demand and opportunities in the field of cybersecurity.
- Increase awareness around the multiple career options within the field of cybersecurity.
- Highlight the numerous pathways to enter the cybersecurity career field.
- Showcase programs that increase participation of women, minorities, veterans, persons with disabilities, and other underrepresented populations in the cybersecurity workforce.
- Advance the NICE Strategic Plan objective to inspire cybersecurity career awareness with students.

NICE Program Office strives to provide a comprehensive list of activities as described above to enable collaboration and growth.

II. Method of Collection

The primary method of collection will be via an electronic (internet) submission form.

III. Data

OMB Control Number: 0693–XXXX (New collection).

Form Number(s): None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations; Not-for-profit institutions; State, Local, or Tribal government; Federal government;

Estimated Number of Respondents: 500.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 42 hours.

Estimated Total Annual Cost to Public: $0.00.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance 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.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Sheleen Dumas,

Departmental Lead PRA Officer, Office of the Chief Information Officer.

[FR Doc. 2018–04732 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Scientific Research, Exempted Fishing, and Exempted Activity Submissions

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, 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, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before May 8, 2018.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at *pracomments@doc.gov).*

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Jason Blackburn, (301) 427–8555 or *Jason.Blackburn@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for an extension of a currently approved information collection.

Fishery regulations do not generally affect scientific research activities

conducted by a scientific research vessel. Persons planning to conduct such research are encouraged to submit a scientific research plan to ensure that the activities are considered research and not fishing. The researchers are requested to submit reports of their scientific research activity after its completion. Eligible researchers on board federally permitted fishing vessels that plan to temporarily possess fish in a manner not compliant with applicable fishing regulations for the purpose of collecting scientific data on catch may submit a request for a temporary possession letter of authorization. The researchers are requested to submit reports of their scientific research activity after its completion. The National Marine Fisheries Service (NMFS) may also grant exemptions from fishery regulations for educational or other activities (*e.g.,* using non-regulation gear). The applications for these exemptions must be submitted, as well as reports on activities.

II. Method of Collection

Information may be submitted on paper or electronically, and in some cases by telephone.

II. Data

OMB Number: 0648–0309.

Form Number: None.

Type of Review: Regular submission (extension of a currently approved information collection).

Affected Public: Business or other for-profit; individuals or households; not for profit organizations; state, local or tribal governments.

Estimated Number of Respondents: 121.

Estimated Time per Response: Scientific research plans, 13 hours; scientific research reports, 6 hours; exempted fishing permit requests; 10 hours, exempted fishing permit reports, 4.5 hours; exempted educational requests, 5 hours; exempted educational reports, 2.5 hours.

Estimated Total Annual Burden Hours: 2,141.

Estimated Total Annual Cost to Public: $382.36 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance 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.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: March 6, 2018.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2018–04730 Filed 3–8–18; 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: Individual Fishing Quotas for Pacific Halibut and Sablefish in the Alaska Fisheries.

OMB Control Number: 0648–0272.

Form Number(s): None.

Type of Request: Regular (extension of a currently approved information collection).

Number of Respondents: 2,653.

Average Hours per Response: Application for Eligibility to receive QS/IFQ (TEC), QS holder form (Identification of Ownership Interest), Application for Transfer of QS/IFQ (includes sweep-up); Application for Military Transfer, and Application for Emergency Medical Transfer, 2 hours each; Application for IFQ/CDQ Hired Master Permit, Application for Registered Buyer permit, QS/IFQ Designated Beneficiary Form, and Application for replacement of certificates, permits, or licenses, 30 minutes each; Registered Buyer landing report, and Transshipment Authorization, 12 minutes each; Prior Notice of Landing (PNOL), and IFQ Departure Report, 15 minutes each; IFQ Administrative Waiver, and Dockside Sales Receipt, 6 minutes each.

Burden Hours: 6,394.

Needs and Uses: This request is for revision and extension of a currently approved information collection.

The National Marine Fisheries Service (NMFS) established the Individual Fishing Quota (IFQ) Program to improve the long-term productivity of the sablefish and Pacific halibut fisheries by further promoting the conservation and management objectives of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.,* (with respect to sablefish) and the Northern Pacific Halibut Act of 1982 (with respect to Pacific halibut) while retaining the character and distribution of the fishing fleets as much as possible. The IFQ Program includes several provisions, such as ownership caps and vessel use caps that protect small harvesters and processors, part-time participants, and entry-level participants that otherwise could be adversely affected by excessive consolidation.

The IFQ Program also includes other restrictions to prevent the halibut and sablefish fisheries from domination by large boats or by any particular vessel class. NMFS designed the requirements to maintain a predominantly owner-operated fishery, which was a key characteristic of the halibut and sablefish fisheries prior to the implementation of the IFQ Program. The IFQ Program provides each fisherman an IFQ that can be used any time during the open season to allow each fisherman to set his/her own pace and fishing effort.

Under the IFQ Program, quota share (QS) represents a harvesting privilege for a person. Annually, NMFS issues IFQ to QS holders to harvest specified poundage. The specific amount of IFQ held by a person is determined by the number of QS units held, the total number of QS units issued in a specific regulatory area, and the total pounds of sablefish or halibut allocated for the IFQ fisheries in a particular year. Fishermen may harvest the IFQ over the entire fishing season, which extends approximately from March through November 15.

The IFQ Manual Landing Report form will be removed from this information collection. This form is approved under OMB Control Number 0648–0515 (Alaska Interagency Electronic Reporting System (IERS)) and will remain in that collection.

Affected Public: Business or other for-profit organizations; not-for-profit institutions; individuals or households.

Frequency: Annually and on occasion.

Respondent's Obligation: Mandatory.

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: March 6, 2018.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2018–04729 Filed 3–8–18; 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: Socioeconomic Assessment of the Proposed Wisconsin-Lake Michigan National Marine Sanctuary Region.

OMB Control Number: 0648–XXXX.

Form Number(s): None.

Type of Request: Regular (request for a new information collection).

Number of Respondents: 4,200.

Average Hours per Response: 30 minutes.

Burden Hours: 2,100.

Needs and Uses: This is a randomized household survey of Wisconsin state residents who recreate in the proposed sanctuary area. This study will:

- Estimate the economic contribution of recreational expenditures;
- document the spatial distribution and intensity of recreational activities;
- document and assess awareness and importance of maritime heritage;
- assess respondents' awareness and perception of key resources and related management issues; and
- develop demographic profiles of recreational users of the study region.

This research will support the sanctuary's long-term management plan, provide the foundation for monitoring change over time, as well as provide baseline information to help inform local coastal zone management and planning to enhance access to Lake Michigan.

Affected Public: Individuals or households.

Frequency: One time.

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: March 6, 2018.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2018–04728 Filed 3–8–18; 8:45 am]

BILLING CODE 3510–JE–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Addition and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed addition to and deletions from the Procurement List.

SUMMARY: The Committee is proposing to add a service to the Procurement List that will be provided by a nonprofit agency employing persons who are blind or have other severe disabilities, and deletes products and services previously furnished by such agencies.

DATES: *Comments must be received on or before:* April 8, 2018.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S Clark Street, Suite 715, Arlington, Virginia 22202–4149.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Amy B. Jensen, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Addition

If the Committee approves the proposed addition, the entities of the Federal Government identified in this notice will be required to procure the service listed below from the nonprofit agency employing persons who are blind or have other severe disabilities.

The following service is proposed for addition to the Procurement List for production by the nonprofit agency listed:

Service Type: Janitorial Service
Mandatory for: U.S. Air Force, Joint Warfare Analysis Center, Naval Support Activity—South Potomac, 4048 Higley Road, Buildings 1450A, 1450B, 1452D, and 1451, Dahlgren, VA
Mandatory Source of Supply: Melwood Horticulture Training Center, Upper Marlboro, MD
Contracting Activity: ACC AMIC/JWAC

Deletions

The following products and services are proposed for deletion from the Procurement List:

Products

NSN(s)—Product Name(s): 8405–01–375–8999—Cap, Garrison, Air Force, Men's, Blue, 7⅞
Mandatory Source of Supply: Goodwill Industries of South Florida, Inc., Miami, FL
Contracting Activity: Defense Logistics Agency Troop Support
NSN(s)—Product Name(s): 6530–01–115–7835—Holder, Clinical Chart
Mandatory Source of Supply: CW Resources, Inc., New Britain, CT
Contracting Activity: Defense Logistics Agency Troop Support
NSN(s)—Product Name(s): 6510–01–336–6192—Dressing, First Aid, Field Training
Mandatory Source of Supply: Elwyn, Aston, PA
Contracting Activity: Defense Logistics Agency Troop Support

Services

Service Type: Janitorial/Custodial Service
Mandatory for: Naval Air Station: ARCOM Buildings 176 & 177, Willow Grove, PA
Mandatory Source of Supply: The Chimes, Inc., Baltimore, MD
Contracting Activity: Dept of the Navy, Naval FAC Engineering CMD MID LANT
Service Type: Custodial/Grounds Maint/Refuse Removal/Snow Removal Service
Mandatory for: Naval Operations Support Center: 1089 E. Ninth Street, Cleveland, OH, 800 Dan Street, Akron, OH
Mandatory Source of Supply: VGS, Inc., Cleveland, OH
Contracting Activity: Dept of the Navy, Naval FAC Engineering CMD MIDWEST

Amy B. Jensen,

Director, Business Operations.

[FR Doc. 2018–04819 Filed 3–8–18; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Deletions from the Procurement List.

SUMMARY: This action deletes products from the Procurement List previously furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: *Date deleted from the Procurement List:* April 8, 2018.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia 22202–4149.

FOR FURTHER INFORMATION CONTACT: Amy B. Jensen, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov*.

SUPPLEMENTARY INFORMATION:

Deletions

On 2/2/2018 (83 FR 23), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the products listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the products to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the products deleted from the Procurement List.

End of Certification

Accordingly, the following products are deleted from the Procurement List:

Products

NSN(s)—Product Name(s):
7125–00–R10–0001—Lewis & Clark Discovery Box (Lightweight Box)
7125–00–R10–0002—Lewis & Clark Discovery Box (Cabbage Box)
Mandatory Source of Supply: Development Workshop, Inc., Idaho Falls, ID
Contracting Activity: W071 ENDIST Portland

NSN(s)—Product Name(s): 5340–01–248–2119—Strap, Webbing
Mandatory Source of Supply: Huntsville Rehabilitation Foundation, Huntsville, AL
Contracting Activity: Defense Logistics Agency Troop Support

NSN(s)—Product Name(s): 5680–01–227–7577—Weather Strip
Mandatory Source of Supply: Huntsville Rehabilitation Foundation, Huntsville, AL
Contracting Activity: W4T8 USASMDC HUNTSVILLE

NSN(s)—Product Name(s): 7510–00–NIB–0464—Pencil, Mechanical
Mandatory Source of Supply: Industries for the Blind, Inc., West Allis, WI
Contracting Activity: Department of Commerce

NSN(s)—Product Name(s):
7520–01–580–0847—Pencil, Mechanical, .7 MM HB Lead
7520–01–580–0848—Pencil, Mechanical, .5 MM HB Lead
7510–01–580–0849—Refill, 12 Lead Cartridge, 0.7 mm HB
7510–01–580–0850—Refill, 12 Lead Cartridge, 0.5mm HB
Mandatory Source of Supply: San Antonio Lighthouse for the Blind, San Antonio, TX
Contracting Activity: General Services Administration, New York, NY

NSN(s)—Product Name(s):
6515–01–364–8553—Gloves, Exam, Disposable, Powdered, Latex, Medium, Natural Color
6515–01–364–8554—Gloves, Exam, Disposable, Powdered, Latex, Large, Natural Color
6515–01–365–6183—Gloves, Exam, Disposable, Powdered, Latex, Small, Natural Color
Mandatory Source of Supply: BOSMA Enterprises, Indianapolis, IN
Contracting Activity: Defense Logistics Agency Troop Support

Amy B. Jensen,

Director, Business Operations.

[FR Doc. 2018–04820 Filed 3–8–18; 8:45 am]

BILLING CODE 6353–01–P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No. CFPB–2018–0009]

Request for Information Regarding Bureau Rulemaking Processes

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for information.

SUMMARY: The Bureau of Consumer Financial Protection (Bureau) is seeking comments and information from interested parties to assist the Bureau in assessing the overall efficiency and effectiveness of its rulemaking processes and, consistent with law, considering whether any changes to its rulemaking processes would be appropriate.

DATES: Comments must be received by June 7, 2018.

ADDRESSES: You may submit responsive information and other comments, identified by Docket No. CFPB–2018–0009, by any of the following methods:

- *Electronic:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Email: FederalRegisterComments@cfpb.gov*. Include Docket No. CFPB–2018–0009 in the subject line of the message.
- *Mail:* Comment Intake, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.
- *Hand Delivery/Courier:* Comment Intake, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

Instructions: The Bureau encourages the early submission of comments. All submissions must include the document title and docket number. Please note the number of the topic on which you are commenting at the top of each response (you do not need to address all topics). Because paper mail in the Washington, DC area and at the Bureau is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to *http://www.regulations.gov*. In addition, comments will be available for public inspection and copying at 1700 G Street NW, Washington, DC 20552, on official business days between the hours of 10 a.m. and 5 p.m. eastern time. You can make an appointment to inspect the documents by telephoning 202–435–7275.

All submissions in response to this request for information, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Proprietary information or sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT: Kristine M. Andreassen and Owen Bonheimer, Senior Counsels, Office of Regulations, at 202–435–7700. If you require this document in an alternative

electronic format, please contact *CFPB_Accessibility@cfpb.gov*.

SUPPLEMENTARY INFORMATION:

Background on Statutory Requirements Relevant to the Bureau's Rulemaking Process

The Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) [1] states that the Bureau is authorized to exercise its authorities under Federal consumer financial law to administer, enforce, and otherwise implement the provisions of Federal consumer financial law.[2] The Dodd-Frank Act further authorizes the Director of the Bureau to prescribe rules as may be necessary or appropriate to enable the Bureau to administer and carry out the purposes and objectives of the Federal consumer financial laws, including both enumerated consumer laws [3] and provisions of title X of the Dodd-Frank Act,[4] and to prevent evasions thereof.[5] The Bureau has engaged in rulemakings mandated by Congress as well as discretionary rulemakings pursuant to these and other authorities. The Bureau's rulemaking processes are subject to a number of statutory requirements, including those discussed below.

Notice-and-comment requirements for rulemakings. The Administrative Procedure Act (APA) requires a Federal agency to publish a notice of proposed rulemaking (NPRM) in the **Federal Register** whenever it formulates, amends, or repeals rules, unless an exception applies.[6] The Bureau's NPRMs typically include the following: (1) Background sections, which provide information about the relevant market(s) and other applicable laws and regulations; (2) section-by-section analysis of proposed regulatory text and the official interpretations thereto (also referred to as commentary); (3) proposed impact analyses, as described below; and (4) the proposed regulatory text and commentary. (Items 1–3 are referred to collectively as preamble.) A final rule also includes in its preamble a summary of and response to comments received on the NPRM (including on its proposed impact analyses), and an explanation of changes from the NPRM.

Small business review process required for certain rulemakings. The Regulatory Flexibility Act (RFA) [7] requires the Bureau to engage in a small business feedback process prior to proposing a rule for which (1) the APA requires notice and comment and (2) the Bureau does not certify that the proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities.[8] Prior to issuing an NPRM in these rulemakings, a review panel must seek input from a representative cross section of affected small entities to obtain advice and recommendations on proposals the Bureau is considering. The Bureau refers to this review panel as a SBREFA panel, as it is governed by the provisions added to the RFA by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA).[9] The panel must be comprised of representatives from the Bureau, the Office of Management and Budget's Office of Information and Regulatory Affairs (OMB OIRA), and the Small Business Administration's (SBA) Office of Advocacy. The panel is required to prepare a report on its findings and make this report part of the rulemaking record. The Bureau typically releases a SBREFA panel report, and any written comments from the small entity representatives, to the public at the same time that it releases an NPRM. As required by SBREFA, the Bureau's NPRMs reflect how the Bureau has acted on or otherwise responded to the report's recommendations. Additionally, in these rulemakings, as discussed further below, the RFA also requires additional impacts analysis concerning small entities, including consideration of potential alternatives.[10]

Analysis of impacts of proposed and final rules. The Dodd-Frank Act requires the Bureau to consider, in prescribing a rule under the Federal consumer financial laws, the potential benefits and costs to consumers and covered persons, including the potential reduction of access by consumers to consumer financial products or services resulting from the rule.[11] The Bureau also must consider the impact of proposed rules on depository institutions and credit unions with $10 billion or less in assets and on consumers in rural areas.[12] The RFA requires the Bureau either to certify that the rule will not have a significant economic impact on a substantial number of small entities or to analyze the rule's impacts on small entities and potential alternatives, as described above. The Paperwork Reduction Act [13] also requires the Bureau to identify the impact of information collection requirements in the rule and to meet certain other procedural requirements in connection with information collections. These impacts analyses are included in an NPRM and reviewed for final rules in light of comments received and further analysis.

Relatedly, pursuant to the Congressional Review Act (CRA), the Bureau must prepare a report on each final rule for each House of Congress and the Comptroller General of the Government Accountability Office.[14] This report must include, among other things, the decision by the administrator of OMB OIRA as to whether the rule is a ''major rule'' as defined by the CRA.[15]

Consultation with other Federal agencies. The Dodd-Frank Act requires that the Bureau consult with appropriate prudential regulators or other Federal agencies prior to proposing a rule and before issuing a final rule regarding consistency with prudential, market, or systemic objectives administered by such agencies.[16] In addition, as required by the Dodd-Frank Act, the Bureau and the Federal Trade Commission (FTC) have entered into a Memorandum of Understanding that provides for the Bureau and the FTC to consult with one another before proposing or finalizing a

[1] Public Law 111–203, 124 Stat. 2081 (2010).

[2] 12 U.S.C. 5512(a).

[3] Enumerated consumer laws are the 18 statutes (or portions thereof) specifically listed in the Dodd-Frank Act, including, for example, the Fair Credit Billing Act, the Fair Debt Collection Practices Act, the Home Mortgage Disclosure Act of 1975, the Truth in Lending Act, and the Truth in Savings Act. 12 U.S.C. 5481(12). The Bureau has rulemaking authority for these and certain other Federal consumer financial laws as defined by 12 U.S.C. 5481(14). *See generally* 12 U.S.C. 5512.

[4] This includes the Dodd-Frank Act's prohibition against unfair, deceptive, or abusive acts or practices. 12 U.S.C. 5531.

[5] 12 U.S.C. 5512(b)(1).

[6] 5 U.S.C. 553(b). The APA includes exceptions for interpretive rules, general statements of policy, rules of agency organization, procedure, or practice, or when the agency for good cause finds that notice and comment are impracticable, unnecessary, or contrary to the public interest. This RFI is focused on the Bureau's processes for substantive or ''legislative'' rulemakings, not those occurring under an exception in the APA.

[7] Public Law 96–354, 94 Stat. 1164 (1980) (codified at 5 U.S.C. 601 *et seq.*).

[8] 5 U.S.C. 609.

[9] Public Law 104–21, section 241, 110 Stat. 847, 864–65 (1996). These RFA requirements also apply to two other Federal agencies (the Environmental Protection Agency and the Occupational Safety and Health Administration). 5 U.S.C. 609(d). To date, the Bureau has conducted SBREFA panels for rulemakings regarding the integration of Truth in Lending Act and Real Estate Settlement Procedures Act mortgage disclosure requirements; mortgage servicing; residential mortgage loan origination standards; the Home Mortgage Disclosure Act; payday, vehicle, title, and similar loans; arbitration agreements; and debt collection. For issued SBREFA panel reports, see Bureau of Consumer Fin. Prot., ''Small Business Review Panels,'' *https://www.consumerfinance.gov/policy-compliance/rulemaking/small-business-review-panels/* (last visited Feb. 26, 2018).

[10] 5 U.S.C. 605(b).

[11] 12 U.S.C. 5512(b)(2)(A)(i).

[12] 12 U.S.C. 5512(b)(2)(A)(ii).

[13] 44 U.S.C. 3501 *et seq.*

[14] 5 U.S.C. 801(a)(1)(A).

[15] 5 U.S.C. 801(a)(1)(ii); 5 U.S.C. 804(2).

[16] 12 U.S.C. 5512(b)(2)(B).

rule concerning unfair, deceptive, or abusive acts or practices, to avoid duplication or conflict between the agencies' respective rulemaking activities in this area.[17]

Overview of This Request for Information

While many elements of Federal agency rulemaking are required by law, a number of the Bureau's rulemaking processes, and certain aspects of how the Bureau implements required processes, are discretionary, and the Bureau is using this request for information (RFI) to seek public input regarding these discretionary aspects of its rulemaking processes (the Bureau's processes). The Bureau encourages comments from all interested members of the public. The Bureau anticipates that the responding public may include entities and individuals subject to Bureau rules, trade associations that represent these businesses, individual consumers, consumer advocates, regulators, researchers or members of academia, and other entities or individuals that have submitted comments regarding Bureau rulemakings or provided feedback through other mechanisms.

The Bureau will issue subsequent RFIs seeking public input regarding potential modifications to both regulations adopted by the Bureau and those inherited from other agencies, as well as about overall effectiveness and accessibility of the Bureau's guidance and implementation support. The purpose of this RFI is to seek feedback on the Bureau's processes outlined below; the Bureau is not seeking comment in this RFI on the content of any particular proposed or final rule. To provide comments on the Bureau's use of public and non-public external engagements, such as field hearings, town halls, and roundtables, please respond to the specific RFI on that topic, Docket No. CFPB–2018–0005, 83 FR 8247 (Feb. 26, 2018).

Suggested Topics for Commenters

To allow the Bureau to more effectively evaluate suggestions, the Bureau requests that, where possible, comments include:

- Specific discussion of the positive and negative aspects of the Bureau's processes;
- Specific suggestions regarding any potential updates or modifications to the Bureau's processes, consistent with the laws governing rulemaking processes, including, in as much detail as possible, the potential updates or modifications, supporting data or other information on impacts and costs of participation in rulemakings and on suggested changes thereto, information related to consumer and public benefit that might result from such changes, or information concerning alignment with the processes of other agencies with similar authorities; and
- Specific identification of any aspects of the Bureau's processes that should not be modified, consistent with the laws governing rulemaking processes, and including, in as much detail as possible, supporting data or other information on impacts and costs, information related to consumer and public benefit resulting from these processes, or information concerning alignment with the processes of other agencies with similar authorities.

The Bureau is seeking feedback on all discretionary aspects of the Bureau's processes, including current practices, timelines, and potential improvements in each stage of these processes. The following non-exhaustive list outlines the various stages of the Bureau's processes and includes particular queries regarding certain components of each stage. This list and related queries represent a preliminary attempt by the Bureau to identify elements of the Bureau's processes that may be of particular interest to the public. This list is meant to assist in the formulation of comments and is not intended to restrict the issues that may be addressed. In addressing these topics or others, the Bureau requests that commenters identify with specificity the Bureau practices at issue, providing citations to specific rulemakings or laws governing rulemakings where appropriate and available. Comments are welcome on any or all of the topics below, but please be sure to indicate on which topic or topic number you are commenting.

The Bureau is seeking feedback on all aspects of the Bureau's processes including, but not limited to:

Initial Outreach and Information Gathering

1. Mechanisms used by the Bureau for gathering information, data, and feedback from stakeholders (*i.e.,* industry, consumer advocates, and others) in advance of the steps outlined separately below, including:

a. RFIs concerning market conditions or issues, particular regulatory options, or the process or content of Bureau research, or advance notices of proposed rulemaking inviting public comment to shape a potential proposed rule.

b. Efforts to gather data from industry, academia, think tanks, consumer groups, and others to support quantitative analysis. Comment is specifically sought on methods by which the Bureau might better obtain meaningful, nationally representative data from stakeholders for use in assessing benefits and costs of proposed rules. The Bureau is particularly interested in suggestions on how the Bureau might best encourage industry and other stakeholders to share data to inform a potential proposed rule and whether concerns about treatment of proprietary business data could be better addressed consistent with existing law.

2. Convening a SBREFA panel, when required as described above, including:

a. The outline of the proposal under consideration and the analysis of potential impacts on small entities and regulatory alternatives that are released at the start of the SBREFA panel process.

b. Selection of and interaction with small entity representatives during the SBREFA panel process.

c. The SBREFA panel report.

d. Outreach to other stakeholders on the basis of public release of the outline of the proposal under consideration.

3. Consultations with tribal governments in certain circumstances, which pursuant to Bureau policy may occur through meetings, telephone conferences, and other forms of communication and outreach prior to issuing an NPRM, as well as through a formal request for comment from tribal governments and tribal members in an NPRM.[18]

Notices of Proposed Rulemaking

4. The content of the NPRM itself, including:

a. The background section, which provides information about the relevant market and other applicable laws and regulations.

b. Section-by-section analysis of the proposed regulatory text and commentary, including the level of detail regarding the Bureau's rationale for its proposed rule, responsiveness to SBREFA panel report recommendations (where applicable), the level of detail in the section-by-section analysis about the NPRM's draft regulatory text and commentary, and the questions and topics about which comment is requested.

c. Impact analyses for the proposed rule, including the qualitative and

[17] 12 U.S.C. 5581(b)(5)(D) (requiring this Memorandum of Understanding). The Bureau also must consult with the FTC before issuing a rule to define covered persons subject to its supervision authority. 12 U.S.C. 5514(a)(2).

[18] *See* Bureau of Consumer Fin. Prot., ''Policy for Consultation with Tribal Governments,'' *available at http://files.consumerfinance.gov/f/201304_cfpb_consultations.pdf.*

quantitative analysis therein, and the data on which they rely.

d. The proposed regulatory text and commentary, including the Bureau's use of commentary, appendices, and model or sample forms to provide interpretations and illustrations of regulatory text and, relatedly, the level of detail and the quantity of examples contained in proposed commentary.

5. The Bureau's issuance of the NPRM, including the Bureau's general practice of releasing the NPRM on its website in advance of publication in the **Federal Register**, and supporting materials the Bureau may release simultaneously with an NPRM, such as a press release or consumer-facing blog post, as well as other high-level or summary material regarding the content of the NPRM.

6. Comment periods for NPRMs, including the length of the comment period and extensions of comment periods in certain circumstances, whether and in what circumstances the Bureau should provide ''reply periods'' for commenters to review and formally respond to other commenters' comment letters, and whether and to what extent the Bureau should consider comments received after the close of the comment period.

7. Mechanisms for encouraging additional feedback on all or part of a NPRM, including the use of online tools to solicit public feedback such as, for example, the Bureau's engagement from 2012 to 2014 with Cornell University's eRulemaking Initiative to garner public feedback via Cornell's website.[19]

8. The Bureau's processing and posting of comments received to its electronic docket on *http://www.regulations.gov,* including the ways of accepting comments, the timeframe to post comments, treatment of duplicative or largely duplicative comments, posting similar or related comments in batches rather than as separate entries, treatment of anonymous comments, treatment of comments where there may be questions about the commenter's identity, and ways to tabulate comments received.

9. Outreach and engagement by the Bureau during and after the comment period, including meetings with stakeholders, and disclosure of such communications under the Bureau's ex parte policy.[20]

10. Consideration of new data, studies, and reports issued by other agencies or third parties after the NPRM is released.

Final Rules

11. The content of the notice issuing the final rule, including each of the elements listed above in topic 4 (for NPRMs) as well as the Bureau's explanation of its rationale for the final rule, the discussion in the section-by-section analysis about the final rule's regulatory text and commentary, the summary of and response to comments received on the NPRM (including those specifically regarding the impact analyses), and the explanation of changes from the NPRM.

12. The Bureau's release of the final rule on its website in advance of publication in the **Federal Register** and supporting materials the Bureau may release simultaneously with a final rule, which may include a press release, consumer-facing blog post, remarks by the Bureau's Director presented at a public event or press call, other high-level or summary material regarding the content of the final rule, and select regulatory implementation materials.

Authority: 12 U.S.C. 5511(c).

Dated: March 6, 2018.

Mick Mulvaney,

Acting Director, Bureau of Consumer Financial Protection.

[FR Doc. 2018–04824 Filed 3–8–18; 8:45 am]

BILLING CODE 4810–AM–P

[19] Reports based on comments received using this process were included in the relevant rulemaking dockets. *See* Cornell U., ''Cornell eRulemaking Initiative,'' *http://regulationroom.org* (last visited Feb. 26, 2018).

[20] *See* Policy on Ex Parte Presentations in Rulemakings, 76 FR 18687 (Apr. 21, 2017) (revising policy in place since August 16, 2011). Written ex parte communications and summaries of oral ex parte communications are posted to the rulemaking docket on *http://www.regulations.gov* together with public comments received through the avenues specified in the NPRM.

DEPARTMENT OF DEFENSE

[Transmittal No. 18–02]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Arms sales notice.

SUMMARY: The Department of Defense is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Pamela Young, (703) 697–9107, *pamela.a.young14.civ@mail.mil* or Kathy Valadez, (703) 697–9217, *kathy.a.valadez.civ@mail.mil;* DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 18–02 with attached Policy Justification and Sensitivity of Technology.

Dated: March 6, 2018.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

MAR 01 2018

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-02, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Ukraine for defense articles and services estimated to cost $47 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Hooper
Lieutenant General, USA
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 5001–06–C

Transmittal No. 18–02

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Ukraine

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$29.5 million
Other	$17.5 million
Total	$47.0 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE): Two hundred ten (210) Javelin Missiles
Thirty-seven (37) Javelin Command Launch Units (CLU) (includes two (2) CLUs to be used as spares)

Non-MDE: Also included are Basic Skill Trainers (BST); United States Government (USG) and contractor technical assistance, transportation, training and other related elements of logistics and program support.

(iv) *Military Department:* Army (UP–B–UBT)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or*

Defense Services Proposed to be Sold: See Attached Annex

(viii) *Date Report Delivered to Congress:* March 1, 2018

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Ukraine—Javelin Missiles and Command Launch Units

The Government of Ukraine has requested to buy two hundred ten (210) Javelin Missiles and thirty-seven (37) Javelin Command Launch Units (CLUs) (includes two (2) Javelin CLUs to be used as spares). Also included are Basic Skill Trainers (BST); United States Government and contractor technical assistance, transportation, training and other related elements of logistics and program support. The total estimated cost is not to exceed $47 million.

This proposed sale will contribute to the foreign policy and national security of the United States by improving the security of Ukraine. The Javelin system will help Ukraine build its long-term defense capacity to defend its sovereignty and territorial integrity in order to meet its national defense requirements. Ukraine will have no difficulty absorbing this system into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors will be Raytheon/Lockheed Martin Javelin Joint Venture of Orlando, Florida and Tucson, Arizona. However, these missiles are being provided from U.S. Army stocks and the CLUs will be obtained from on-hand Special Defense Acquisition Fund (SDAF)-purchased stocks. There are no known offset agreements proposed in conjunction with this potential sale.

Implementation of this proposed sale will require U.S. Government and/or contractor representatives to travel to Ukraine temporarily in order to conduct training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 18–02

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The Javelin Weapon System is a medium-range, man portable, shoulder-launched, fire and forget, anti-tank system for infantry, scouts, and combat engineers. The system weighs 49.5 pounds and has a maximum range in excess of 2,500 meters. They system is highly lethal against tanks and other systems with conventional and reactive armors. The system possesses a secondary capability against bunkers.

2. Javelin's key technical feature is the use of fire-and-forget technology which allows the gunner to fire and immediately relocate or take cover. Additional special features are the top attack and/or direct fire modes, an advanced tandem warhead and imaging infrared seeker, target lock-on before launch, and soft launch from enclosures or covered fighting positions. The Javelin missile also has a minimum smoke motor thus decreasing its detection on the battlefield.

3. The Javelin Weapon System is comprised of two major tactical components, which are a reusable Command Launch Unit (CLU) and a round contained in a disposable launch tube assembly. The CLU incorporates an integrated day-night sight that provides a target engagement capability in adverse weather and countermeasure environments. The CLU may also be used in a stand-alone mode for battlefield surveillance and target detection. The CLU's thermal sight is a second generation Forward Looking Infrared (FLIR) sensor. To facilitate initial loading and subsequent updating of software, all on-board missile software is uploaded via the CLU after mating and prior to launch.

4. The missile is autonomously guided to the target using an imaging infrared seeker and adaptive correlation tracking algorithms. This allows the gunner to take cover or reload and engage another target after firing a missile. The missile has an advanced tandem warhead and can be used in either the top attack or direct fire modes (for target undercover). An onboard flight computer guides the missile to the selected target.

5. The Javelin Missile System hardware and the documentation are UNCLASSIFIED. The missile software which resides in the CLU is considered SENSITIVE. The sensitivity is primarily in the software programs which instruct the system how to operate in the presence of countermeasures. The overall hardware is also considered sensitive in that the infrared wavelengths could be useful in attempted countermeasure development.

6. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

7. A determination has been made that Ukraine can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to further the U.S. foreign policy and national security objectives outlined in the Policy Justification.

8. All defense articles and services listed on this transmittal are authorized for release and export to the Government of Ukraine.

[FR Doc. 2018–04822 Filed 3–8–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

[Transmittal No. 17–78]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Arms sales notice.

SUMMARY: The Department of Defense is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Pamela Young, (703) 697–9107, *pamela.a.young14.civ@mail.mil* or Kathy Valadez, (703) 697–9217, *kathy.a.valadez.civ@mail.mil;* DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–78 with attached Policy Justification and Sensitivity of Technology.

Dated: March 6, 2018.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

FEB 21 2018

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-78, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost $259 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Hooper
Lieutenant General, USA
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology
4. Regional Balance (Classified document provided under separate cover)

BILLING CODE 5001–06–C

Transmittal No. 17–78

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Kuwait

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$ 0 million
Other	$259 million
Total	$259 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE): None

Non-MDE: Four (4) King Air 350ER ISR aircraft with enhanced PT6A–67A engines and one (1) engine spare; four (4) AN/AAQ–35 WESCAM MX ndash;15HDi Electro-Optical & Infrared Imaging Sensor Turret; four (4) Selex Seaspray 7500E Active Electronically Scanned Array Radars (AESA); AN/AAR –47 Missile Warning Systems (MWS); AN/ALE–47 Countermeasure Dispenser Systems; secure communications, cryptographic, and precision navigation equipment; Identification Friend or Foe (IFF) Systems; aircraft modification and integration for ISR mission systems; facility design and construction; ground data processing systems and support equipment; spares and repair parts; support and test equipment; simulators, training and training equipment;

publications and technical documentation; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. Additionally, one of the four aircraft will be further modified to accommodate VIP/senior leadership personnel for transport and Med Evac capability or command and control, and other related elements of logistical support.

(iv) *Military Department:* Air Force (KU–D–SAB)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* February 21, 2018

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kuwait—Intelligence, Surveillance, and Reconnaissance King Air 350ER

The Government of Kuwait has requested a possible sale of four (4) King Air 350ER Intelligence, Surveillance, and Reconnaissance (ISR) aircraft with enhanced PT6A–67A engines and one (1) engine spare; four (4) AN/AAQ–35 WESCAM MX–15HDi Electro-Optical & Infrared Imaging Sensor Turret; four (4) Selex Seaspray 7500E Active Electronically Scanned Array Radars (AESA); AN/AAR–47 Missile Warning Systems (MWS); AN/ALE–47 Countermeasure Dispenser Systems; secure communications, cryptographic, and precision navigation equipment; Identification Friend or Foe (IFF) Systems; aircraft modification and integration for ISR mission systems; facility design and construction; ground data processing systems and support equipment; spares and repair parts; support and test equipment; simulators, training and training equipment; publications and technical documentation; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. Additionally, one of the four aircraft will be further modified to accommodate VIP/senior leadership personnel for transport and Med Evac capability or command and control, and other related elements of logistical support. The estimated total case value is $259 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country. Kuwait plays a large role in U.S. efforts to advance stability in the Middle East, providing basing, access, and transit for U.S. forces in the region.

The proposed sale will enable Kuwait to gather its own airborne ISR data. This capability will improve Kuwait's situational awareness, armed forces posture, and armed forces capability to respond to threats. Enhancing Kuwait's Command, Control, Communications, Computers, & Intelligence (C4I) capability will result in the potential for greater burden sharing. The proposed sale of items and services will establish Kuwait's first dedicated airborne ISR fleet. The King Air 350ER ISR is part of the Kuwaiti Air Force's rapid expansion and modernization efforts, and is a priority for Kuwait and the United States. Kuwait will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Sierra Nevada Corporation, Hagerstown, MD. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the long term assignment of any additional U.S. Government representatives to Kuwait. There will be U.S. contractor field representatives relocating to Kuwait in order provide day-to-day maintenance and logistics support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 17–78

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. King Air 350ER is an Intelligence, Surveillance, and Reconnaissance (ISR) aircraft, a specifically modified B350ER, capable of operating in austere environments while providing real-time ISR. It is equipped with an integrated electro-optical and infrared (E.O./IR) which gives it a day/night ISR capability. Additionally, the aircraft will have a signal intercept system capable of searching, direction finding (geo-locating), collection, and on-board analysis of simple signals of interest in the very high frequency (VHF) and ultra-high frequency (UHF) broadcast bands. It will also have synthetic aperture radar (SAR) to provide spot and strip ground mapping along with ground moving target indicator (GMTI) modes. It will also have onboard workstations that will control the intercept system and E.O./IR system. The system will provide voice and data communication with personnel on the ground to share collected data. Aircraft hardware and software are UNCLASSIFIED; technical data and documentation to be provided are UNCLASSIFIED.

2. Small Tactical Terminal (STT) KOR–24A is a two-channel radio for Link 16 networks and tactical wideband UHF or legacy VHF/UHF systems. The Link 16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. Hardware is UNCLASSIFIED. Technical data and documentation to be provided is UNCLASSIFIED.

3. AN/AAQ–35 WESCAM MX–15HDi Electro-Optical & Infrared Imaging Sensor Turret is a gyro-stabilized, multi-spectral, multi-field of view E.O./IR system. The system provides color daylight TV and nighttime IR video with a laser range finder and laser pointer through use of an externally mounted turret sensor unit and internally mounted sensor control. Video imagery is displayed in the aircraft real time and may be recorded for subsequent ground analysis. Hardware is UNCLASSIFIED. Technical data and documentation to be provided are UNCLASSIFIED.

4. Selex Seaspray 7500E is a multi-mode radar combines a state-of-the-art Active Electronically Scanned Array (AESA) with Commercial Off-The-Shelf (COTS) processor. It provides strip and spotlight SAR imaging and ground moving target indicator (GMTI) capability for all-weather and wide range surveillance. Hardware is UNCLASSIFIED. Technical data and documentation to be provided is UNCLASSIFIED.

5. AAR–47 Missile Warning Systems is a small, lightweight, passive, electro-optic, threat warning device used to detect surface-to-air missiles and automatically provide countermeasures, as well as audio and visual-sector warning messages to the aircrew. Hardware is UNCLASSIFIED. Software is SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

6. ALE–47 Countermeasure Dispenser Systems (CMDS) provides an integrated threat-adaptive, computer controlled capability for dispensing chaff, flares, and active radio frequency expendables.

The AN/ALE 47 uses threat data received over the aircraft interfaces to assess the threat situation and determine a response. Expendable routines tailored to the immediate aircraft and threat environment may be dispensed using one of four operational modes. Hardware is UNCLASSIFIED. Software is SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

7. AN/APX–119 Identification Friend or Foe combined transponder interrogator system is UNCLASSIFIED unless Mode IV or V operational evaluator parameters, which are SECRET, are loaded into the equipment.

8. This sale will involve the release of sensitive and or classified cryptographic elements for secure communications radios, cryptographic equipment, and precision navigation equipment. The hardware is UNCLASSIFIED, except where systems are loaded with cryptographic software, which is classified up to SECRET.

9. If a technologically advanced adversary were to obtain knowledge of specific hardware, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

10. A determination has been made that Kuwait can provide substantially the same degree of protection for sensitive technology being released as the U.S. Government. This proposed sustainment program is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

11. All defense articles and services listed on this transmittal are authorized for release and export to the Government of Kuwait.

[FR Doc. 2018–04796 Filed 3–8–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17–56]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Arms sales notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

FOR FURTHER INFORMATION CONTACT: Pamela Young, (703) 697–9107, *pamela.a.young14.civ@mail.mil* or Kathy Valadez, (703) 697–9217, *kathy.a.valadez.civ@mail.mil;* DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–56 with attached Policy Justification and Sensitivity of Technology.

Dated: March 6, 2018.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

FEB 20 2018

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-56, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost $100 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Hooper
Lieutenant General, USA
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology
4. Regional Balance (Classified document provided under separate cover)

BILLING CODE 5001–06–C

Transmittal No. 17–56

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Kuwait

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$ 2.6 million
Other	$97.4 million
Total	$100.0 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* The Government of Kuwait has requested the possible sale of fifteen (15) 13.6 meter Fast Patrol Boats.

Major Defense Equipment (MDE): Thirty-six (36) .50 Caliber Machine Guns (thirty (30) installed, two (2) per boat and six (6) spares)

Non-MDE: This request includes fifteen (15) 13.6 meter Fast Patrol Boats outfitted with support equipment, and personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support.

(iv) *Military Department:* Navy (KU–P–SBK)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* February 20, 2018

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Kuwait—Fast Patrol Boats

The Government of Kuwait has requested to purchase fifteen (15) fast patrol boats outfitted with thirty-six (36) .50 caliber machine guns (thirty (30) installed, two (2) per boat and six (6) spares). This request also includes support equipment, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The estimated total case value is $100 million.

This proposed sale will contribute to the foreign and national security of the United States by improving the security of a friendly country. Kuwait plays a key role in U.S. efforts to advance stability in the Middle East, providing basing, access, and transit of U.S. forces in the region.

Kuwait intends to use the boats for patrol, interdiction, and maritime protection. These boats will help Kuwait develop and maintain a strong and ready self-defense capability. Kuwait will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be Kvichak (a Vigor Company), Kent, Washington. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government and contractor representatives to participate in program and technical reviews plus training and maintenance support in country, on a temporary basis, for a period of twenty-four (24) months. It will also require three (3) contractor representatives to reside in country for a period of two (2) years to support this program.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 17–56

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The following components and technical documentation for the program are classified as listed below:

a. The Browning M2 .50 caliber machine gun is an automatic, recoil operated, air-cooled machine gun which has been modified for shipboard use. Its classification level is UNCLASSIFIED.

b. The Fast Patrol Boat is a 13.6 meter (45-foot) utility boat used by the United States Coast Guard as a Response Boat Medium (RB–M). The boats are built by Kvichak Marine Industries of Kent, Washington and Marinette Marine Corporation of Marinette, Wisconsin. While primarily designed as a Search and Rescue (SAR) asset the RB–M is also used to perform Recreational Boating Safety (RBS), Marine Environmental Protection (MEP), Enforcement of Laws and Treaties (ELT), Ports, Waterways, and Coastal Security (PWCS) and Defense Operations (DO), including those traditional missions associated with Border Protection. The RB–M is powered by two MTU Detroit Diesel turbocharged Series 60 engines (825 hp) and two Rolls-Royce FF-Series waterjets with a top speed of 42.5 knots and a range of 250nm. The RB–Ms classification level is UNCLASSIFIED.

2. All defense articles and services listed in this transmittal are authorized for release and export to the Government of the Kuwait.

[FR Doc. 2018–04784 Filed 3–8–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17–75]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Arms sales notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

FOR FURTHER INFORMATION CONTACT: Pamela Young, (703) 697–9107, *pamela.a.young14.civ@mail.mil* or Kathy Valadez, (703) 697–9217, *kathy.a.valadez.civ@mail.mil;* DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–75 with attached Policy Justification and Sensitivity of Technology.

Dated: March 6, 2018.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

FEB 20 2018

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-75, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Finland for defense articles and services estimated to cost $70 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Hooper
Lieutenant General, USA
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 5001–06–C

Transmittal No. 17–75

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Finland

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$60 million
Other	$10 million
Total	$70 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE): Four (4) MK 41 Baseline VII Strike-Length Vertical Launching Systems

Non-MDE:

Also included are spares, handling equipment, test equipment, operator manuals and technical documentation, U.S. Government and contractor engineering, training, technical, and logistical support services, and other related elements of logistical support.

(iv) *Military Department:* Navy (FI–P–LBN)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* February 20, 2018

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Finland—Mk 41 Vertical Launching Systems

The Government of Finland has requested a possible sale of four (4) Mk 41 Baseline VII Strike-Length Vertical Launching Systems. Also included are spares, handling equipment, test equipment, operator manuals and technical documentation, U.S. Government and contractor engineering, training, technical, and logistical support services, and other related elements of logistical support. The estimated total case value is $70 million.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a partner nation that has been, and continues to be, an important force for political stability and economic progress in Europe.

Finland intends to use the vertical launching systems on four new construction corvettes that will make up the Finnish Navy's Squadron 2020. The vertical launching systems will enable Finland to acquire missiles that will significantly enhance the Finnish Navy's area defense capabilities over critical air-and-sea-lines of trade and communication. The proposed sale of the Mk 41 will increase the Finnish Navy's maritime partnership, interoperability, and regional security capability. Finland has not purchased the Mk 41 previously, but will have no difficulty incorporating this capability into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin Corporation, Bethesda, MD. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will require up to 12 U.S. Government personnel and up to five contractor representatives to travel to Finland providing support over a period of ten years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 17–75

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The Mk 41 Vertical Launching System (VLS) is a fixed, vertical, multi-missile launching system with the capability to store and launch multiple missile variants depending on the warfighting mission, including the Evolved Sea Sparrow Missile (ESSM) and Standard Missile 2 (SM–2). This proposed sale would provide tactical VLS capability for the ESSM. Mk 41 VLS is a modular below-deck configuration with each module consisting of 8 missile cells with an associated gas management and deluge system. The highest classification of the hardware in the proposed sale is UNCLASSIFIED. The highest classification of the technical documentation in the proposed sale is UNCLASSIFIED. The highest classification of the software to be exported is CONFIDENTIAL.

2. If a technologically advanced adversary were to obtain knowledge of specific hardware, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that Finland can provide substantially the same degree of protection for sensitive technology being released as the U.S. Government. This proposed sustainment program is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

4. All defense articles and services listed on this transmittal are authorized for release and export to the Government of Finland.

[FR Doc. 2018–04777 Filed 3–8–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

[Transmittal No. 17–66]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Arms sales notice.

SUMMARY: The Department of Defense is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Pamela Young, (703) 697–9107, *pamela.a.young14.civ@mail.mil* or Kathy Valadez, (703) 697–9217, *kathy.a.valadez.civ@mail.mil*; DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–66 with attached Policy Justification and Sensitivity of Technology.

Dated: March 6, 2018.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

FEB 20 2018

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-66, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the Netherlands for defense articles and services estimated to cost $1.191 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Hooper
Lieutenant General, USA
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 5001–06–C

Transmittal No. 17–66

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of the Netherlands

(ii) *Total Estimated Value:*

Major Defense Equipment *	$ 829 million
Other	$ 362 million
Total	$1.191 billion

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* The Government of the Netherlands has requested the possible sale of items and services to support the upgrade/remanufacture of twenty-eight (28) AH–64D Block II Apache Attack Helicopters to the AH–64E configuration.

Major Defense Equipment (MDE):

Fifty-one (51) T700–GE–701D Engines (42 remanufactured engines to be installed and 9 spares)
Seventeen (17) AN/APG–78 Fire Control Radars and Subcomponents
Twenty-eight (28) AN/ASQ–170 Modernized Target Acquisition and Designation Sights (MTADS)/AN/AAR–11 Modernized Pilot Night Vision Sensors (PNVS)
Twenty-eight (28) AN/APR–48B Modernized Radar Frequency Interferometers (MRFI)
Seventy (70) Embedded Global Positioning System/Inertial Navigation Systems (EGI) plus Multi-Mode Receiver (56 installed, 14 spares)

Non-MDE:

Non-MDE items and services to support the upgrade/remanufacturing of

the existing AH–64D Block II Apache Attack Helicopters to AH–64E configuration, training devices, helmets, simulators, generators, transportation, wheeled vehicles and organization equipment, spare and repair parts, support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support.

(iv) *Military Department:* Army (NE–B–WJW)

(v) *Prior Related Cases, if any:* NE–B–VXC, NE–B–WDP, NE–B–WES, NE–B–WBW, NE–B–WHD, NE–B–WGC

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* February 20, 2018

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Netherlands—AH–64E Remanufactured Apache Attack Helicopters

The Government of the Netherlands has requested the possible sale of items and services to support the upgrade/remanufacture of twenty-eight (28) AH–64D Block II Apache Attack Helicopters to the AH–64E configuration to include upgrading fifty-one (51) remaining T700–GE–701C Engines to T700–GE–701D (42 engines to be installed, 9 spares), seventeen (17) AN/APG–78 Fire Control Radar (FCR) and subcomponents, twenty-eight (28) AN/ASQ–170 Modernized Target Acquisition and Designation Sights (MTADS)/AN/AAR–11 Modernized Pilot Night Vision Sensors (PNVS), twenty-eight (28) AN/APR–48B Modernized Radar Frequency Interferometers (MRFI), and seventy (70) Embedded Global Positioning System/Inertial Navigation Systems (EGI) plus Multi-Mode Receiver. Non-MDE items and services to support the upgrade/remanufacturing of the existing AH–64D Block II Apache Attack Helicopters to AH–64E configuration, training devices, helmets, simulators, generators, transportation, wheeled vehicles and organization equipment, spare and repair parts, support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support. The estimated total case value is $1.191 billion.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a NATO ally which has been, and continues to be, an important force for political stability and economic progress in Europe. It is vital to U.S. national interests to assist the Netherlands to develop and maintain a strong and ready self-defense capability.

The proposed sale of the AH–64E remanufacture will improve the Netherlands' capability to meet current and future threats of enemy. The Netherlands will use the enhanced capability to strengthen its homeland defense and deter regional threats, and provide direct support to coalition and security cooperation efforts. The Netherlands will have no difficulty absorbing this aircraft upgrade into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors are Boeing Company, St. Louis, MO and Lockheed Martin, Bethesda, MD. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Netherlands.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 17–66

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AH–64E Apache Attack Helicopter weapon system contains communications and target identification equipment, navigation equipment, aircraft survivability equipment, displays, and sensors. The airframe itself does not contain sensitive technology; however, the pertinent equipment listed below will either be installed on the aircraft or included in the sale:

a. The AN/APG–78 Fire Control Radar (FCR) is an active, low-probability of intercept, millimeter-wave radar, combined with a passive AN/APR–48B Modernized Radar Frequency Interferometer (M–RFI) mounted on top of the helicopter mast. The FCR Ground Targeting Mode detects, locates, classifies and prioritizes stationary or moving armored vehicles, tanks and mobile air defense systems as well as hovering helicopters, helicopters, and fixed wing aircraft in normal flight. The M–RFI detects threat radar emissions and determines the type of radar and mode of operation. The FCR data and M–RFI data are fused for maximum synergism. If desired, the radar data can be used to refer targets to the regular electro-optical Modernized Target Acquisition and Designation Sight (MTADS), permitting additional visual/infrared imagery and control of weapons, including the semi-active laser version of the HELLFIRE II missile. Critical system information is stored in the FCR in the form of mission executable code, target detection, classification algorithms and coded threat parametrics. This information is provided in a form that cannot be extracted by the foreign user via anti-tamper provisions built into the system. The content of these items is classified SECRET. The M–RFI is a passive radar detection and direction finding system, which utilizes a detachable User Data Module (UDM) on the RFI processor, which contains the Radio Frequency threat library. The UDM, which is a hardware assemblage, is classified CONFIDENTIAL when programmed with threat parameters, threat priorities and/or techniques derived from U.S. intelligence information.

b. The AN/ASQ–170 Modernized Target Acquisition and Designation Sight/AN/AAQ–11 Pilot Night Vision Sensor (MTADS/PNVS) provides day, night, and limited adverse weather target information, as well as night navigation capabilities. The PNVS provides thermal imaging that permits map-of-the-earth flight to, from, and within the battle area, while TADS provides the co-pilot gunner with search, detection, recognition, and designation by means of Direct View Optics (DVO), EI^2 television, and Forward Looking Infrared (FLIR) sighting systems that may be used singularly or in combinations. Hardware is UNCLASSIFIED. Technical manuals for authorized maintenance levels are UNCLASSIFIED.

c. The AN/APR–48B Modernized Radar Frequency Interferometer (M–RFI) is an updated version of the passive radar detection and direction finding system. It utilizes a detachable UDM on the M–RFI processor, which contains the Radar Frequency (RF) threat library. The UDM, which is a hardware assemblage item, is classified

CONFIDENTIAL when programmed with threat parametrics, threat priorities and/or techniques derived from U.S. intelligence information. Hardware becomes CLASSIFIED when populated with threat parametric data.

d. KIV–77 A common IFF Applique Crypto Computer that provides information assurance for the IFF interrogators and transponders using Modes 4 and 5. The hardware is classified UNCLASSIFIED. This item is CCI and SENSITIVE. Releasable technical manuals for operation and maintenance are classified FOUO.

e. The Embedded Global Positioning System/Inertial Navigation System plus Multi- Mode Receiver (EGI+MMR) EGI GEM V 3.3 W/SAASM PN: 3424 9950–R004–XXX Software Security Core PN: CP34211974–003 (CP34211903–002), GCORE 3 ver 3 SAASM with MMR. The aircraft has two EGIs which use internal accelerometers, rate gyro measurements, and external sensor measurements to estimate the aircraft state, provides aircraft flight and position data to aircraft systems. The EGI is a velocity-aided, strap down, ring laser gyro based inertial unit. The EGI unit houses a 12-channel (GEM 5) GPS receiver. The receiver is capable of operating in either non-encrypted (C/A code) or encrypted (P/Y code). The Group User Variable (GUV) is the normal encryption key used when operating in the P/Y code mode. The GUV key is loaded into the EGI using an ANACD–10 or equivalent device. When keyed, the GPS receiver will automatically use anti-spoof/jam capabilities when they are in use. The EGI will retain the key through power on/off/on cycles. Because of safeguards built into the EGI, it is not considered classified when keyed. Integrated within the EGI is an Inertial Measurement Unit (IMU) with processing functions for performing the inertial navigation computations, GPS card, receiver management, and Kalman filter estimates to support all aircraft and weapon systems position and navigation computations. Each EGI also houses a Multi-Mode Receiver (MMR). The MMR is incorporated to provide for reception of ground based NAVAID signals for instrument aided flight. Provides IMC/IFR integration and certification of improved Embedded Global Positioning System and Inertial (EGI) unit with attached MMR, with specific cockpit instrumentation that allows Apaches to operate within the worldwide IFR route structure. Also includes integration of the Common Army Aviation Map (CAAM), Area Navigation (RNAV), Digital Aeronautical Flight Information File (DAFIF) and Global Air Traffic Management (GATM) compliance.

2. If a technologically advanced adversary were to obtain knowledge of specific hardware, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the Netherlands can provide substantially the same degree of protection for sensitive technology being released as the U.S. Government. This proposed sustainment program is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

4. All defense articles and services listed on this transmittal are authorized for release and export to the Government of the Netherlands.

[FR Doc. 2018–04807 Filed 3–8–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

[Transmittal No. 18–01]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Arms sales notice.

SUMMARY: The Department of Defense is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Pamela Young, (703) 697–9107, *pamela.a.young14.civ@mail.mil* or Kathy Valadez, (703) 697–9217, *kathy.a.valadez.civ@mail.mil;* DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 18–01 with attached Policy Justification and Sensitivity of Technology.

Dated: March 6, 2018.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

FEB 20 2018

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-01, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Sweden for defense articles and services estimated to cost $3.2 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Hooper
Lieutenant General, USA
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 5001–06–C

Transmittal No. 18–01

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Sweden

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$2.3 billion
Other	$ .9 billion
Total	$3.2 billion

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* Four (4) Patriot Configuration-3+ Modernized Fire Units consisting of:
Major Defense Equipment (MDE):
Four (4) AN/MPQ–65 Radar Sets
Four (4) AN/MSQ–132 Engagement Control Stations
Nine (9) Antenna Mast Groups
Twelve (12) M903 Launching Stations
One hundred (100) Patriot MIM–104E Guidance Enhanced Missile Tactical Ballistic Missile (GEM–T) Missiles
Two hundred (200) Patriot Advanced Capability-3 (PAC–3) Missile Segment Enhancement (MSE) Missiles
Four (4) Electrical Power Plants (EPP) III
Non-MDE includes:
Also included with this request are communications equipment, tools and test equipment, range and test programs, support equipment to include associated vehicles, prime movers, generators, publications and technical documentation, training equipment, spare and repair parts, personnel training, Technical Assistance Field

Team (TAFT), U.S. Government and contractor technical, engineering, and logistics support services, Systems Integration and Checkout (SICO), field office support, and other related elements of logistics and program support.

(iv) *Military Department:* Army

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex.

(viii) *Date Report Delivered to Congress:* February 20, 2018

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Sweden—Patriot Configuration-3+ Modernized Fire Units

The Government of Sweden has requested to buy four (4) Patriot Configuration-3+ Modernized Fire Units consisting of: four (4) AN/MPQ–65 radar sets, four (4) AN/MSQ–132 engagement control stations, nine (9) antenna mast groups, twelve (12) M903 launching stations, one hundred (100) Patriot MIM–104E Guidance Enhanced Missile-TBM (GEM–T) missiles, two hundred (200) Patriot Advanced Capabilty-3 (PAC–3) Missile Segment Enhancement (MSE) missiles, and four (4) Electrical Power Plants (EPP) III. Also included with this request are communications equipment, tools and test equipment, range and test programs, support equipment to include associated vehicles, prime movers, generators, publications and technical documentation, training equipment, spare and repair parts, personnel training, Technical Assistance Field Team (TAFT), U.S. Government and contractor technical, engineering, and logistics support services, Systems Integration and Checkout (SICO), field office support, and other related elements of logistics and program support. The total estimated program cost is $3.2 billion.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a strategic partner which has been, and continues to be, an important force for political stability and economic progress within the Baltic Sea region and across Europe.

The proposed sale of the Patriot missile system will improve Sweden's missile defense capability. Sweden will use the Patriot system to defend its territorial integrity and promote regional stability. The proposed sale will increase the defensive capabilities of the Swedish military and support interoperability with U.S. and NATO forces. Sweden will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors will be Raytheon Corporation in Andover, Massachusetts, and Lockheed-Martin in Dallas, Texas. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require approximately 24 U.S. Government and 32 contractor representatives to travel to Sweden for an extended period for equipment de-processing/fielding, system checkout, training, and technical and logistics support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 18–01

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) *Sensitivity of Technology:*

1. The Patriot Air Defense System contains classified CONFIDENTIAL hardware components, SECRET tactical software and CRITICAL/SENSITIVE technology. Patriot ground support equipment and Patriot missile hardware contain CONFIDENTIAL components and the associated launcher hardware is UNCLASSIFIED. The items requested represent significant technological advances for Sweden Patriot. The Patriot Air Defense System continues to hold a significant technology lead over other surface-to-air missile systems in the world.

2. The Patriot sensitive/critical technology is primarily in the area of design and production know-how and primarily inherent in the design, development and/or manufacturing data related to certain components. The list of components is classified CONFIDENTIAL.

3. Information on system performance capabilities, effectiveness, survivability, missile seeker capabilities, select software/software documentation and test data are classified up to and including SECRET.

4. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. A determination has been made that Sweden can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to Sweden.

[FR Doc. 2018–04817 Filed 3–8–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

Meeting of the Board of Visitors of Marine Corps University

AGENCY: Department of the Navy, DoD.

ACTION: Notice of open meeting.

SUMMARY: The Board of Visitors of the Marine Corps University (BOV MCU) will meet to review, develop and provide recommendations on all aspects of the academic and administrative policies of the University; examine all aspects of professional military education operations; and provide such oversight and advice, as is necessary, to facilitate high educational standards and cost effective operations. The Board will be focusing primarily on the internal procedures of Marine Corps University. All sessions of the meeting will be open to the public.

DATES: The meeting will be held on Thursday, May 17, 2018, from 8:00 a.m. to 4:30 p.m. and Friday, May 18, 2018, from 8:00 a.m. to 12:30 p.m. Eastern Time Zone.

ADDRESSES: The meeting will be held at Marine Corps University in Quantico, Virginia. The address is: 2076 South Street, Quantico, VA 22134.

FOR FURTHER INFORMATION CONTACT: Dr. Kirn Florich, Director of Faculty Development and Outreach, Marine Corps University Board of Visitors, 2076 South Street, Quantico, Virginia 22134, telephone number 703–432–4682.

Dated: March 5, 2018.

E.K. Baldini,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2018–04814 Filed 3–8–18; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Government-Owned Inventions; Available for Licensing

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Department of the Navy (DoN) announces the availability of the inventions listed below, assigned to the United States Government, as represented by the Secretary of the Navy, for domestic and foreign licensing by the Department of the Navy.

ADDRESSES: Requests for copies of the patents cited should be directed to Naval Surface Warfare Center, Crane Div, Code OOL, Bldg 2, 300 Highway 361, Crane, IN 47522–5001.

FOR FURTHER INFORMATION CONTACT: Mr. Christopher Monsey, Naval Surface Warfare Center, Crane Div, Code OOL, Bldg 2, 300 Highway 361, Crane, IN 47522–5001, Email *Christopher.Monsey@navy.mil.*

SUPPLEMENTARY INFORMATION: The following patents are available for licensing: Patent No. 9,857,157 (Navy Case No. 200273): STAND-OFF CHARGE SYSTEM INCLUDING AN ATTACHMENT BRACKET AND RELATED METHODS//Patent No. 9,885,538 (Navy Case No. 200415): ADJUSTABLE ERGONOMIC GRIP FOR A WEAPON//and Patent No. 9,885,745 (Navy Case No. 200338): APPARATUS AND METHOD FOR INTEGRATED CIRCUIT FORENSICS.

Authority: 35 U.S.C. 207, 37 CFR part 404.

Dated: March 1, 2018.

E.K. Baldini,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2018–04809 Filed 3–8–18; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent To Grant Partially Exclusive Patent License; NXTANT Inc.

AGENCY: Department of the Navy, DoD.

ACTION: Notice of intent to grant license.

SUMMARY: The Department of the Navy hereby gives notice of its intent to grant to NXTANT Inc. a partially exclusive license to practice the Government-owned inventions described in the following U.S. Patents: U.S. Patent No. 8427249 titled ''Resonator with reduced acceleration sensitivity and phase noise using time domain switch''; U.S. Patent No. 8490462 titled ''Auto-ranging for time domain inertial sensor''; U.S. Patent No. 8650955 titled ''Time domain switched gyroscope''; U.S. Patent No. 8875576 titled ''Apparatus and method for providing an in-plane inertial device with integrated clock''; U.S. Patent No. 8991250 titled ''Tuning fork gyroscope time domain inertial sensor''; U.S. Patent No. 9103673 titled ''Inertial sensor using sliding plane proximity switches''; U.S. Patent No. 9128496 titled ''Auto-ranging for time domain extraction of perturbations to sinusoidal oscillation''; U.S. Patent No. 9157814 titled ''Apparatus and methods for time domain measurement using phase shifted virtual intervals''; U.S. Patent No. 9705450 titled ''Apparatus and methods for time domain measurement of oscillation perturbations''; U.S. Patent No. 9715480 titled ''Method for analytical reconstruction of digital signals via stitched polynomial fitting''; as well as any corresponding foreign patent applications and any foreign patent issuing thereon, and any re-issue.

DATES: Anyone wishing to object to the grant of this license has fifteen (15) days from the publication date of this notice to file written objections along with supporting evidence, if any.

ADDRESSES: Written objections are to be filed with the Office of Research and Technology Applications, Space and Naval Warfare Systems Center Pacific, Code 72120, 53560 Hull St., Bldg. A33, Room 2531, San Diego, CA 92152–5001.

File an electronic copy of objections with *paul.a.herbert@navy.mil.*

FOR FURTHER INFORMATION CONTACT: Mr. Paul Herbert, 619–553–5118, *paul.a.herbert@navy.mil.*

(Authority: 35 U.S.C. 209(e); 37 CFR 404.7)

Dated: March 1, 2018.

E.K. Baldini,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2018–04811 Filed 3–8–18; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF EDUCATION

Applications for New Awards; Expanding Opportunity Through Quality Charter Schools Program (CSP)—Grants to State Entities

AGENCY: Office of Innovation and Improvement, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education is issuing a notice inviting applications for fiscal year (FY) 2018 for CSP—Grants to State Entities, Catalog of Federal Domestic Assistance (CFDA) number 84.282A.

DATES:

Applications Available: March 9, 2018.

Date of Pre-Application Webinar: Wednesday, March 14, 2018, 2:00 p.m., Eastern Time.

Deadline for Transmittal of Applications: April 20, 2018.

Deadline for Intergovernmental Review: June 22, 2018.

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 12, 2018 (83 FR 6003) and available at *www.gpo.gov/fdsys/pkg/FR-2018-02-12/pdf/2018-02558.pdf.*

FOR FURTHER INFORMATION CONTACT: Amy B. Huber, U.S. Department of Education, 400 Maryland Avenue SW, Room 4W222, Washington, DC 20202–5970. Telephone: (202) 453–6634 or by email: *amy.huber@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:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The major purposes of the CSP are to *expand* opportunities for all students, particularly traditionally underserved students, to attend public *charter schools* and meet challenging State academic standards; provide financial assistance for the planning, program design, and initial implementation of charter schools; increase the number of *high-quality charter schools* available to students across the United States; evaluate the impact of charter schools on student achievement, families, and communities; share best practices between charter schools and other public schools; encourage States to provide facilities support to charter schools; and support efforts to strengthen the charter school authorizing process.

Through the CSP Grants to State Entities (CSP State Entities) competition (CFDA number 84.282A, the Department awards grants to *State entities* that make subgrants to *eligible applicants* for the purpose of opening new charter schools and *replicating* and

expanding high-quality charter schools. Grant funds may also be used to provide technical assistance to eligible applicants and *authorized public chartering agencies* in opening new charter schools and replicating and expanding high-quality charter schools, and to work with authorized public chartering agencies to improve authorizing quality, including developing capacity for, and conducting, fiscal oversight and auditing of charter schools.

Background: The CSP State Entities program provides financial assistance to State entities to support charter schools that serve elementary and secondary school students in a given State. Charter schools receiving funds under the CSP State Entities program also may serve students in *early childhood education programs* or postsecondary students.

The CSP State Entities program is authorized under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA) (20 U.S.C. 7221–7221j).[1] This notice contains information regarding eligibility, priorities, definitions, application requirements, and selection criteria under the amended law.

All charter schools receiving CSP funds must meet each element of the definition of charter school in section 4310(2) of the ESEA, including the requirement to comply with Federal civil rights laws, including the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, section 444 of the General Education Provisions Act (GEPA), and part B of the Individuals with Disabilities Education Act (IDEA).

Priorities: This notice includes six competitive preference priorities. In accordance with 34 CFR 75.105(b)(2)(iv), these priorities are from section 4303(g)(2) of the ESEA.

Competitive Preference Priorities: For FY 2018 and any subsequent year in which we make awards based on the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award:

- An additional two points to an application that meets competitive preference priority 1; and
- For competitive preference priorities 2 through 6, up to an additional 23 points, depending on how well an application addresses the competitive preference priorities.

An application may receive a total of up to 25 additional points under the competitive preference priorities.

These priorities are:

Competitive Preference Priority 1—At Least One Authorized Public Chartering Agency Other than a Local Educational Agency, or an Appeals Process (0 or 2 points).

To meet this priority, an applicant must demonstrate that it is located in a State that—

(a) Allows at least one entity that is not a local educational agency (LEA) to be an authorized public chartering agency for *developers* seeking to open a charter school in the State; or

(b) In the case of a State in which LEAs are the only authorized public chartering agencies, the State has an appeals process for the denial of an application for a charter school.

Competitive Preference Priority 2—Equitable Financing (up to 6 points).

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.

Competitive Preference Priority 3—Charter School Facilities (up to 6 points).

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located provides charter schools one or more of the following:

(a) Funding for facilities;

(b) Assistance with facilities acquisition;

(c) Access to public facilities;

(d) The ability to share in bonds or mill levies;

(e) The right of first refusal to purchase public school buildings; or

(f) Low- or no-cost leasing privileges.

Competitive Preference Priority 4—Best Practices to Improve Struggling Schools and LEAs (up to 3 points).

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located uses best practices from charter schools to help improve struggling schools and LEAs.

Competitive Preference Priority 5—Serving At-Risk Students (up to 3 points).

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which it supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.

Competitive Preference Priority 6—Best Practices for Charter School Authorizing (up to 5 points).

To be eligible to receive points under this priority, an applicant must demonstrate the extent to which it has taken steps to ensure that all authorized public chartering agencies implement best practices for charter school authorizing.

Note: We are interpreting ''best practices for charter school authorizing'' as including, but not limited to, the practices for monitoring of charter schools described in Assurance E below.

Application Requirements:

These application requirements are from section 4303(f) of the ESEA (20 U.S.C. 7221b(f)). The Department will reject an application that does not meet each application requirement.

Under selection criterion (b) *Objectives,* the Secretary considers the *ambitiousness* of the State entity's objectives for its quality charter school program. An applicant may choose to respond to some or all of the elements of application requirement (I) *Description of Program* in the context of its response to selection criterion (b) *Objectives,* and should note the locations of the responses accordingly.

Applications for funding under the CSP State Entities program must contain the following:

(I) Description of Program—A description of the State entity's objectives in running a quality charter school program and how the objectives of the program will be carried out, including—

(A) A description of how the State entity will—

(1) Support the opening of charter schools through the startup of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools (including the proposed number of new charter schools to be opened, high-quality charter schools to be opened as a result of the replication of a high-quality charter school, or high-quality charter schools to be expanded under the State entity's program);

(2) Inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

[1] Prior to enactment of the ESSA, the ESEA, as amended by the No Child Left Behind Act of 2001 (NCLB), authorized the Secretary to make awards to State educational agencies to enable them to conduct charter school subgrant programs in their States. Unless otherwise indicated, all references to the ESEA in this notice are to the ESEA, as amended by the ESSA.

(3) Work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

(a) Participate in the Federal programs in which the schools and students are eligible to participate;

(b) Receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs; and

(c) Meet the needs of students served under such programs, including *students with disabilities* [2] and *English learners;*

(4) Ensure that authorized public chartering agencies, in collaboration with surrounding LEAs where applicable, establish clear plans and procedures to assist students enrolled in a charter school that closes or loses its charter to attend other high-quality schools;

(5) In the case of a State entity that is not a *State educational agency* (SEA)—

(a) Work with the SEA and charter schools in the State to maximize charter school participation in Federal and State programs for which charter schools are eligible; and

(b) Work with the SEA to operate the State entity's program under section 4303 of the ESEA, if applicable;

(6) Ensure that each eligible applicant that receives a subgrant under the State entity's program—

(a) Is using funds provided under this program for one of the activities described in section 4303(b)(1) of the ESEA; and

(b) Is prepared to continue to operate charter schools funded under section 4303 of the ESEA in a manner consistent with the eligible applicant's application for such subgrant once the subgrant funds under this program are no longer available;

(7) Support—

(a) Charter schools in LEAs with a significant number of schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i) of the ESEA; and

(b) The use of charter schools to improve struggling schools, or to turn around struggling schools;

(8) Work with charter schools on—

(a) Recruitment and enrollment practices to promote inclusion of all students, including by eliminating any barriers to enrollment for educationally disadvantaged students (who include foster youth and unaccompanied homeless youth); and

(b) Supporting all students once they are enrolled to promote retention, including by reducing the overuse of discipline practices that remove students from the classroom;

(9) Share best and promising practices between charter schools and other public schools;

(10) Ensure that charter schools receiving funds under the State entity's program meet the educational needs of their students, including children with disabilities and English learners;

(11) Support efforts to increase charter school quality initiatives, including meeting the quality authorizing elements described in section 4303(f)(2)(E) of the ESEA;

(12)(a) In the case of a State entity that is not a *charter school support organization,* a description of how the State entity will provide oversight of authorizing activity, including how the State will help ensure better authorizing, such as by establishing authorizing standards that may include approving, monitoring, and re-approving or revoking the authority of an authorized public chartering agency based on the performance of the charter schools authorized by such agency in the areas of student achievement, student safety, financial and operational management, and compliance with all applicable statutes and regulations; and

(b) In the case of a State entity that is a charter school support organization, a description of how the State entity will work with the State to support the State's system of technical assistance and oversight, as described in subsection (a), of the authorizing activity of authorized public chartering agencies; and

(13) Work with eligible applicants receiving a subgrant under the State entity's program to support the opening of new charter schools or charter school models described in application requirement (I)(A)(1) that are high schools;

(B) A description of the extent to which the State entity—

(1) Is able to meet and carry out competitive preference priorities 1 through 6; [3]

(2) Is working to develop or strengthen a cohesive statewide system to support the opening of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools; and

(3) Is working to develop or strengthen a cohesive strategy to encourage collaboration between charter schools and LEAs on the sharing of best practices;

(C) A description of how the State entity will award subgrants, on a competitive basis, including—

(1) A description of the application each eligible applicant desiring to receive a subgrant will be required to submit, which application shall include—

(i) A description of the roles and responsibilities of eligible applicants, partner organizations, and *charter management organizations,* including the administrative and contractual roles and responsibilities of such partners;

(ii) A description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, how a school's performance in the State's accountability system and impact on student achievement (which may include student academic growth) will be one of the most important factors for renewal or revocation of the school's charter, and how the State entity and the authorized public chartering agency involved will reserve the right to revoke or not renew a school's charter based on financial, structural, or operational factors involving the management of the school;

(iii) A description of how the autonomy and flexibility granted to a charter school is consistent with the definition of charter school in section 4310 of the ESEA;

(iv) A description of how the eligible applicant will solicit and consider input from *parents* and other members of the community on the implementation and operation of each charter school that will receive funds under the State entity's program;

(v) A description of the eligible applicant's planned activities and expenditures of subgrant funds to support opening and preparing for the operation of new charter schools, opening and preparing for the operation of replicated high-quality charter schools, or expanding high-quality charter schools, and how the eligible applicant will maintain financial

[2] For purposes of this notice, ''students with disabilities'' or ''student with a disability'' has the same meaning as *children with disabilities* or *child with a disability.*

[3] In accordance with 34 CFR 105(c)(2)(i), applications are not required to address competitive preference priorities but may receive additional points if they do so. However, to meet this application requirement, the State entity must describe the extent to which it is able to meet and carry out competitive preference priorities 1 through 6. If the State entity is unable to meet and carry out one or more of these competitive preference priorities, the description for that priority should state that the State entity is unable to meet or carry out the priority.

sustainability after the end of the subgrant period; and

(vi) A description of how the eligible applicant will support the use of effective parent, family, and community engagement strategies to operate each charter school that will receive funds under the State entity's program; and

(2) A description of how the State entity will review applications from eligible applicants;

(D) In the case of a State entity that partners with an outside organization to carry out the State entity's quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner;

(E) A description of how the State entity will ensure that each charter school receiving funds under the State entity's program has considered and planned for the transportation needs of the school's students;

(F) A description of how the State in which the State entity is located addresses charter schools in the State's open meetings and open records laws; and

(G) A description of how the State entity will support diverse charter school models, including models that serve rural communities.

(II) Assurances—Assurances that—

(A) Each charter school receiving funds through the State entity's program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions;

(B) The State entity will support charter schools in meeting the educational needs of their students, including children with disabilities and English learners;

(C) The State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the State entity's program adequately monitors each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and English learners;

(D) The State entity will provide adequate technical assistance to eligible applicants to meet the objectives described in application requirement (I)(A)(8) in this notice;

(E) The State entity will promote quality authorizing, consistent with State law, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency's ability to monitor the charter schools authorized by the agency, including by—

(1) Assessing annual performance data of the schools, including, as appropriate, graduation rates, student academic growth, and rates of student attrition;

(2) Reviewing the schools' independent, annual audits of financial statements prepared in accordance with generally accepted accounting principles and ensuring that any such audits are publically reported; and

(3) Holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as renewal, non-renewal, or revocation of the school's charter;

(F) The State entity will work to ensure that charter schools are included with the traditional public schools in decisionmaking about the public school system in the State; and

(G) The State entity will ensure that each charter school receiving funds under the State entity's program makes publicly available, consistent with the dissemination requirements of the annual State report card under section 1111(h) of the ESEA, including on the website of the school, information to help parents make informed decisions about the education options available to their children, including—

(1) Information on the educational program;

(2) Student support services;

(3) Parent contract requirements (as applicable), including any financial obligations or fees;

(4) Enrollment criteria (as applicable); and

(5) Annual performance and enrollment data for each of the subgroups of students, as defined in section 1111(c)(2) of the ESEA, except that such disaggregation of performance and enrollment data shall not be required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

(III) Waivers—Requests for information about waivers, including—

(A) A request and justification for waivers of any Federal statutory or regulatory provisions that the State entity believes are necessary for the successful operation of the charter schools that will receive funds under the State entity's program under section 4303 of the ESEA or, in the case of a State entity that is a charter school support organization, a description of how the State entity will work with the State to request such necessary waivers, where applicable; and

(B) A description of any State or local rules, generally applicable to public schools, that will be waived or otherwise not apply to such schools.

Definitions: The following definitions are from sections 4303(a), 4310, and 8101 of the ESEA (20 U.S.C. 7221b(a), 7221i, and 7801); and 34 CFR 77.1.

Ambitious means promoting continued, meaningful improvement for program participants or for other individuals or entities affected by the grant, or representing a significant advancement in the field of education research, practices, or methodologies. When used to describe a *performance target,* whether a performance target is ambitious depends upon the context of the relevant *performance measure* and the *baseline* for that measure. (34 CFR 77.1)

Authorized public chartering agency means a State educational agency, local educational agency, or other public entity that has the authority pursuant to State law and approved by the Secretary to authorize or approve a charter school. (ESEA section 4310(1))

Baseline means the starting point from which performance is measured and targets are set. (34 CFR 77.1)

Charter school means a public school that—

(a) In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this definition;

(b) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(c) Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

(d) Provides a program of elementary or secondary education, or both;

(e) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

(f) Does not charge tuition;

(g) Complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*), section 444 of GEPA (20 U.S.C. 1232g) (commonly referred to as the ''Family Educational Rights and Privacy Act of 1974'') and part B of the IDEA;

(h) Is a school to which parents choose to send their children, and that—

(1) Admits students on the basis of a lottery, consistent with section 4303(c)(3)(A) of the ESEA, if more students apply for admission than can be accommodated; or

(2) In the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in paragraph (1);

(i) Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;

(j) Meets all applicable Federal, State, and local health and safety requirements;

(k) Operates in accordance with State law;

(l) Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school; and

(m) May serve students in early childhood educational programs or postsecondary students. (ESEA section 4310(2))

Charter management organization means a nonprofit organization that operates or manages a network of charter schools linked by centralized support, operations, and oversight. (ESEA section 4310(3))

Charter school support organization means a nonprofit, non-governmental entity that is not an authorized public chartering agency and provides, on a statewide basis—

(a) Assistance to developers during the planning, program design, and initial implementation of a charter school; and

(b) Technical assistance to operating charter schools. (ESEA section 4310(4))

Child with a disability means—

(a) A child (i) with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to as ''emotional disturbance''), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and (ii) who, by reason thereof, needs special education and related services.

(b) For a child aged 3 through 9 (or any subset of that age range, including ages 3 through 5), may, at the discretion of the State and the local educational agency, include a child (i) experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development; cognitive development; communication development; social or emotional development; or adaptive development; and (ii) who, by reason thereof, needs special education and related services. (ESEA section 8101(4))

Demonstrates a rationale means a key *project component* included in the project's *logic model* is informed by research or evaluation findings that suggest the project component is likely to improve relevant outcomes. (34 CFR 77.1)

Developer means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out. (ESEA section 4310(5))

Early childhood education program means (A) a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 *et seq.*), including a migrant or seasonal Head Start program, an Indian Head Start program, or a Head Start program or an Early Head Start program that also receives State funding; (B) a State licensed or regulated child care program; or (C) a program that (i) serves children from birth through age six that addresses the children's cognitive (including language, early literacy, and early mathematics), social, emotional, and physical development; and (ii) is (I) a State prekindergarten program; (II) a program authorized under section 619 or part C of the Individuals with Disabilities Education Act; or (III) a program operated by a local educational agency. (ESEA section 8101(16))

Eligible applicant means a developer that has—

(a) Applied to an authorized public chartering authority to operate a charter school; and

(b) Provided adequate and timely notice to that authority. (ESEA section 4310(6))

English learner, when used with respect to an individual, means an individual—

(a) Who is aged 3 through 21;

(b) Who is enrolled or preparing to enroll in an elementary school or secondary school;

(c)(1) Who was not born in the United States or whose native language is a language other than English;

(2)(i) Who is a Native American or Alaska Native, or a native resident of the outlying areas; and

(ii) Who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or

(3) Who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

(d) Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—

(1) The ability to meet the challenging State academic standards;

(2) The ability to successfully achieve in classrooms where the language of instruction is English; or

(3) The opportunity to participate fully in society. (ESEA section 8101(20))

Expand, when used with respect to a high-quality charter school, means to significantly increase enrollment or add one or more grades to the high-quality charter school. (ESEA section 4310(7))

High-quality charter school means a charter school that—

(a) Shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

(b) Has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;

(c) Has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and

(d) Has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the subgroups of students, as defined in section 1111(c)(2) of the ESEA, except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally

identifiable information about an individual student. (ESEA section 4310(8))

Logic model (also referred to as theory of action) means a framework that identifies key project components of the proposed project (*i.e.,* the active ''ingredients'' that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes. (34 CFR 77.1)

Parent includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare). (ESEA section 8101(38))

Performance measure means any quantitative indicator, statistic, or metric used to gauge program or project performance. (34 CFR 77.1)

Performance target means a level of performance that an applicant would seek to meet during the course of a project or as a result of a project. (34 CFR 77.1)

Project component means an activity, strategy, intervention, process, product, practice, or policy included in a project. Evidence may pertain to an individual project component or to a combination of project components (*e.g.,* training teachers on instructional practices for English learners and follow-on coaching for these teachers). (34 CFR 77.1)

Replicate, when used with respect to a high-quality charter school, means to open a new charter school, or a new campus of a high-quality charter school, based on the educational model of an existing high-quality charter school, under an existing charter or an additional charter, if permitted or required by State law. (ESEA section 4310(9))

Relevant outcome means the student outcome(s) or other outcome(s) the key project component is designed to improve, consistent with the specific goals of the program. (34 CFR 77.1)

State means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas. (ESEA section 8101(48))

State educational agency means the agency primarily responsible for the State supervision of public elementary schools and secondary schools. (ESEA section 8101(49))

State entity means—

(a) A State educational agency;

(b) A State charter school board;

(c) A Governor of a State; or

(d) A charter school support organization. (ESEA section 4303(a))

Program Authority: Title IV, part C of the ESEA (20 U.S.C. 7221–7221j).

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 76, 77, 79, 81, 82, 84, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended in 2 CFR part 3474.

II. Award Information

Type of Award: Discretionary grant.

Estimated Available Funds: The Administration has requested $500,000,000 for the CSP for FY 2018, of which we would use an estimated $150,000,000 for new awards under this competition. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2019 from the list of unfunded applications from this competition.

Estimated Range of Awards: $2,000,000 to $25,000,000 per year.

Estimated Average Size of Awards: $10,000,000 per year.

Maximum Award: See *Reasonable and Necessary Costs* in section III.4.(a) of this notice for information regarding the maximum amount of funds that State entities may award for each charter school receiving subgrant funds.

Estimated Number of Awards: 3–8.

Note: The Department is not bound by any estimates in this notice. The estimated range and average size of awards are based on a single 12-month budget period. We may use FY 2018 funds to support multiple 12-month budget periods for one or more grantees.

Project Period: Up to five years.

III. Eligibility Information

1. *Eligible Applicants:* State entities (SEs) in States with a specific State statute authorizing the granting of charters to schools.

Under section 4303(e)(1) of the ESEA, no SE may receive a grant under this competition for use in a State in which an SE has a current CSP State Entities grant. The Department has made one set of new section 4303 of the ESEA CSP State Entities grants, in FY 2017. Accordingly, no SE may receive a grant under this competition for use in a State in which an SE received a new State Entities grant in FY 2017 and is currently using the grant; these States are Indiana, Maryland, Minnesota, Mississippi, New Mexico, Oklahoma, Rhode Island, Texas, and Wisconsin. SEs in States in which an SEA has a current CSP grant for SEAs that was awarded prior to FY 2017, under the ESEA, as amended by NCLB, are eligible to apply for a CSP State Entities grant under this competition, so long as no other SE in the State has a current CSP State Entities grant.

In addition, consistent with section 4303(e)(1) of the ESEA, if multiple SEs in a State submit applications that receive high enough scores to be recommended for funding under this competition, only the highest-scoring application among such State entities would be funded.

2. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

3. *Subgrantees:* (a) Under section 4303(b) and (c)(2) of the ESEA, an SE may award subgrants to eligible applicants and technical assistance providers.

(b) Under section 4303(d)(2) of the ESEA, an SE awarding subgrants to eligible applicants must use a peer-review process to review applications.

Note: An eligible applicant (*i.e.,* charter school developer) in a State in which no SE has an approved grant application under section 4303 of the ESEA may apply for funding directly from the Department under the CSP Grants to Developers competition. Additional information about the CSP Grants to Developers program and any upcoming competitions is available at *https://innovation.ed.gov/what-we-do/charter-schools/charter-schools-program-non-state-educational-agencies-non-sea-planning-program-design-and-initial-implementation-grant/.*

4. *Other:* (a) *Reasonable and Necessary Costs:* The Secretary may elect to impose maximum limits on the amount of subgrant funds that a SE may award to an eligible applicant per new charter school created or replicated, per charter school expanded, or per new school seat created.

For this competition, the maximum amount of subgrant funds an SE may award to a subgrantee per new charter school, replicated high-quality charter school, or expanding high-quality charter school over a five-year subgrant period is $1,250,000.

Note: Applicants must ensure that all costs included in the proposed budget are necessary and reasonable to meet the goals and objectives of the proposed project. Any

costs determined by the Secretary to be unreasonable or unnecessary will be removed from the final approved budget.

(b) *Audits:* (i) A non-Federal entity that expends $750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of 2 CFR part 200. (2 CFR 200.501(a))

(ii) A non-Federal entity that expends less than $750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in 2 CFR 200.503 (Relation to other audit requirements), but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO). (2 CFR 200.501(d)).

IV. Application and Submission Information

1. *Application Submission Instructions:* For information on how to submit an application please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 12, 2018 (83 FR 6003) and available at *www.gpo.gov/fdsys/pkg/FR-2018-02-12/pdf/2018-02558.pdf*.

2. *Submission of Proprietary Information:* Given the types of projects that may be proposed in applications for the State Entities grant competition, your application may include business information that you consider proprietary. In 34 CFR 5.11 we define ''business information'' and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you feel is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under ''Other Attachments Form,'' please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

4. *Funding Restrictions:* In accordance with section 4303(c) of the ESEA, an SE receiving a grant under this program shall: (a) Use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the SE's application pursuant to section 4303(f), for activities related to opening and preparing for the operation of new charter schools and replicated high-quality charter schools, or expanding high-quality charter schools; (b) reserve not less than seven percent of the grant funds to provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out such activities, and work with authorized public chartering agencies in the State to improve authorizing quality, including developing capacity for, and conducting, fiscal oversight and auditing of charter schools; and (c) reserve not more than three percent of the grant funds for administrative costs, which may include technical assistance. An SE may use a grant received under this program to provide technical assistance and to work with authorized public chartering agencies to improve authorizing quality under section 4303(b)(2) of the ESEA directly or through grants, contracts, or cooperative agreements.

Limitation on Grants and Subgrants: Under section 4303(d) of the ESEA, a grant awarded by the Secretary to an SE under this competition shall be for a period of not more than five years.

A subgrant awarded by an SE under this program shall be for a period of not more than five years, of which an eligible applicant may use not more than 18 months for planning and program design. An eligible applicant may not receive more than one subgrant under this program for each individual charter school for a five-year period, unless the eligible applicant demonstrates to the SE that such individual charter school has at least three years of improved educational results for students enrolled in such charter school, with respect to the elements described in section 4310(8)(A) and (D) of the ESEA.[4]

Other CSP Grants: A charter school that previously received CSP funds for planning or initial implementation under section 5202(c)(2) of the ESEA, as amended by NCLB (CFDA number 84.282B), or for the replication or expansion of a high-quality charter school under one of the Department's Appropriations Acts[5] (CFDA number 84.282M), is not eligible to receive funds from an SE under this program for the same or substantially similar activities. However, a high-quality charter school (*i.e.,* eligible applicant) that previously received CSP funds may be eligible to apply to an SE for additional CSP subgrant funds to support the replication (including opening a new campus) or expansion of a high-quality charter school.

Likewise, a charter school that receives funds from an SE under this program is ineligible to receive funds for the same or substantially similar activities under section 4305(a)(2) or (b) of the ESEA.

Uses of Subgrant Funds: State entities awarded grants under this competition shall award subgrants to eligible applicants to enable such eligible applicants to—

(a) Open and prepare for the operation of new charter schools;

(b) Open and prepare for the operation of replicated high-quality charter schools; or

(c) Expand high-quality charter schools.

An eligible applicant receiving a subgrant under this program shall use such funds to support activities related to opening and preparing for the operation of new charter schools or replicating or expanding high-quality charter schools, which shall include one or more of the following:

(a) Preparing teachers, school leaders, and specialized instructional support personnel, including through paying costs associated with—

(i) Providing professional development; and

(ii) Hiring and compensating, during the eligible applicant's planning period specified in the application for subgrant funds, one or more of the following:

(A) Teachers.

(B) School leaders.

(C) Specialized instructional support personnel.

(b) Acquiring supplies, training, equipment (including technology), and educational materials (including

[4] Section 4303(e)(2) of the ESEA prescribes the circumstances under which an eligible applicant may be eligible to apply to an SE for a second subgrant for an individual charter school for a five-year period. The eligible applicant still would have to meet all program requirements, including the requirements for replicating or expanding a high-quality charter school.

[5] Beginning with the Consolidated Appropriations Act, 2010, Public Law 111–117, each of the Department's Appropriations Acts through the FY 2016 Appropriations Act authorized the Secretary to award grants for the replication and expansion of charter schools.

developing and acquiring instructional materials).

(c) Carrying out necessary renovations to ensure that a new school building complies with applicable statutes and regulations, and minor facilities repairs (excluding construction).

(d) Providing one-time, startup costs associated with providing transportation to students to and from the charter school.

(e) Carrying out community engagement activities, which may include paying the cost of student and staff recruitment.

(f) Providing for other appropriate, non-sustained costs related to opening, replicating, or expanding high-quality charter schools when such costs cannot be met from other sources.

Diversity of Projects: Each State entity awarding subgrants under this competition shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

(a) Are distributed throughout different areas, including urban, suburban, and rural areas; and

(b) Will assist charter schools representing a variety of educational approaches.

Award Basis: In determining whether to approve a grant award and the amount of such award, the Department will consider, among other things, the applicant's performance and use of funds under a previous or existing award under any Department program (34 CFR 75.217(d)(3)(ii) and 233(b)). In assessing the applicant's performance and use of funds under a previous or existing award, the Secretary will consider, among other things, the outcomes the applicant has achieved and the results of any Departmental grant monitoring, including the applicant's progress in remedying any deficiencies identified in such monitoring.

We reference additional regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

5. *Recommended Page Limit:* The application narrative (Part III of the application) is where you, the applicant, address the priorities, selection criteria, and application requirements that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 60 pages and (2) use the following standards:

• A ''page'' is 8.5″ × 11″, on one side only, with 1″ margins at the top, bottom, and both sides.

• Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

• Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

• Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, the recommended page limit does apply to all of the application narrative.

6. *Pre-Application Webinar Information:* The Department will hold a pre-application meeting via webinar for prospective applicants on Wednesday, March 14, 2018, 2:00 p.m., Eastern Time. Individuals interested in attending this meeting are encouraged to pre-register by emailing their name, organization, and contact information with the subject heading ''STATE ENTITIES GRANTS PRE-APPLICATION MEETING'' to *CharterSchools@ed.gov*. There is no registration fee for attending this meeting.

For further information about the pre-application meeting, contact Amy Huber, U.S. Department of Education, 400 Maryland Avenue SW, Room 4W222, Washington, DC 20202–5970. Telephone: (202) 453–6634 or by email: *amy.huber@ed.gov*.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are from section 4303(g)(1) of the ESEA (20 U.S.C. 7221b(g)(1)) and 34 CFR 75.210. The maximum possible total score an application can receive for addressing the criteria is 100 points. The maximum possible score for addressing each criterion is indicated in parentheses following the criterion.

(a) *Quality of the Project Design (up to 15 points).* The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers:

(1) The extent to which the proposed project demonstrates a rationale (up to 10 points); and

(2) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable (up to 5 points).

(b) *Objectives (up to 20 points):* The ambitiousness of the State entity's objectives for the quality charter school program carried out under the CSP State Entities program.

Note: In response to this criterion, an applicant may address (or cross reference) some or all of the components of application requirements (I)(A)–(G) in this notice, which require the applicant to provide a description of the State entity's objectives in running a quality charter school program and how the objectives of the program will be carried out.

(c) *Quality of Eligible Subgrant Applicants (up to 15 points):* The likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students.

(d) *State Plan (up to 20 points):* The State entity's plan to—

(1) Adequately monitor the eligible applicants receiving subgrants under the State entity's program;

(2) Work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and

(3) Provide technical assistance and support for—

(i) The eligible applicants receiving subgrants under the State entity's program; and

(ii) Quality authorizing efforts in the State.

(e) *Quality of the Management Plan (up to 15 points).* The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers:

(1) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (up to 10 points); and

(2) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project (up to 5 points).

(f) *Parent and Community Involvement (up to 10 points):* The State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.

(g) *Flexibility (up to 5 points):* The degree of flexibility afforded by the State's charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Risk Assessment and Specific Conditions:* Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose specific conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. *Integrity and Performance System:* If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently $150,000) under 2 CFR 200.205(a)(2), we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds $10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed $10,000,000.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Open Licensing Requirements:* Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Please refer to the Applicable Regulations section to see if an exception under 2 CFR part 3474 applies for this program. For additional information on the open licensing requirements please refer to 2 CFR 3474.20(c).

4. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

(c) In accordance with section 4303(i) of the ESEA, each State entity receiving a grant under this section must submit to the Secretary, at the end of the third year of the five-year grant period (or at the end of the second year if the grant period is less than five years), and at the end of such grant period, a report that includes the following:

(1) The number of students served by each subgrant awarded under this section and, if applicable, the number of new students served during each year of the period of the subgrant.

(2) A description of how the State entity met the objectives of the quality charter school program described in the State entity's application, including—

(A) How the State entity met the objective of sharing best and promising practices as outlined in section 4303(f)(1)(A)(ix) of the ESEA in areas such as instruction, professional development, curricula development, and operations between charter schools and other public schools; and

(B) If known, the extent to which such practices were adopted and implemented by such other public schools.

(3) The number and amount of subgrants awarded under this program to carry out activities described in section 4303(b)(1)(A) through (C) of the ESEA.

(4) A description of—

(A) How the State entity complied with, and ensured that eligible applicants complied with, the assurances included in the State entity's application; and

(B) How the State entity worked with authorized public chartering agencies, and how the agencies worked with the management company or leadership of the schools that received subgrant funds under this program, if applicable.

(d) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

5. *Performance Measures:*

(a) The primary goal of the CSP is to support the creation and development of a large number of high-quality charter schools that are free from State or local rules that inhibit flexible operation, are

held accountable for enabling students to reach challenging State performance standards, and are open to all students. The Secretary has established two performance indicators to measure annual progress towards this goal: (1) The number of new charter schools and charter school campuses in operation around the Nation; (2) the number of states that demonstrate annual increases in the percentage of fourth- and eighth-grade charter school students who are achieving at or above the proficient level on State assessments in mathematics and reading/language arts; (3) the number of states that demonstrate annual decreases in the percentage of charter schools that are identified as a comprehensive support and improvement school. Additionally, the Secretary has established the following measure to examine the efficiency of the CSP: Federal cost per student in implementing a successful school (defined as a school in operation for three or more consecutive years).

(b) *Project-Specific Performance Measures.* Applicants must propose project-specific performance measures and performance targets consistent with the objectives of the proposed project. Applications must provide the following information as directed under 34 CFR 75.110(b) and (c).

(1) *Performance measures.* How each proposed performance measure would accurately measure the performance of the project and how the proposed performance measure would be consistent with the performance measures established for the program funding the competition.

(2) *Baseline data.* (i) Why each proposed baseline is valid; or (ii) If the applicant has determined that there are no established baseline data for a particular performance measure, an explanation of why there is no established baseline and of how and when, during the project period, the applicant would establish a valid baseline for the performance measure.

(3) *Performance targets.* Why each proposed performance target is ambitious yet achievable compared to the baseline for the performance measure and when, during the project period, the applicant would meet the performance target(s).

(4) *Data collection and reporting.* (i) The data collection and reporting methods the applicant would use and why those methods are likely to yield reliable, valid, and meaningful performance data; and (ii) The applicant's capacity to collect and report reliable, valid, and meaningful performance data, as evidenced by high-quality data collection, analysis, and reporting in other projects or research.

All grantees must submit an annual performance report with information that is responsive to these performance measures.

6. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: Whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

7. *Project Director's Meeting:* Applicants approved for funding under this competition must attend a two-day meeting for project directors at a location to be determined in the continental United States during each year of the project. Applicants may include the cost of attending this meeting in their proposed budgets.

VII. Other Information

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

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations 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: March 6, 2018.

Margo Anderson,

Acting Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. 2018–04821 Filed 3–8–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Idaho Cleanup Project

AGENCY: Department of Energy.

ACTION: Notice of open conference call.

SUMMARY: This notice announces a conference call of the Environmental Management Site-Specific Advisory Board (EM SSAB), Idaho Cleanup Project. The Federal Advisory Committee Act requires that public notice of this conference call be announced in the **Federal Register**.

DATES: Wednesday, March 28, 2018—10:00 a.m.–12:00 p.m.

The opportunity for public comment is tentatively set for 10:00 a.m.

Conference Call: Call in number: (877) 820–7831, Passcode: 203901.

To Sign Up for Public Comment: Please contact Jordan Davies by email, *Jordan.Davies@em.doe.gov,* or phone (208) 557–7886, no later than 9:30 a.m. on Wednesday, March 28.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE–EM and site management in the areas of environmental restoration, waste management, and related activities.

Tentative Topic:

- In follow-up to the February 21, 2018, meeting, the board will consider a letter to DOE on the Advanced Mixed Waste Treatment Project's (AMWTP) future mission:
  - The AMWTP is a facility designed to treat, characterize, package, and ship transuranic and mixed low-level waste that has been stored in Idaho since the 1970s. The plant is scheduled to complete treatment of Idaho waste by the end of 2018, and DOE is considering extending the facility's mission to accommodate waste from other DOE sites.

Public Participation: Written statements may be filed with the Board either before or after the conference call. The Deputy Designated Federal Officer is empowered to conduct the conference call in a fashion that will facilitate the orderly conduct of business. Individuals

wishing to make public comments will be provided a maximum of five minutes to present their comments.

Minutes: Minutes will be available by writing Bradley P. Bugger, Federal Coordinator, at Department of Energy, Idaho Operations Office, 1955 Fremont Avenue, MS–1203, Idaho Falls, Idaho 83415. Or call him at (208) 526–0833. Minutes will also be available at the following website: *https://energy.gov/em/icpcab/listings/cab-meetings.*

Issued at Washington, DC, on March 6, 2018.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2018–04731 Filed 3–8–18; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP18–507–000.
Applicants: Columbia Gas Transmission, LLC.
Description: § 4(d) Rate Filing: EPCA 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5041.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–508–000.
Applicants: Columbia Gas Transmission, LLC.
Description: § 4(d) Rate Filing: TCRA 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5054.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–509–000.
Applicants: Columbia Gas Transmission, LLC.
Description: § 4(d) Rate Filing: RAM 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5062.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–510–000.
Applicants: KPC Pipeline, LLC.
Description: § 4(d) Rate Filing: Fuel Reimbursement Adjustment to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5063.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–511–000.
Applicants: WBI Energy Transmission, Inc.
Description: § 4(d) Rate Filing: 2018 Annual Fuel & Electric Power Reimbursement Adjustment to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5064.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–512–000.
Applicants: Columbia Gulf Transmission, LLC.
Description: § 4(d) Rate Filing: TRA 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5065.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–513–000.
Applicants: WBI Energy Transmission, Inc.
Description: § 4(d) Rate Filing: 2018 Negotiated Rate SA FT–1422 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5066.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–515–000.
Applicants: Crossroads Pipeline Company.
Description: § 4(d) Rate Filing: TRA 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5071.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–516–000.
Applicants: Millennium Pipeline Company, LLC.
Description: § 4(d) Rate Filing: RAM 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5072.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–517–000.
Applicants: Central Kentucky Transmission Company.
Description: § 4(d) Rate Filing: RAM 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5078.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–518–000.
Applicants: Ruby Pipeline, L.L.C.
Description: § 4(d) Rate Filing: Update Filing—FLU and EPC to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5079.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–519–000.
Applicants: TransColorado Gas Transmission Company L.
Description: § 4(d) Rate Filing: Annual Reimbursement Percentage Update and Annual Report Filing to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5090.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–520–000.
Applicants: Viking Gas Transmission Company.
Description: § 4(d) Rate Filing: Semi-Annual FLRP—Spring 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5091.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–521–000.
Applicants: Gulf Crossing Pipeline Company LLC.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmt (Newfield 18 to SW Energy 1950) to be effective 3/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5100.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–522–000.
Applicants: Leaf River Energy Center LLC.
Description: § 4(d) Rate Filing: Non-Conforming Service Agreement and Related Tariff Changes to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5101.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–523–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmt (Petrohawk 41455 to Texla 49140) to be effective 3/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5102.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–524–000.
Applicants: Guardian Pipeline, L.L.C.
Description: § 4(d) Rate Filing: EPCR Semi-Annual Adjustment—Spring 2018 to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5106.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–525–000.
Applicants: Kern River Gas Transmission Company.
Description: § 4(d) Rate Filing: 2018 Daggett Electric Surcharge to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5107.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–526–000.
Applicants: Alliance Pipeline L.P.
Description: § 4(d) Rate Filing: Settlement Rates and Tracker to be effective 4/1/2018.
Filed Date: 3/1/18.
Accession Number: 20180301–5149.
Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–527–000.
Applicants: Millennium Pipeline Company, LLC.
Description: Operational Transactions Report of Millennium Pipeline Company, LLC.
Filed Date: 3/1/18.
Accession Number: 20180301–5169.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–528–000.

Applicants: Cimarron River Pipeline, LLC.

Description: § 4(d) Rate Filing: Fuel Tracker 2018—Summer Season Rates to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5179.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–529–000.

Applicants: Cheniere Creole Trail Pipeline, L.P.

Description: Transportation Retainage Adjustment Informational Filing of Cheniere Creole Trail Pipeline, L.P.

Filed Date: 3/1/18.

Accession Number: 20180301–5181.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–530–000.

Applicants: Chesapeake Energy Marketing, L.L.C., BCE–MACH LLC.

Description: Joint Petition of Chesapeake Energy Marketing, L.L.C., et al. for Limited Waiver and Request For Expedited Action.

Filed Date: 3/1/18.

Accession Number: 20180301–5183.

Comments Due: 5 p.m. ET 3/8/18.

Docket Numbers: RP18–531–000.

Applicants: Tennessee Gas Pipeline Company, L.L.C.

Description: § 4(d) Rate Filing: Fuel Tracker 2018 to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5186.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–532–000.

Applicants: Enable Gas Transmission, LLC.

Description: § 4(d) Rate Filing: Negotiated Rate Filng—March, 2018—Shell Newfield to be effective 3/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5199.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–533–000.

Applicants: Tallgrass Interstate Gas Transmission, L.

Description: § 4(d) Rate Filing: FL&U and EPCT Periodic Rate Adjustment to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5241.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–534–000.

Applicants: Texas Eastern Transmission, LP.

Description: § 4(d) Rate Filing: Negotiated Rates—Rice Energy Release to Wells Fargo to be effective 3/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5242.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–535–000.

Applicants: El Paso Natural Gas Company, L.L.C.

Description: § 4(d) Rate Filing: Letter Agreement Filing (SWG March 18) to be effective 4/1/2018.

Filed Date: 3/1/18

Accession Number: 20180301–5243.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–536–000.

Applicants: American Midstream (Midla), LLC.

Description: § 4(d) Rate Filing: Annual Fuel, Lost and Unaccounted-for Gas Percentage Filing to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5246.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–537–000.

Applicants: Algonquin Gas Transmission, LLC.

Description: § 4(d) Rate Filing: AGT FRQ Partial Settlement Filing—Docket Nos. RP18–75–000, 001 to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5261.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–538–000.

Applicants: Dauphin Island Gathering Partners.

Description: § 4(d) Rate Filing: Storm Surcharge 2018 to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5266.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–539–000.

Applicants: UGI Sunbury, LLC.

Description: § 4(d) Rate Filing: Revise Imbalance Management Section to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5273.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–540–000.

Applicants: Transcontinental Gas Pipe Line Company.

Description: § 4(d) Rate Filing: Transco 2018 Annual Fuel Tracker to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5276.

Comments Due: 5 p.m. ET 3/13/18.

Docket Numbers: RP18–541–000.

Applicants: Transcontinental Gas Pipe Line Company.

Description: § 4(d) Rate Filing: Annual Electric Power Tracker Filing Effective April 1, 2018 to be effective 4/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5286.

Comments Due: 5 p.m. ET 3/13/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and § 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 5, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–04739 Filed 3–8–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC18–6–000]

Commission Information Collection Activities; (FERC–65, FERC–65A, FERC–65B, FERC–725V); Consolidated Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the information collections, FERC–65 (Notice of Holding Company Status), FERC–65A (Exemption Notification of holding Company Status), and FERC–65B (Waiver Notification of Holding Company Status), and FERC–725V (Mandatory Reliability Standards: COM Reliability Standards) which will be submitted to the Office of Management and Budget (OMB) for a review of the information collection requirements.

DATES: Comments on the collection of information are due May 8, 2018.

ADDRESSES: You may submit comments (identified by Docket No. IC18–6–000) by either of the following methods:

- *eFiling at Commission's Website: http://www.ferc.gov/docs-filing/efiling.asp*
- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with

submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov,* telephone at (202) 502–8663, and fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: FERC–65 (Notice of Holding Company Status), FERC–65A (Exemption Notification of Holding Company Status), and FERC–65B (Waiver Notification of Holding Company Status).

OMB Control No.: 1902–0218.

Type of Request: Three-year extension of the FERC–65, FERC–65A and FERC–65B information collection requirements with no changes to the current reporting requirements.

Abstract: The Pursuant to section 366.4 of the Commission's rules and regulations, persons who meet the definition of a holding company shall provide the Commission notification of holding company status.

The FERC–65 is a one-time informational filing outlined in the Commission's regulations at 18 Code of Federal Regulations (CFR) 366.4. The FERC–65 must be submitted within 30 days of becoming a holding company.[1] While the Commission does not require the information to be reported in a specific format, the filing needs to consist of the name of the holding company, the name of public utilities, the name of natural gas companies in the holding company system, and the names of service companies. In addition, the Commission requires the filing to include the names of special-purpose subsidiaries (which provide non-power goods and services) and the names of all affiliates and subsidiaries (and their corporate interrelationship) to each other. Filings may be submitted in hardcopy or electronically through the Commission's eFiling system.

FERC–65A (Exemption Notification of Holding Company Status)

While noting the previously outlined requirements of the FERC–65, the Commission has allowed for an exemption from the requirement of providing the Commission with a FERC–65 if the books, accounts, memoranda, and other records of any person are not relevant to the jurisdictional rates of a public utility or natural gas company; or if any class of transactions is not relevant to the jurisdictional rates of a public utility or natural gas company. Persons seeking this exemption file the FERC–65A, which must include a form of notice suitable for publication in the **Federal Register**. Those who file a FERC–65A in good faith will have a temporary exemption upon filing, after 60 days if the Commission has taken no action, the exemption will be deemed granted. Commission regulations within 18 CFR 366.3 describe the criteria in more specificity.

1. FERC–65B (Waiver Notification of Holding Company Status)

If an entity meets the requirements in 18 CFR 366.3(c), they may file a FERC–65B waiver notification pursuant to the procedures outlined in 18 CFR 366.4. Specifically, the Commission waives the requirement of providing it with a FERC–65 for any holding company with respect to one or more of the following: (1) Single-state holding company systems; (2) holding companies that own generating facilities that total 100 MW or less in size and are used fundamentally for their own load or for sales to affiliated end-users; or (3) investors in independent transmission-only companies. Filings may be made in hardcopy or electronically through the Commission's website.

Type of Respondent: Public utility companies, natural gas companies, electric wholesale generators, foreign utility holding companies.

Estimate of Annual Burden:[2] The Commission estimates the annual public reporting burden for the information collection as:

FERC–65 (NOTIFICATION OF HOLDING COMPANY STATUS), FERC–65A (EXEMPTION NOTIFICATION OF HOLDING COMPANY STATUS), AND FERC–65B (WAIVER NOTIFICATION OF HOLDING COMPANY STATUS)

	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden and cost per response[3]	Total annual burden hours and total annual cost	Cost per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
FERC–65	12	1	12	3, $229.50	36, $2,754	$229.50
FERC–65A	4	1.25	5	1, $76.50	5, $382.50	95.63
FERC–65B	4	1.75	7	1, $76.50	7, $535.50	133.88
Total			24		48, $3,672	

Title: FERC–725V, Mandatory Reliability Standards: COM Reliability Standards.

OMB Control No.: 1902–0277.

Type of Request: Three-year extension of the FERC–725V information collection requirements with no changes to the current reporting requirements.

Abstract: On August 15, 2016, the North American Electric Reliability Corporation (NERC) filed a petition for Commission approval, pursuant to section 215(d)(1) of the Federal Power

[1] Persons that meet the definition of a holding company as provided by § 366.1 as of February 8, 2006 shall notify the Commission of their status as a holding company no later than June 15, 2006. Holding companies formed after February 8, 2006 shall notify the Commission of their status as a holding company, no later than the latter of June 15, 2006 or 30 days after they become holding companies.

[2] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. Refer to 5 CFR 1320.3 for additional information.

[3] The estimates for cost per response are derived using the following formula: 2017 Average Burden Hours per Response * $76.50 per Hour = Average Cost per Response. The hourly cost figure of $76.50 is the average FERC employee wage plus benefits. We assume for FERC–65, FERC–65A and FERC–65B that respondents earn at a similar rate.

Act (''FPA'') [4] and Section 39.5 [5] of the Federal Energy Regulatory Commission's regulations, for Reliability Standard COM–001–3 (Communications), the associated Implementation Plan, retirement of currently-effective Reliability Standard COM–001–2.1, and Violation Risk Factors (''VRFs'') and Violation Severity Levels (''VSLs'') associated with new Requirements R12 and R13 in Reliability Standard COM–001–3. Reliability Standard COM–001–3 reflects revisions developed under Project 2015–07 Internal Communications Capabilities, in compliance with the Commission's directive in Order No. 888 that NERC ''develop modifications to COM–001–2, or develop a new standard, to address the Commission's concerns regarding ensuring the adequacy of internal communications capability whenever internal communications could directly affect the reliability opera.

Reliability Standards COM–001–2 and COM–002–4 do not require responsible entities to file information with the Commission. COM–001–2 requires that transmission operators, balancing authorities, reliability coordinators, distribution providers, and generator operators must maintain documentation of Interpersonal Communication capability and designation of Alternate Interpersonal Communication, as well as evidence of testing of the Alternate Interpersonal Communication facilities. COM–002–4 requires balancing authorities, distribution providers, reliability coordinators, transmission operators, and generator operators to develop and maintain documented communication protocols, and to be able to provide evidence of training on the protocols and of their annual assessment of the protocols. Additionally, all applicable entities (balancing authorities, reliability coordinators, transmission operators, generator operators, and distribution providers) must be able to provide evidence of three-part communication when issuing or receiving an Operating Instruction during an Emergency.

Type of Respondents: Public utilities.

Estimate of Annual Burden: [6] The Commission estimates the annual public reporting burden for the information collection as:

FERC–725V, MANDATORY RELIABILITY STANDARDS: COM RELIABILITY STANDARDS

	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden and cost per response [7]	Total annual burden hours and total annual cost	Cost per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
(One-time) [8] Development of Communication Protocols [COM–002–4 R1].	201 (BA, RC & TOP).	1	201	8 hrs. & $288	1,608 hrs. & $57,888	$288
(On-going) [9] Maintain evidence of Interpersonal Communication capability [COM–001–2 R7 and R8].	1,180 (DP & GOP)	1	1,180	4 hrs. & $144	4,720 hrs. & $169,920 ...	144
(On-going) Maintain evidence of training and assessments [COM–002–4 R2, R4, R5 and R6].	201 (BA, RC & TOP).	1	201	8 hrs. & $288	1,608 hrs. & $57,888	288
(On-going) Maintain evidence of training [COM–002–4 R3 and R6].	1,880 (DP & GOP)	1	1,180	8 hrs. & $288	15,040 hrs. & $541,440	288
Total	.....	.....	2,762	.....	22,976 hrs. & $827,136	.....

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: March 5, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–04779 Filed 3–8–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP18–84–000]

Dominion Energy Transmission, Inc.; Tennessee Gas Pipeline Company, L.L.C.; National Fuel Gas Supply Corporation; Notice of Application

Take notice that on February 13, 2018, Dominion Energy Transmission, Inc. (Dominion Energy), 120 Tredegar Street, Richmond, VA 23219, Tennessee Gas Pipeline Company, L.L.C. (Tennessee),

[4] 16 U.S.C. 824o (2012).

[5] 18 CFR 39.5 (2015).

[6] The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

[7] The loaded hourly wage figure (includes benefits) is based on the occupational categories for 2016 found on the Bureau of Labor Statistics website (*http://www.bls.gov/oes/current/naics2_22.htm*):

Electrical Engineer (Occupation Code: 17–2071): $68.12 (review and documentation).

Office and Administrative Support (Occupation Code: 43–0000): $40.89 ($68.12 + 40.89 = 109.01 ÷ 3 = $36.34. This figure is rounded to $36.00 for use in collection FERC–725V for calculating wage figures in this renewal calculation.

1001 Louisiana Street, Suite 1000, Houston, TX 77002 and National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, NY 14221, jointly filed an application in Docket No. CP18–84–000 pursuant to section 7(c) of the Natural Gas Act (NGA), and Part 157 of the Commission's regulations, for a certificate of public convenience and/or necessity requesting authorization to establish a protective boundary around the active limit of the Ellisburg Storage Pool located in Potter, Pennsylvania. The proposed expansion would establish a 2,000-foot buffer area around the reservoir containing 6,394.57 acres, all as more fully set forth in the application which is on file with the Commission and open for public inspection. The filing may also be viewed on the web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TTY, (202) 502–8659.

Any questions regarding this application may be directed to Matthew R. Bley, Director, Gas Transmission Certificates, Dominion Energy Transmission, Inc., 707 East Main Street, Richmond, Virginia 23219, or by calling 866–319–3382, or email at *Matthew.R.Bley@DominionEnergy.com.*

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 7 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenter's will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenter's will not be required to serve copies of filed documents on all other parties. However, the non-party commentary, will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and ill not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. See, 18 CFR 385.2001(a) (1) (iii) and the instructions on the Commission's website under the e-Filing link.

Comment Date: 5:00 p.m. Eastern Time on March 15, 2018.

Dated: February 22, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–04708 Filed 3–8–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–1532–003; ER10–1541–004; ER10–1642–005; ER10–1763–003; ER10–1766–003; ER10–1767–003; ER13–2349–002; ER13–2350–002; ER16–221–001; ER17–1757–001.

Applicants: Entergy Arkansas, Inc., Entergy Louisiana, LLC, Entergy Mississippi, Inc., Entergy New Orleans, LLC, Entergy Texas, Inc., Entergy Nuclear Palisades, LLC, Entergy Power, LLC, EWO Marketing, LLC, EAM Nelson Holding, LLC, RS Cogen, LLC, Entergy Services, Inc.

Description: Supplement to December 28, 2017 Triennial Market Power Update for the Central Region of the Entergy MBR Utilities.

Filed Date: 3/1/18.

Accession Number: 20180301–5319.

Comments Due: 5 p.m. ET 3/22/18.

Docket Numbers: ER17–481–000.

Applicants: CPV Maryland, LLC.

Description: Report Filing: Refund Report to be effective N/A.

Filed Date: 3/5/18.

Accession Number: 20180305–5323.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–958–000.

Applicants: Duke Energy Florida, LLC.

Description: § 205(d) Rate Filing: DEF–DEF E&P Agreement—Hamilton Solar to be effective 3/6/2018.

Filed Date: 3/5/18.

Accession Number: 20180305–5284.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–959–000.

Applicants: Bayonne Plant Holding, L.L.C.

Description: Tariff Cancellation: Notice of Cancellation of Rate Schedule and Request for Waiver to be effective 6/1/2018.

Filed Date: 3/5/18.

Accession Number: 20180305–5286.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–961–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original Service Agreement No. 4955—NITSA among PJM and AEP EP to be effective 6/1/2014.

Filed Date: 3/5/18.

Accession Number: 20180305–5288.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–962–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original Service Agreement No. 4956—NITSA among PJM and AEPSC to be effective 1/1/2017.

Filed Date: 3/5/18.

Accession Number: 20180305–5290.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–963–000.

Applicants: Southern Maryland Electric Cooperative, Inc., PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: SMECO submits revisions to OATT, Att. H–9C re: Transmission Revenue Requirement to be effective 5/1/2018.

Filed Date: 3/5/18.

Accession Number: 20180305–5293.

Comments Due: 5 p.m. ET 3/26/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 5, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–04738 Filed 3–8–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP18–42–000]

Transcontinental Gas Pipe Line Company, LLC; Notice of Filing

Take notice that on January 2, 2018, pursuant to Rule 212 of the Commission's Rules of Practice and Procedure (18 CFR 385.212), the North Carolina Utilities Commission (NCUC) filed a motion for order to show cause regarding: (1) Whether Transcontinental Gas Pipe Line Company, LLC (Transco) has been operating, and is continuing to operate, its Eminence Salt Dome Storage Field, located near the Town of Seminary in Covington County, Mississippi, in accordance with the amended certificate issued in Docket No. CP11–151; [1] and, (2) whether Transco should be allowed to assess demand charges for the amount of firm service from the Eminence Salt Dome Storage Field under Rate Schedule ESS and Rate Schedule EESWS that Transco allegedly has been and is currently unable to provide given the revised operating parameters of the Eminence Salt Dome Storage Field.

The filing may also be viewed on the web at *http://www.ferc.gov* using the eLibrary link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or TTY, contact (202) 502–8659.

Any person wishing to obtain legal status by becoming a party to this proceeding should, on or before the comment date listed below, file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214).

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and five copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

Comment Date: 5:00 p.m. Eastern Time on March 15, 2018.

[1] *Transcontinental Gas Pipe Line Co., LLC,* 142 FERC 61,095 (2013), *order on reh'g,* 147 FERC 61,091 (2014).

Dated: February 22, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–04707 Filed 3–8–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PF17–8–000]

Commonwealth LNG LLC; Notice of Intent To Prepare an Environmental Impact Statement for the Planned Commonwealth LNG Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Session

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental impact statement (EIS) that will discuss the environmental impacts of the Commonwealth LNG Project involving construction and operation of facilities by Commonwealth LNG LLC (Commonwealth LNG) in Cameron Parish, Louisiana. The Commission will use this EIS in its decision-making process to determine whether the project is in the public interest.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EIS. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before March 26, 2018.

If you sent comments on this project to the Commission before the opening of this docket on July 28, 2017, you will need to file those comments in Docket No. PF17–8–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this planned project and encourage them to comment on their areas of concern.

A fact sheet prepared by the FERC entitled An Interstate Natural Gas

Facility On My Land? What Do I Need To Know? is available for viewing on the FERC website (*www.ferc.gov*). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

Public Participation

For your convenience, there are four methods you can use to submit your comments to the Commission. The Commission will provide equal consideration to all comments received, whether filed in written form or provided verbally. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature on the Commission's website (*www.ferc.gov*) under the link to *Documents and Filings.* This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature on the Commission's website (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on *eRegister.* If you are filing a comment on a particular project, please select ''Comment on a Filing'' as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (PF17–8–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

(4) In lieu of sending written or electronic comments, the Commission invites you to attend the public scoping session its staff will conduct in the project area, scheduled as follows:

Date and time	Location
Tuesday, March 13, 2018, 4:00 to 8:00 p.m	Johnson Bayou Community Center, 5556 Gulf Beach Highway, Johnson Bayou, LA 70631.

The primary goal of these scoping sessions is to have you identify the specific environmental issues and concerns that should be considered in the EIS to be prepared for this project. Individual verbal comments will be taken on a one-on-one basis with a court reporter. This format is designed to receive the maximum amount of verbal comments, in a convenient way during the timeframe allotted.

The scoping session is scheduled from 4:00 p.m. to 8:00 p.m. CDT. You may arrive at any time after 3:30 p.m. There will not be a formal presentation by Commission staff when the session opens, and we note that no refreshments will be served. If you wish to speak, the Commission staff will hand out numbers in the order of your arrival. Comments will be taken until 8:00 p.m. However, if no additional numbers have been handed out and all individuals who wish to provide comments have had an opportunity to do so, staff may conclude the session at 7:30 p.m.

Your scoping comments will be recorded by the court reporter (with FERC staff or representative present) and become part of the public record for this proceeding. Transcripts will be publicly available on FERC's eLibrary system (see below for instructions on using eLibrary). If a significant number of people are interested in providing verbal comments in the one-on-one settings, a time limit of 5 minutes may be implemented for each commentor.

It is important to note that verbal comments hold the same weight as written or electronically submitted comments. Although there will not be a formal presentation, Commission staff will be available throughout the comment session to answer your questions about the environmental review process. Representatives from Commonwealth LNG will also be present to answer project-specific questions.

Please note this is not your only public input opportunity; please refer to the review process flow chart in appendix 2.[1]

Summary of the Planned Project

Commonwealth LNG plans to construct and operate a liquefied natural gas (LNG) terminal on the west side of the Calcasieu Ship Channel near Johnson Bayou in Cameron Parish, Louisiana. Commonwealth LNG intends to use the terminal to liquefy, store, and deliver LNG for export to global markets. The terminal would have a peak capacity of nine million metric tonnes of LNG per annum (MTPA). Commonwealth LNG would also dredge a ship berth and turning basin at the terminal.

The Commonwealth LNG Project would consist of the following facilities:

- A 3.7-mile-long natural gas receiving pipeline (either single 30-inch or dual 24-inch pipes) extending from existing pipelines operated by Kinetica Partners LLC and Bridgeline Holdings LP to the terminal;
- four 2.0 MTPA gas pre-treatment trains;
- eight liquefaction trains, with a nominal LNG production capacity of approximately 1 MTPA each;
- six LNG storage tanks, each with a capacity of 40,000 cubic meters (m^3);
- electric plant powered by a 80-megawatt gas turbine;
- boil-off gas handling system, utilities, and communications system; and
- one marine berth sized to accommodate LNG carriers up to about 215,000 m^3 in capacity.

The general location of the planned LNG facility, as well as several potential pipeline routes, are shown in appendix 1.

Land Requirements for Construction

Construction of the planned facilities would disturb about 132.6 acres of land for the upland terminal and pipeline. This acreage may vary somewhat depending on which pipeline route is selected. About 64.6 acres would be affected in the Calcasieu Ship Channel for the creation of the turning basin. Following construction, Commonwealth LNG would maintain about 122.4 acres for permanent operation of the upland terminal and pipeline right-of-way. Temporary construction areas would be restored and revert to former uses.

The EIS Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and

[1] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called eLibrary or from the Commission's Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

Necessity. NEPA also requires us [2] to discover and address concerns the public may have about proposals. This process is referred to as scoping. The main goal of the scoping process is to focus the analysis in the EIS on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EIS, including pipeline routing. We will consider all filed comments during the preparation of the EIS.

In the EIS we will discuss impacts that could occur as a result of the construction and operation of the planned project under these general headings:

- Geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife;
- air quality and noise;
- endangered and threatened species;
- public safety; and
- cumulative impacts.

We will also evaluate possible alternatives to the planned project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the FERC receives an application. As part of our pre-filing review, we have begun to contact some federal and state agencies to discuss their involvement in the scoping process and the preparation of the EIS.

The EIS will present our independent analysis of the issues. We will publish and distribute the draft EIS for public comment. After the comment period, we will consider all timely comments and revise the document, as necessary, before issuing a final EIS. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues related to this project to formally cooperate with us in the preparation of the EIS.[3] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice. Currently, the U.S. Army Corps of Engineers has expressed its intention to participate as a cooperating agency in the preparation of the EIS to satisfy its NEPA responsibilities related to this project.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the applicable State Historic Preservation Office(s), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.[4] We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPO(s) as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EIS for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the planned facilities and the environmental information provided by Commonwealth LNG. This preliminary list of issues may change based on your comments and our analysis:

- Selection of pipeline route;
- evaluation of temporary and permanent impacts on wetlands and the development of appropriate mitigation;
- potential impacts on fish and wildlife habitat, including potential impacts on federally listed threatened and endangered species;
- potential visual effects of the aboveground facilities;
- potential impacts of the construction workforce on local housing, infrastructure, public services, transportation, and economy;
- impacts on air quality and noise associated with construction and operation of the project; and
- public safety and hazards associated with LNG facilities.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the planned project.

Copies of the completed draft EIS will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 3).

Becoming an Intervenor

Once Commonwealth LNG files its application with the Commission, you may want to become an intervenor which is an official party to the Commission's proceeding. Intervenors play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Motions to intervene are more fully described at *http://www.ferc.gov/resources/guides/how-to/intervene.asp.* Instructions for becoming an intervenor are in the Document-less Intervention Guide under the e-filing link on the Commission's website. Please note that the Commission will not accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the project.

[2] We, us, and our refer to the environmental staff of the Commission's Office of Energy Projects.

[3] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

[4] The Advisory Council on Historic Preservation regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. Click on the eLibrary link, click on General Search and enter the docket number, excluding the last three digits in the Docket Number field (*i.e.,* PF17–8). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Finally, public sessions or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: February 22, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–04709 Filed 3–8–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Commission Staff Attendance

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of the Commission's staff may attend the following meeting related to the transmission planning activities of the New York Independent System Operator, Inc. (NYISO):

NYISO Electric System Planning Working Group and Transmission Planning Advisory Subcommittee Meeting

March 8, 2018, 1:00 p.m.–3:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=bic_espwg&directory=2018-03-08*

The discussions at the meetings described above may address matters at issue in the following proceedings:

New York Independent System Operator, Inc., Docket No. ER13–102.

New York Independent System Operator, Inc., Docket No. ER15–2059.

New York Independent System Operator, Inc., Docket No. ER17–2327.

For more information, contact James Eason, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (202) 502–8622 or *James.Eason@ferc.gov.*

Dated: March 5, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–04740 Filed 3–8–18; 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: ER11–4625–006; ER10–2861–005; ER10–2862–006; ER10–2866–005; ER10–2867–005; ER11–3634–006; ER13–1504–006; ER13–2169–005.

Applicants: Colton Power L.P., Fountain Valley Power, L.L.C., Goal Line L.P., Harbor Cogeneration Company, LLC, KES Kingsburg, L.P., SWG Arapahoe, LLC, SWG Colorado, LLC, Valencia Power, LLC.

Description: Notice of Non-Material Change in Status of Colton Power L.P., et. al.

Filed Date: 3/1/18.

Accession Number: 20180301–5289.

Comments Due: 5 p.m. ET 3/22/18.

Docket Numbers: ER14–2327–002; ER14–2328–002; ER14–2329–002; ER14–2330–002.

Applicants: Entergy Services, Inc., Entergy Nuclear Generation Company, Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, Entergy Nuclear Power Marketing, LLC.

Description: Supplement to June 29, 2017 Triennial Market Power Update for the Northeast Region of the Entergy Northeast MBR Utilities.

Filed Date: 3/1/18.

Accession Number: 20180301–5290.

Comments Due: 5 p.m. ET 3/22/18.

Docket Numbers: ER18–947–000.

Applicants: Nevada Power Company.

Description: § 205(d) Rate Filing: NPC RS 161/APS RS 152 Amendment 1 to Agr. to be effective 5/1/2018.

Filed Date: 3/1/18.

Accession Number: 20180301–5280.

Comments Due: 5 p.m. ET 3/22/18.

Docket Numbers: ER18–948–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original ISA, SA No. 4940, Queue No. AA2–178 to be effective 2/2/2018.

Filed Date: 3/5/18.

Accession Number: 20180305–5000.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–949–000.

Applicants: Allegheny Energy Supply Company, LLC.

Description: Compliance filing: compliance 2018 to be effective 12/5/2017.

Filed Date: 3/5/18.

Accession Number: 20180305–5002.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–950–000.

Applicants: FirstEnergy Solutions Corp.

Description: Compliance filing: compliance 2018 to be effective 12/5/2017.

Filed Date: 3/5/18.

Accession Number: 20180305–5003.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–951–000.

Applicants: Jersey Central Power & Light Company.

Description: Compliance filing: compliance 2018 to be effective 12/5/2017.

Filed Date: 3/5/18.

Accession Number: 20180305–5004.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–952–000.

Applicants: Monongahela Power Company.

Description: Compliance filing: compliance 2018 to be effective 12/5/2017.

Filed Date: 3/5/18.

Accession Number: 20180305–5005.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–953–000.

Applicants: Pennsylvania Electric Company.

Description: Compliance filing: compliance 2018 to be effective 12/5/2017.

Filed Date: 3/5/18.

Accession Number: 20180305–5006.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–954–000.

Applicants: Appalachian Power Company.

Description: § 205(d) Rate Filing: OATT—Revise Tax Rate & Attachment K, AEPTX Rate Update to be effective 12/31/9998.

Filed Date: 3/5/18.

Accession Number: 20180305–5007.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–955–000.

Applicants: NorthWestern Corporation.

Description: § 205(d) Rate Filing: SA 642 6th Rev—NITSA with General Mills Operations LLC to be effective 5/1/2018.

Filed Date: 3/5/18.

Accession Number: 20180305–5008.

Comments Due: 5 p.m. ET 3/26/18.

Docket Numbers: ER18–956–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to ISA SA No. 4525; Queue No. Z2–089/AA2–099 (Consent to Assign) to be effective 8/8/2016.

Filed Date: 3/5/18.

Accession Number: 20180305–5017.

Comments Due: 5 p.m. ET 3/26/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 5, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–04737 Filed 3–8–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP18–89–000]

Empire Pipeline, Inc.; Notice of Application

Take notice that on February 16, 2018, Empire Pipeline, Inc. (Empire), 6363 Main Street, Williamsville, New York 14221, filed an application in Docket No. CP18–89–000 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act (NGA) for its Empire North Project. Specifically, Empire proposes to: (i) Construct a new 21,068 horsepower (hp) compressor station in Tioga County, Pennsylvania; (ii) construct a new 32,000 hp compressor station in Ontario County, New York; (iii) modify its New Victor Regulator Station in Ontario County, New York; (iv) modify its Jackson Meter and Regulator Station in Tioga County, Pennsylvania; (v) abandon by removal certain related facilities; and (vi) uprate the maximum allowable operating pressure of the Empire Connector Pipeline. Empire states that the project will provide 205,000 dekatherms per day of firm transportation service. Empire estimates the cost of the project to be approximately $142,390,912, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at *http://www.ferc.gov* using the eLibrary link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Any questions concerning this application may be directed to Margaret M. Duggan, Attorney, Empire Pipeline, Inc., 6363 Main Street, Williamsville, New York 14221, or by telephone at (716) 857–7066.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit seven copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at *http://www.ferc.gov.*

Persons unable to file electronically should submit an original and 7 copies of the protest or intervention to the Federal Energy regulatory Commission, 888 First Street NE, Washington, DC 20426.

Comment Date: 5:00 p.m. Eastern Time on March 16, 2018.

Dated: March 5, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–04778 Filed 3–8–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Pacific Northwest-Pacific Southwest Intertie Project—Rate Order No. WAPA–181

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of proposed extension of transmission service rates.

SUMMARY: The Western Area Power Administration (WAPA) proposes to extend the existing Pacific Northwest-Pacific Southwest Intertie Project transmission service rates through September 30, 2020. The existing Rate Schedules INT–FT5 and INT–NFT4 expire April 30, 2018.

DATES: A consultation and comment period starts with the publication of this notice and will end on April 9, 2018. WAPA will accept written comments any time during the consultation and comment period.

ADDRESSES: Send written comments to: Mr. Ronald E. Moulton, Regional Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005–6457, or email *moulton@wapa.gov.* WAPA will post information about the proposed transmission service rate extension and written comments received on its website at *https://www.wapa.gov/regions/DSW/Rates/Pages/intertie-rates.aspx.*

FOR FURTHER INFORMATION CONTACT: Ms. Tina Ramsey, Rates Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005–6457, (602) 605–2565, or email *ramsey@wapa.gov.*

SUPPLEMENTARY INFORMATION: Rate Schedules INT–FT5 and INT–NFT4 for Rate Order No. WAPA–157 were approved by the Federal Energy Regulatory Commission (FERC) for a 5-year period through April 30, 2018.[1] The existing rates provide sufficient revenue to pay all annual costs, including interest expense, and repay required investment within the allowable period consistent with the cost recovery criteria set forth in DOE Order RA 6120.2. In accordance with 10 CFR part 903.23(a), WAPA is proposing to extend the existing rates under Rate Schedules INT–FT5 and INT–NFT4 for the period from May 1, 2018 through September 30, 2020. Extending these rate schedules through September 30, 2020 will provide WAPA and its customers time to evaluate the potential benefits of combining transmission service rates on Federal transmission projects in the Desert Southwest Region.

By Delegation Order No. 00–037.00B, effective November 19, 2016, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to WAPA's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand or to disapprove such rates to FERC.

In accordance with 10 CFR 903.23(a)(2), WAPA will not hold public information or public comment forums but is providing a 30-day consultation and comment period to receive comments on the proposed rate extension. Comments must be received by the end of the consultation and comment period to be considered by WAPA in its decision process. WAPA will post comments received to its website, *https://www.wapa.gov/regions/DSW/Rates/Pages/intertie-rates.aspx.* After considering public comments, WAPA will take further action on the proposed rate extension consistent with 10 CFR 903.23(a).

Dated: January 25, 2018.

Mark A. Gabriel,

Administrator.

[FR Doc. 2018–04797 Filed 3–8–18; 8:45 am]

BILLING CODE 6450–01–P

[1] FERC confirmed and approved Rate Order No. WAPA–157 on August 22, 2013, in Docket No. EF13–4–000. See *Order Confirming and Approving Rate Schedules on a Final Basis,* 144 FERC ¶ 61,143.

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0756; FRL–9972–86]

Pesticide Experimental Use Permit; Receipt of Application; Comment Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's receipt of an application 93167–EUP–R from Oxitec Ltd. requesting an experimental use permit (EUP) for the OX513A *Aedes aegypti* mosquitoes expressing tetracycline Trans-Activator Variant (tTAV) protein. The Agency has determined that the permit may be of regional and national significance. Therefore, because of the potential significance, EPA is seeking comments on this application.

DATES: Comments must be received on or before April 9, 2018.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2017–0756, by one of the following methods:

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

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Robert McNally, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *BPPDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general. Although this action may be

of particular interest to those persons who conduct or sponsor research on pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action.

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

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

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *http://www.epa.gov/dockets/comments.html*.

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

II. What action is the Agency taking?

Under section 5 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 136c, EPA can allow manufacturers to field test pesticides under development. Manufacturers are required to obtain an EUP before testing new pesticides or new uses of pesticides if they conduct experimental field tests on 10 acres or more of land or one acre or more of water.

Pursuant to 40 CFR 172.11(a), the Agency has determined that the following EUP application may be of regional and national significance, and therefore is seeking public comment on the EUP application:

Submitter: Oxitec Ltd., (93167–EUP–R).

Pesticide Chemical: OX513A *Aedes aegypti* mosquitoes expressing tTAV protein.

Summary of Request: Oxitec Ltd. is proposing to test OX513A *Aedes aegypti* mosquitoes expressing tTAV protein in the states of Florida and Texas on up to 1125 total acres at a maximum rate of 0.0017 g active ingredient (tTAV), equivalent to 45,000 male OX513A mosquitoes, per acre per week. The proposed experiments are to evaluate the efficacy of OX513A mosquitoes as a tool for suppression of wild *Aedes aegypti* mosquito populations.

Following the review of the application and any comments and data received in response to this solicitation, EPA will decide whether to issue or deny the EUP request, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

Authority: 7 U.S.C. 136 *et seq.*

Dated: February 26, 2018.

Robert McNally,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 2018–04705 Filed 3–8–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9038–1]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7156 or *http://www2.epa.gov/nepa*.

Weekly receipt of Environmental Impact Statements filed 02/26/2018 Through 03/02/2018 pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxnodengn.epa.gov/cdx-nepa-public/action/eis/search*.

EIS No. 20180031, Draft, BLM, UT, Greater Chapita Wells Natural Gas Infill Project, comment period ends: 04/23/2018, Contact: Stephanie Howard 435–781–4469.

EIS No. 20180032, Final, FTA, IN, West Lake Corridor Project Final Environmental Impact Statement/Record of Decision and Section 4(f) Evaluation. Under 23 U.S.C. 139(n)(2), FTA has issued a single document that consists of a final environmental impact statement and record of decision. Therefore, the 30-day wait/review period under NEPA does not apply to this action. Contact: Mark Assam 206–220–4465.

EIS No. 20180033, Final, USFS, OR, Hwy 46, review period ends: 04/23/2018, Contact: Lynise Medley 503–854–4228.

EIS No. 20180034, Draft, USFS, ID, Hungry Ridge Restoration Project, comment period ends: 04/23/2018, Contact: Jennie Fischer 208–983–4048.

EIS No. 20180035, Final, DC, AK, Mertarvik Infrastructure Development Final EIS, review period ends: 04/09/2018, Contact: Don Antrobus 907–271–3500.

Amended Notices

EIS No. 20180028, Final, Caltrans, CA, ~VOIDED~ State Route 269 Bridge Project, review period ends: 09/03/2018, Contact: Jeff Sorensen 559–445–5329. This final environmental assessment was inadvertently filed and published in 03/02/2018 FR.

Dated: March 7, 2018.

Kelly Knight,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2018–04884 Filed 3–8–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2017–0141; FRL–9974–91]

Certain New Chemicals or Significant New Uses; Statements of Findings for December 2017

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(g) of the Toxic Substances Control Act (TSCA) requires EPA to publish in the **Federal Register** a statement of its findings after its review of TSCA section 5(a) notices when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to premanufacture notices (PMNs), microbial commercial activity notices (MCANs), and significant new use notices (SNUNs) submitted to EPA under TSCA section 5. This document

presents statements of findings made by EPA on TSCA section 5(a) notices during the period from December 1, 2017 to December 31, 2017.

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Greg Schweer, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: 202–564–8469; email address: *schweer.greg@epa.gov.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific entities that this action may apply to. Although others may be affected, this action applies directly to the submitters of the PMNs addressed in this action.

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2017–0141, is available at *http://www.regulations.gov* or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPPT Docket is (202) 566–0280. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

II. What action is the Agency taking?

This document lists the statements of findings made by EPA after review of notices submitted under TSCA section 5(a) that certain new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment. This document presents statements of findings made by EPA during the period from December 1, 2017 to December 31, 2017.

III. What is the Agency's authority for taking this action?

TSCA section 5(a)(3) requires EPA to review a TSCA section 5(a) notice and make one of the following specific findings:

- The chemical substance or significant new use presents an unreasonable risk of injury to health or the environment;
- The information available to EPA is insufficient to permit a reasoned evaluation of the health and environmental effects of the chemical substance or significant new use;
- The information available to EPA is insufficient to permit a reasoned evaluation of the health and environmental effects and the chemical substance or significant new use may present an unreasonable risk of injury to health or the environment;
- The chemical substance is or will be produced in substantial quantities, and such substance either enters or may reasonably be anticipated to enter the environment in substantial quantities or there is or may be significant or substantial human exposure to the substance; or
- The chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment.

Unreasonable risk findings must be made without consideration of costs or other non-risk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant under the conditions of use. The term ''conditions of use'' is defined in TSCA section 3 to mean ''the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of.''

EPA is required under TSCA section 5(g) to publish in the **Federal Register** a statement of its findings after its review of a TSCA section 5(a) notice when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to PMNs, MCANs, and SNUNs submitted to EPA under TSCA section 5.

Anyone who plans to manufacture (which includes import) a new chemical substance for a non-exempt commercial purpose and any manufacturer or processor wishing to engage in a use of a chemical substance designated by EPA as a significant new use must submit a notice to EPA at least 90 days before commencing manufacture of the new chemical substance or before engaging in the significant new use.

The submitter of a notice to EPA for which EPA has made a finding of ''not likely to present an unreasonable risk of injury to health or the environment'' may commence manufacture of the chemical substance or manufacture or processing for the significant new use notwithstanding any remaining portion of the applicable review period.

IV. Statements of Administrator Findings Under TSCA Section 5(a)(3)(C)

In this unit, EPA provides the following information (to the extent that such information is not claimed as Confidential Business Information (CBI)) on the PMNs, MCANs and SNUNs for which, during this period, EPA has made findings under TSCA section 5(a)(3)(C) that the new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment:

- EPA case number assigned to the TSCA section 5(a) notice.
- Chemical identity (generic name, if the specific name is claimed as CBI).
- Website link to EPA's decision document describing the basis of the ''not likely to present an unreasonable risk'' finding made by EPA under TSCA section 5(a)(3)(C).

EPA Case Number: P–17–0153; *Chemical identity:* D-Glucitol, 1-deoxy-1-(dimethylamino)- (CASRN: 76326–99–3); *website link: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-78.*

EPA Case Number: P–18–0026; *Chemical identity:* Silsesquioxanes, 2,4,4-trimethylpentyl, hydroxy-terminated (CASRN: 217654–68–7); *website link: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-80.*

EPA Case Number: P–18–0032; *Chemical identity:* Alkyl alkenoic acid, alkyl ester, polymer with alkyl alkenoate, dialkyl alkanediol, substituted carbomonocycle, disubstituted heteromonocycle,disubstituted heteropolycyclic, alkanediol, substituted alkyl alkyl alkenoate and substituted heteromonocycle, dialkyl peroxide initiated (generic name); *website link: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-79.*

Authority: 15 U.S.C. 2601 *et seq.*

Dated: March 1, 2018.

Greg Schweer,

Chief, New Chemicals Management Branch, Chemical Control Division, Office of Pollution Prevention and Toxics.

[FR Doc. 2018–04704 Filed 3–8–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2015–0216; FRL–9975–31–OAR]

RIN 2060–AT76

Notice of Proposed Withdrawal of the Control Techniques Guidelines for the Oil and Natural Gas Industry

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed withdrawal; request for comment.

SUMMARY: The Environmental Protection Agency (EPA) is requesting public comment on a potential withdrawal of the Control Techniques Guidelines (CTG) for the Oil and Natural Gas Industry. The final CTG provided recommendations for reducing volatile organic compound (VOC) emissions from existing oil and natural gas industry emission sources in ozone nonattainment (NA) areas classified as Moderate or higher and states in the Ozone Transport Region (OTR). The CTG relied upon underlying data and conclusions made in the final rule titled ''Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources,'' published in the **Federal Register** on June 3, 2016 (2016 New Source Performance Standards (NSPS)). On June 5, 2017, the EPA granted reconsideration in regard to additional provisions of the 2016 NSPS. Pursuant to those actions, the EPA is currently looking broadly at the 2016 NSPS. In light of the fact that the EPA is reconsidering the 2016 NSPS and because the recommendations made in the CTG are fundamentally linked to the conclusions in the 2016 NSPS, the EPA believes it is prudent to withdraw the CTG in its entirety. The EPA also believes that the withdrawal will be more efficient for states in revising their state implementation plans (SIPs). The EPA is seeking comment on a potential withdrawal of the CTG.

DATES: Comments must be received on or before April 23, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2015–0216, at: *http://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets*.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan Witt, Sector Policies and Programs Division, Fuels and Incineration Group (E143–05), Office of Air Quality Planning and Standards, Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–5645; email address: *witt.jon@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

On October 27, 2016, the EPA published in the **Federal Register** the ''Release of Final Control Techniques Guidelines for the Oil and Natural Gas Industry.'' 81 FR 74798. The CTG provided information to state, local, and tribal air agencies to assist them in determining reasonably available control technology (RACT) for VOC emissions from select oil and natural gas industry emission sources. Section 182(b)(2)(A) of the Clean Air Act (CAA) requires that for ozone NA areas classified as Moderate, states must revise their SIPs to include provisions to implement RACT for each category of VOC sources covered by a CTG document issued between November 15, 1990, and the date of attainment. CAA section 182(c) through (e) extends this requirement to states with ozone NA areas classified as Serious, Severe, and Extreme. CAA section 184(b) further extends this requirement to states in the OTR.[1]

Section 182(b)(2) of the CAA requires that a CTG document issued between November 15, 1990, and the date of attainment include the date by which states must submit their SIP revisions. In the final action issuing the CTG, the EPA established a SIP submission deadline of October 27, 2018, for addressing sources covered by the CTG. 81 FR 74799. According to the CTG implementation memo issued on October 20, 2016, ''[t]he emissions controls determined by the state to be RACT for sources covered by the Oil and Gas CTG must be implemented as soon as practicable, but in no case later than January 1, 2021.'' [2] This implementation period includes the 2-year period between the publication of the CTG in the **Federal Register** [3] document and the SIP submission date of October 27, 2018. Because the October 27, 2018, deadline is not imminent, no state has an impending RACT SIP deadline associated with the CTG.

The CTG relied upon underlying data and conclusions from the 2016 NSPS, as well as the final rule titled ''Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews,'' published in the **Federal Register** on August 16, 2012 (2012 NSPS). 77 FR 49490. The RACT recommendations for VOC emission reductions contained in the final CTG were based on a review of the 2012 NSPS and the 2016 NSPS. 81 FR 74799. In the final CTG, the EPA states, ''[s]everal of the technical support documents (TSDs) prepared in support of the NSPS actions for the oil and natural gas industry include data and analyses considered in developing RACT recommendations in this CTG.'' [4] RACT recommendations for storage vessels, compressors, pneumatic controllers, and equipment leaks from natural gas processing plants were based on the 2012 NSPS TSDs, and RACT recommendations for pneumatic pumps and fugitive emissions from well sites and compressor stations were based on the 2016 NSPS TSDs. It should be noted that facilities throughout the oil and natural gas sector (*e.g.,* well sites,

[1] The states/areas in the OTR are: CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VT and the Washington, DC consolidated metropolitan statistical area, which includes a portion of northern VA (see CAA section 184(a)).

[2] *Implementing Reasonably Available Control Technology Requirements for Sources Covered by the 2016 Control Techniques Guidelines for the Oil and Natural Gas Industry*. Docket ID No. EPA–HQ–OAR–2015–0216–0238.

[3] *Id.*

[4] *Control Techniques Guidelines for the Oil and Natural Gas Industry*. October 2016. Final. U.S. Environmental Protection Agency. Office of Air and Radiation. Office of Air Quality Planning and Standards. Sector Policies and Programs Division. EPA–453/B–16–001. Docket ID No. EPA–HQ–OAR–2015–0216–0236.

compressor stations, and natural gas processing plants) may contain some sources subject to the 2012 NSPS and other sources subject to the 2016 NSPS. On April 18, 2017, the EPA announced in a letter that it was convening a proceeding for reconsideration of certain core provisions of the 2016 NSPS, and on June 5, 2017, EPA granted reconsideration in regard to additional provisions of the 2016 NSPS. Pursuant to those actions, EPA is currently looking broadly at the 2016 NSPS. 82 FR 25730.

II. Discussion

The EPA is seeking comment on a proposed withdrawal of the CTG. If finalized, the withdrawal would remove the mandatory RACT review requirement for affected sources in ozone NA areas classified as Moderate or higher and states in the OTR. The withdrawal would not impact oil and natural gas industry sources otherwise covered by the major source thresholds for RACT review (100 tons per year (tpy) for Moderate areas, 50 tpy for Serious areas, 25 tpy for Severe areas, and 10 tpy for Extreme areas).[5] The EPA notes that unless and until EPA decides to withdraw the CTG, states remain obligated to revise their SIPs to address RACT requirements for oil and gas sources in ozone NA areas classified as Moderate or higher and the states in the OTR. Moreover, withdrawal of the CTG will not hinder states from establishing, where desired or otherwise required, emissions standards for sources in the oil and natural gas industry, including standards based on the recommendations contained in the withdrawn CTG. Having said that, the withdrawal of the CTG will relieve state, local, and tribal air agencies of the requirement to address RACT for non-major sources in this sector (and the associated need to consider the recommendations in the CTG for the time being).

The EPA notes that after it issued the 2016 NSPS, it exercised its discretion to issue the CTG to inform air agencies of ''determinations as to what constitutes RACT for VOC for those oil and natural gas industry emission sources in their particular areas.'' 81 FR 74799. The EPA emphasized that the information contained in the CTG was ''provided only as guidance.'' *Id.* The guidance did not ''change, or substitute for, requirements specified in applicable sections of the CAA or the EPA's regulations; nor is it a regulation itself.'' *Id.* The RACT recommendations in the CTG posed no ''legally binding requirements on any entity.'' *Id.* It only provided ''recommendations for air agencies to consider in determining RACT.'' *Id.* The CTG noted that the recommendations were based on ''data and information currently available to the EPA.'' *Id.*

In the final CTG, EPA provided an estimate of the costs potentially associated with the CTG. With this action, the EPA has adjusted the analysis of costs and emission reductions associated with the final CTG to reflect state rules that have been finalized since the CTG was released, to adjust compliance costs from 2012$ to 2016$, as well as to estimate present values (PV) and equivalent annualized values (EAV) of avoided costs. The EPA estimates these avoided costs under two analytical perspectives, one where all states fully adopt RACT under the CTG, but would avoid any controls in the absence of the CTG, and another that focuses on the net change across all industries and reflects the assumption that sources in Moderate or higher NA areas might need to incur costs to obtain emission reductions under SIPs.

Under the analytical perspective that assumes all states fully adopt RACT under the CTG, but would avoid any controls in the absence of the CTG, the avoided costs of withdrawing the CTG are reflected in the total avoided costs of the updated analysis. Under this perspective, the PV of avoided costs over 2021 through 2035 is estimated to be $599 million assuming a 3-percent discount rate and $439 million assuming a 7-percent discount rate. The EAV from this perspective is approximately $49 million per year and $45 million per year assuming 3-percent and 7-percent discount rates, respectively. Under the analytic perspective that focuses on net changes across all industries, which reflects that sources in Moderate or higher NA areas might need to incur costs to obtain emission reductions under SIPs in the scenario the CTG is withdrawn, the avoided costs are reflected in the estimates of avoided costs in the OTR. Under this perspective, the PV of avoided costs over 2021 through 2035 is estimated to be $14 million assuming a 3-percent discount rate and $16 million assuming a 7-percent discount rate. The EAV from this perspective is approximately $1.2 million per year and $1.6 million per year assuming 3-percent and 7-percent discount rates, respectively. Given the range of avoided costs between the two perspectives, we are soliciting comment on the uncertainty in the range of estimates. We are asking for any information related to state rules that would have supplanted the need for additional requirements under the final CTG, as well as on state actions with respect to sources that would be affected by the CTG in the absence of the CTG. This includes information on regulations in SIPs that would affect non-major oil and natural gas sources in the CTG, regardless of the status of the CTG. For more information on the estimates of avoided costs and forgone emissions reductions associated with the potential withdrawal of the CTG, see the memorandum, ''Estimated Avoided Costs and Forgone Emission Reductions Associated with the Potential Withdrawal of the Control Techniques Guidelines for the Oil and Natural Gas Industry,'' located in the docket.

In light of the fact that we are reconsidering the 2016 NSPS and because the 2016 NSPS and CTG share certain key pieces of data and information, the EPA believes it is prudent to withdraw the CTG in its entirety. This includes model rule language incorporating the recommended compliance elements that states may use as a starting point when developing their SIPs. The deadline for incorporating the CTG-based RACT recommendations into SIPs has not yet passed, so states may wish to wait for the final outcome of any action related to the CTG and the EPA's reconsideration of the NSPS before finalizing any additional controls on oil and gas sources covered by the CTG, unless otherwise required by the CAA's ozone NA area and OTR provisions.[6] During the time the EPA anticipates taking to complete the reconsideration of the 2016 NSPS, states would not have had to fully implement any new CTG-based RACT determinations for oil and gas sources. In addition, the EPA believes it is more efficient for states not to be required to revise their SIPs to comply with aspects pertaining to the 2012 NSPS and then potentially have to revise their SIPs again after reconsideration of the 2016 NSPS.

Withdrawing the CTG in its entirety will allow a more holistic consideration of control options for these sources (*e.g.,* shared control devices).

For the reasons outlined above, the EPA believes it is prudent to withdraw the CTG in its entirety. The EPA is seeking comment on a potential withdrawal of the CTG.

[5] The RACT requirements for major sources are independent of CTG-based RACT requirements, and are defined in CAA sections 182(b)(2), 182(c), 182(d), 182(e), and 184(b)(2).

[6] The RACT requirements for major sources are independent of CTG-based RACT requirements, and are defined in CAA sections 182(b)(2), 182(c), 182(d), 182(e), and 184(b)(2).

Dated: March 1, 2018.

E. Scott Pruitt,

Administrator.

[FR Doc. 2018–04703 Filed 3–8–18; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

FEDERAL REGISTER CITATION NOTICE OF PREVIOUS ANNOUNCEMENT: 83 FR 8870.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Tuesday, March 6, 2018 at 10:00 a.m.

CHANGES IN THE MEETING: This meeting also discussed:

Matters relating to internal personnel decisions, or internal rules and practices.

* * * * *

CONTACT FOR MORE INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

Laura E. Sinram,

Deputy Secretary of the Commission.

[FR Doc. 2018–04847 Filed 3–7–18; 11:15 am]

BILLING CODE 6715–01–P

FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

[Docket No. AS18–03]

Appraisal Subcommittee; Notice of Received Request for a Temporary Waiver

AGENCY: Appraisal Subcommittee of the Federal Financial Institutions Examination Council, FFIEC.

ACTION: Notice of received request for a temporary waiver; request for comments.

SUMMARY: The Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council (FFIEC) has received a request for a temporary waiver of appraiser certification or licensing requirements pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act, and the rules promulgated thereunder. The ASC is requesting comment (including written data, views and arguments) on the received request.

DATES: Comments must be received on or before April 9, 2018.

ADDRESSES: Commenters are encouraged to submit comments (including written data, views and arguments) by the Federal eRulemaking Portal or email, if possible. You may submit comments, identified by Docket Number AS18–03, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Click on the ''Help'' tab on the *Regulations.gov* home page to get information on using *Regulations.gov*, including instructions for submitting public comments.
- *E-Mail: webmaster@asc.gov.* Include the docket number in the subject line of the message.
- *Fax:* (202) 289–4101. Include docket number on fax cover sheet.
- *Mail:* Address to Appraisal Subcommittee, Attn: Lori Schuster, Management and Program Analyst, 1401 H Street NW, Suite 760, Washington, DC 20005.
- *Hand Delivery/Courier:* 1401 H Street NW, Suite 760, Washington, DC 20005.

In general, the ASC will enter all comments received into the docket and publish those comments on the Federal eRulemaking (regulations.gov) website without change, including any business or personal information that you provide, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not enclose any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure. At the close of the comment period, all public comments will also be made available on the ASC's website at *https://www.asc.gov* (follow link in ''What's New'') as submitted, unless modified for technical reasons.

You may review comments by any of the following methods:

- *Viewing Comments Electronically*: Go to *https://www.regulations.gov.* Enter ''Docket ID AS18–03'' in the Search box and click ''Search.'' Click on the ''Help'' tab on the *Regulations.gov* home page to get information on using *Regulations.gov*, including instructions for viewing public comments, viewing other supporting and related materials, and viewing the docket after the close of the comment period.
- *Viewing Comments Personally*: You may personally inspect comments at the ASC office, 1401 H Street NW, Suite 760, Washington, DC 20005. To make an appointment, please call Lori Schuster at (202) 595–7578.

FOR FURTHER INFORMATION CONTACT: James R. Park, Executive Director, at (202) 595–7575, or Alice M. Ritter, General Counsel, at (202) 595–7577, Appraisal Subcommittee, 1401 H Street NW, Suite 760, Washington, DC 20005.

SUPPLEMENTARY INFORMATION:

I. Background

Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended (Title XI), established the ASC.[1] The purpose of Title XI is ''to provide that Federal financial and public policy interests in real estate related transactions will be protected by requiring that real estate appraisals utilized in connection with federally related transactions are performed in writing, in accordance with uniform standards, by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision.'' [2] Title XI requires the use of State licensed or certified appraisers in federally related transactions.[3] Section 1119(b) of Title XI, 12 U.S.C. 3348(b), authorizes the ASC to waive, on a temporary basis and with approval of the FFIEC, any certification or licensing requirement relative to certifying or licensing individuals to perform appraisals under Title XI in a State or geographic political subdivisions of a State upon a written determination that there is a scarcity of certified or licensed appraisers to perform appraisals in connection with federally related transactions leading to significant delays in the performance of such appraisals. The ASC has issued procedures [4] governing the processing of temporary waiver requests. After receiving a waiver request, the ASC is required to issue a public notice in the **Federal Register** requesting comment on the request for a proposed temporary waiver. Within 15 days of the close of the 30-day comment period, the ASC, by order, will grant or deny a waiver, in whole or in part, and upon specified terms or conditions, including provisions for waiver termination. If the ASC approves any or all of the request, it is subject to approval by the FFIEC. The ASC's order granting or denying the

[1] The ASC Board is comprised of seven members. Five members are designated by the heads of the FFIEC agencies (Board of Governors of the Federal Reserve System [Board], Consumer Financial Protection Bureau [CFPB], Federal Deposit Insurance Corporation [FDIC], Office of the Comptroller of the Currency [OCC], and National Credit Union Administration [NCUA]). The other two members are designated by the heads of the Department of Housing and Urban Development (HUD) and the Federal Housing Finance Agency (FHFA).

[2] Title XI § 1101, 12 U.S.C. 3331.

[3] ''Federally related transaction'' refers to any real estate related financial transaction which: a) a federal financial institutions regulatory agency engages in, contracts for, or regulates; and b) requires the services of an appraiser. (Title XI § 1121 (4), 12 U.S.C. 3350.)

[4] 12 CFR part 1102, subpart A.

waiver shall respond to comments received and shall provide reasons for the ASC's finding. The order shall be published promptly in the **Federal Register**, though in the case of an order granting a waiver, only after approval by the FFIEC.

II. Request for Temporary Waiver; Received Request

On November 20, 2017, a letter requesting consideration of a temporary waiver was received by the ASC from TriStar Bank, a state-chartered bank located in Dickson, Tennessee (the Requester). On November 30, 2017, ASC staff replied by letter to the Requester, in which ASC staff described the information required to file a completed waiver request pursuant to 12 CFR 1102.2 and 1102.3, subpart A, *Temporary Waiver Requests.* On January 22, 2018, the Requester submitted additional information (dated January 10, 2018) in response to the ASC's November 30, 2017 letter. Pursuant to 12 CFR 1102.4, the ASC is publishing a notice respecting the received request to give interested persons 30 days to comment, including submission of written data, views and arguments.

You may view the received request by any of the following methods:

- *Viewing Received Request Electronically*: Go to *https://www.asc.gov.* In the ''What's New'' box on the home page, a link is provided to view the received request and supporting documentation.
- *Viewing Received Request Personally*: You may personally inspect the received request and supporting documentation at the ASC office, 1401 H Street NW, Suite 760, Washington, DC 20005. To make an appointment, please call Lori Schuster at (202) 595–7578.

III. Request for Comment

The ASC seeks comment on all aspects of the received request, including submission of written data, views and arguments.

* * * * *

By the Appraisal Subcommittee.

Dated: March 6, 2018.

James R. Park,

Executive Director.

[FR Doc. 2018–04756 Filed 3–8–18; 8:45 am]

BILLING CODE P

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on the agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within twelve days of the date this notice appears in the **Federal Register**. Copies of the agreements are available through the Commission's website (*www.fmc.gov*) or by contacting the Office of Agreements at (202) 523–5793 or *tradeanalysis@fmc.gov*.

Agreement No.: 011830–012.

Title: Indamex Cross Space Charter, Sailing and Cooperative Working Agreement.

Parties: CMA CGM S.A.; Hapag-Lloyd AG; Nippon Yusen Kaisha; and Orient Overseas Container Line Limited.

Filing Party: Joshua Stein; Cozen O'Connor; 1200 Nineteenth Street NW; Washington, DC 20036.

Synopsis: The Amendment revises the Agreement to provide for the transition that will occur following the combination of the container liner operations of Kawasaki Kisen Kaisha, Ltd.; Mitsui O.S.K. Lines, Ltd.; and Nippon Yusen Kaisha into a new company known as Ocean Network Express Pte. Ltd. effective April 1, 2018. Ocean Network Express Pte. Ltd. is added as a party.

Agreement No.: 012153–001.

Title: NYK/HLAG Vessel Sharing Agreement.

Parties: Nippon Yusen Kaisha and Hapag-Lloyd AG.

Filing Party: Joshua Stein; Cozen O'Connor; 1200 Nineteenth Street NW; Washington, DC 20036.

Synopsis: The Amendment revises the Agreement to provide for the transition that will occur following the combination of the container liner operations of Kawasaki Kisen Kaisha, Ltd.; Mitsui O.S.K. Lines, Ltd.; and Nippon Yusen Kaisha into a new company known as Ocean Network Express Pte. Ltd. effective April 1, 2018. Ocean Network Express Pte. Ltd. is added as a party.

Agreement No.: 012462–001.

Title: THE Alliance/CMA CGM Space Charter Agreement.

Parties: Hapag Lloyd; Kawasaki Kisen Kaisha, Ltd.; Mitsui O.S.K. Lines, Ltd.; Nippon Yusen Kaisha; Yang Ming Marine Transport Corp.; and CMA CGM S.A.

Filing Party: Joshua Stein; Cozen O'Connor; 1200 19th Street NW; Washington, DC 20036.

Synopsis: The Amendment revises the Agreement to provide for the transition that will occur following the combination of the container liner operations of Kawasaki Kisen Kaisha, Ltd.; Mitsui O.S.K. Lines, Ltd.; and Nippon Yusen Kaisha into a new company known as Ocean Network Express Pte. Ltd. effective April 1, 2018. Ocean Network Express Pte. Ltd. is added as a party. In addition, the Amendment adds Yang Ming (UK) Ltd. as a party (operating as a single party with Yang Ming Marine Transport Corp.).

Agreement No.: 012472–001.

Title: Yang Ming/COSCO Shipping Slot Exchange Agreement.

Parties: COSCO Shipping Lines Co., Ltd. and Yang Ming Marine Transport Corporation.

Filing Party: Robert Magovern; Cozen O'Connor; 1200 19th Street NW; Washington, DC 20036.

S*ynopsis:* The amendment revises the Agreement to clarify that the space provided to Yang Ming will be on COSCO Shipping's AAC service, instead of on the CEN service effective April 1, 2018. The amendment also adds Yang Ming (UK) Ltd. as a party (operating as a single party with Yang Ming Marine Transport Corp.)

Dated: March 5, 2018.

Rachel E. Dickon,

Secretary.

[FR Doc. 2018–04697 Filed 3–8–18; 8:45 am]

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FEDERAL MARITIME COMMISSION

[Fact Finding Investigation No. 28]

Conditions and Practices Relating to Detention, Demurrage, and Free Time in International Oceanborne Commerce; Order of Investigation

AGENCY: Federal Maritime Commission.

DATES: The Order of Investigation was served March 5, 2018.

ACTION: Notice of Order of Investigation.

Authority: 46 CFR 502.281 *et seq.*

SUPPLEMENTARY INFORMATION: On March 5, 2018, the Federal Maritime Commission instituted a Fact Finding Investigation entitled Conditions and Practices Relating to Detention, Demurrage, and Free Time in International Oceanborne Commerce. Acting pursuant to 46 CFR 502.281 *et seq.,* the Commission has designated Commissioner Rebecca F. Dye as Investigative Officer to develop a record and final report by December 2, 2018 on the following:

1. Whether, and if so, how, the alignment of commercial, contractual, and cargo interests enhance or aggravate the ability of cargo to move efficiently through United States ports.

2. Whether, and if so, when, the carrier or MTO has tendered cargo to the shipper and consignee.

3. Billing practices for invoicing demurrage or detention.

4. Practices with respect to delays caused by various outside or intervening events.

5. Practices for resolution of demurrage and detention disputes between carriers or MTOs and shippers.

The Order may be viewed in its entirety at *https://www.fmc.gov/ff_no._28/*.

Rachel E. Dickon,

Secretary.

[FR Doc. 2018–04816 Filed 3–8–18; 8:45 am]

BILLING CODE 6731–AA–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 6, 2018.

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. *Juniata Valley Financial Corp., Mifflintown, Pennsylvania;* to acquire voting shares of Liverpool Community Bank Liverpool, Pennsylvania.

Board of Governors of the Federal Reserve System, March 6, 2018.

Ann E. Misback,

Secretary of the Board.

[FR Doc. 2018–04768 Filed 3–8–18; 8:45 am]

BILLING CODE P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Proposed Collection; Comment Request

AGENCY: Federal Trade Commission (FTC or Commission).

ACTION: Notice.

SUMMARY: The information collection requirements described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act (PRA). The FTC seeks public comments on its proposal to extend for three years the current PRA clearances for information collection requirements contained in the rules and regulations under the Fur Products Labeling Act (Fur Rules or Rules). The clearance expires on May 31, 2018.

DATES: Comments must be received on or before May 8, 2018.

ADDRESSES: Interested parties may file a comment online or on paper by following the instructions in the Request for Comments part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Paperwork Reduction Act: FTC File No. P072108'' on your comment, and file your comment online at *https://ftcpublic.commentworks.com/ftc/furrulespra1* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex J), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex J), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Requests for copies of the collection of information and supporting documentation should be addressed to Jock K. Chung, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Mail Code CC–9528, 600 Pennsylvania Ave. NW, Washington, DC 20580, (202) 326–2984.

SUPPLEMENTARY INFORMATION:

Proposed Information Collection Activities

Under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501–3520, federal agencies must get OMB approval for each collection of information they conduct, sponsor, or require. ''Collection of information'' means agency requests or requirements to submit reports, keep records, or provide information to a third party. 44 U.S.C. 3502(3); 5 CFR 1320.3(c). As required by section 3506(c)(2)(A) of the PRA, the FTC is providing this opportunity for public comment before requesting that OMB extend the existing PRA clearance for the information collection requirements associated with the Commission's rules and regulations under the Fur Products Labeling Act (Fur Rules or Rules), 16 CFR part 301 (OMB Control Number 3084–0099).[1] The FTC invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond. All comments must be received on or before May 8, 2018.

Burden Estimates

Staff's burden estimates are based on data from the Department of Labor's Bureau of Labor Statistics (BLS) and data or other input from the Fur Industry Council of America. The relevant information collection requirements in these rules and staff's corresponding burden estimates follow. The estimates address the number of hours needed and the labor costs incurred to comply with the requirements.

The Fur Products Labeling Act (Fur Act)[2] prohibits the misbranding and false advertising of fur products. The Fur Rules establish disclosure requirements that assist consumers in making informed purchasing decisions, and recordkeeping requirements that

[1] The Commission issued the Fur Rules to implement the Fur Products Labeling Act, 15 U.S.C. 69 *et seq.*

[2] 15 U.S.C. 69 *et seq.*

assist the Commission in enforcing the Rules. The Rules also provide a procedure for exemption from certain disclosure provisions under the Fur Act.

The Commission expects that recent amendments to the Fur Act have increased the cost of complying with the Fur Rules as amended.[3] Congress eliminated the Commission's power to exempt from the labeling requirements items where either the cost of the fur trim to the manufacturer or the manufacturer's selling price for the finished product is less than $150.[4] As a result, more garments are now subject to the Fur Act and Rules, which will impose higher recordkeeping and labeling costs on manufacturers, importers, and retailers.

Estimated annual hours burden: 249,541 hours (64,440 hours for recordkeeping + 185,101 hours for disclosure).

Recordkeeping: The Fur Rules require that retailers, manufacturers, processors, and importers of furs and fur products keep certain records in addition to those they may keep in the ordinary course of business. Staff estimates that 1,230 retailers incur an average recordkeeping burden of about 18 hours per year (22,140 hours total); 90 manufacturers incur an average recordkeeping burden of about 60 hours per year (5,400 hours total); and 1,230 importers of furs and fur products incur an average recordkeeping burden of 30 hours per year (36,900 hours total). The combined recordkeeping burden for the industry is approximately 64,440 hours annually.

Disclosure: Staff estimates that 1,320 respondents (90 manufacturers + 1,230 retail sellers of fur garments) each require an average of 30 hours per year to determine label content (39,600 hours total), and an average of ten hours per year to draft and order labels (13,200 hours total). Staff estimates that the total number of garments subject to the fur labeling requirements annually is approximately 1,610,000.[5] Staff estimates that for approximately 50 percent of these garments (805,000) labels are attached manually, requiring approximately four minutes per garment for a total of 53,667 hours annually. For the remaining 805,000, the process of attaching labels is semi-automated and requires an average of approximately five seconds per item, for a total of 1,118 hours. Thus, the total burden for attaching labels is 54,785 hours, and the total burden for labeling garments is 107,585 hours per year (39,600 hours to determine label content + 13,200 hours to draft and order labels + 54,785 hours to attach labels).

Staff estimates that the incremental burden associated with the Fur Rules' invoice disclosure requirement, beyond the time that would be devoted to preparing invoices in the absence of the Rules, is approximately one minute per invoice for garments and thirty seconds per invoice for pelts.[6] The invoice disclosure requirement applies to fur garments, which are generally sold individually, and fur pelts, which are generally sold in groups of at least 50, on average. Assuming invoices are prepared for sales of 1,610,000 garments, the invoice disclosure requirement entails an estimated burden of 26,833 hours (1,610,000 invoices × one minute). Based on information from the Fur Industry Council of America, staff estimates total sales of 8,900,000 pelts annually. Assuming invoices are prepared for sales of 178,000 groups (derived from an estimated 8,900,000 pelts ÷ 50) of imported and domestic pelts, the invoice disclosure requirement entails an estimated total burden of 1,483 hours (178,000 total invoices × thirty seconds). Thus, the total burden for invoice disclosures is 28,316 hours.

Staff estimates that the Fur Rules' advertising disclosure requirements impose an average burden of 40 hours per year for each of the approximately 1,230 domestic fur retailers, or a total of 49,200 hours.

Thus, staff estimates the total disclosure burden to be approximately 185,101 hours (107,585 hours for labeling + 28,316 hours for invoices + 49,200 hours for advertising).

Estimated annual cost burden: $4,996,243 (solely relating to labor costs). The chart below summarizes the total estimated costs.

Task	Hourly rate	Burden hours	Labor cost
Determine label content	$28.00	39,600	$1,108,800
Draft and order labels	18.00	13,200	237,600
Attach labels	[7] 11.00	54,785	602,635
Invoice disclosures	18.00	28,316	509,688
Prepare advertising disclosures	28.00	49,200	1,377,600
Recordkeeping	18.00	64,440	1,159,920
Total	.....	.....	4,996,243

Staff believes that there are no current start-up costs or other capital costs associated with the Fur Rules. Because the labeling of fur products has been an integral part of the manufacturing process for decades, manufacturers have in place the capital equipment necessary to comply with the Rules' labeling requirements.[8] Industry sources indicate that much of the information required by the Fur Act and Rules would be included on the product label even absent the Rules. Similarly, invoicing, recordkeeping, and advertising disclosures are tasks performed in the ordinary course of business so that covered firms would incur no additional capital or other non-labor costs as a result of the Act or the Rules.

Request for Comments

You can file a comment online or on paper. May 8, 2018. Write ''Paperwork Reduction Act: FTC File No. P072108'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission website, at *https://www.ftc.gov/policy/*

[3] *Final Rule,* 79 FR 30445 (May 28, 2014) (effective date of November 19, 2014).

[4] Truth in Fur Labeling Act, Public Law 111–313.

[5] The total number of imported fur garments, fur-trimmed garments, and fur accessories is estimated to be approximately 1,400,000 based on industry data. Estimated domestic production totals 210,000.

[6] The invoice disclosure burden for PRA purposes excludes the time that respondents would spend for invoicing, apart from the Fur Rules, in the ordinary course of business. *See* 5 CFR 1320.3(b)(2).

[7] Per industry sources, most fur labeling is done in the United States. This rate is reflective of an average domestic hourly wage for such tasks performed in the United States, which is derived from recent BLS statistics.

[8] Although items previously exempt from the labeling requirements must now be labeled regarding their fur content, the Textile and Wool Rules, found at 16 CFR 303 and 16 CFR 300, respectively, already required many such items to have fiber content labels. Hence, manufacturers likely have in place the equipment needed to comply with the additional labeling requirements.

public-comments. Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/furrulespra1* by following the instructions on the web based form. If this Notice appears at *https://www.regulations.gov,* you also may file a comment through that website.

If you file your comment on paper, write ''Paperwork Reduction Act: FTC File No. P072108'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex C), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610, Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Because your comment will be placed on the publicly accessible FTC website at *https://www.ftc.gov,* you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which . . . is privileged or confidential''—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled ''Confidential,'' and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on the public FTC website—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC website, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the Commission website at *https://www.ftc.gov* to read this Notice. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before May 8, 2018. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *https://www.ftc.gov/site-information/privacy-policy.*

David C. Shonka,

Acting General Counsel.

[FR Doc. 2018–04825 Filed 3–8–18; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–18–0199]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled Application for Permit to Import Biological Agents and Vectors of Human Disease into the United States and Application for Permit to Import or Transport Live Bats (42 CFR 71.54) to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on September 26, 2017 to obtain comments from the public and affected agencies. CDC received three comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570 or send an email to *omb@cdc.gov.* Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Import Permit Applications (42 CFR 71.54) (OMB Control Number 0920–0199, expires 12/31/2019)—Revision—Office of Public Health Preparedness and Response (OPHPR), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

On September 26, 2017, CDC published a 60-day **Federal Register** notice (82 FR 44795) seeking public comments to initiate a revision of the information collection projects titled ''*Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States*'' and ''*Application for Permit to Import or Transport Live Bats.*'' As a result of this notice, CDC received three comments. One commenter requested that we make the ''Application for Permit to Import

Biological Agents, Infectious Substances and Vectors of Human Disease into the United States'' form fillable so that applicants are able to complete the electronically. We made no changes based on this comment but note that the form will be published as a pdf-fillable form so that applicants have the ability to save the document to the applicant's local drive, complete the form, and then mail or fax the application to CDC. The other two comments did not pertain to the changes to the forms. Therefore, we made no changes to forms based on these comments.

The Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States form is used by laboratory facilities, such as those operated by government agencies, universities, and research institutions to request a permit for the importation of biological agents, infectious substances, or vectors of human disease. This form has been revised to remove questions that are duplicative or not required to process the import permit request and added questions requesting biosafety officer's contact information and verifying biosafety measures for any subsequent transfers listed on the import permit application of infectious biological agent, infectious substance, and/or vector once in the United States.

The Application for Permit to Import or Transport Live Bats form is used by laboratory facilities such as those operated by government agencies, universities, research institutions, and for educational, exhibition or scientific purposes to request a permit for the importation, and any subsequent distribution after importation, of live bats. This form currently requests the applicant and sender contact information; a description and intended use of bats to be imported; and facility isolation and containment information. CDC revised this application to add a question about what personal protective measures will be used.

Estimates of burden for the survey are based on information obtained from the CDC import permit database on the number of permits issued on annual basis since 2010. CDC estimates 1,322 burden hours for this collection.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Applicants Requesting to Import Biological Agents, Infectious Substances and Vectors.	Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States.	2,000	1	20/60
Applicants Requesting to Import Biological Agents, Infectious Substances and Vectors.	Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States Guidance.	2,000	1	10/60
Applicants Requesting to Import Biological Agents, Infectious Substances and Vectors.	Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States-Subsequent Transfer.	380	1	50/60
Applicants Requesting to Import Live Bats	Application for a Permit to Import Live Bats ..	10	1	20/60
Applicants Requesting to Import Live Bats	Application for a Permit to Import Live Bats Guidance.	10	1	10/60

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2018–04742 Filed 3–8–18; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–18–18EV]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled *Enhanced Surveillance for Histoplasmosis* to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on December 21, 2017 to obtain comments from the public and affected agencies. CDC did not receive comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570 or send an email to *omb@cdc.gov.* Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Enhanced Surveillance for Histoplasmosis—New—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Histoplasmosis is an infectious disease caused by inhalation of the environmental fungus *Histoplasma capsulatum.* Histoplasmosis can range from asymptomatic or mild illness to severe disseminated disease, and it is often described as the most common endemic mycosis in North America. However, much still remains unknown about the epidemiology and patient burden of histoplasmosis in the United States.

Histoplasmosis is currently reportable in 11 states but is not nationally notifiable. In June 2016, the Council of State and Territorial Epidemiologists (CSTE) passed a position statement to standardize the case definition for histoplasmosis, a first step towards more consistent surveillance methodology. A recent multistate analysis of histoplasmosis cases reported to public health during 2011–2014 also revealed variation in the data elements collected by each state, limiting inter-state comparability. In addition, data on possible exposures, underlying medical conditions, symptoms, and antifungal treatment were only collected in a few states. Furthermore, no multistate data exists about histoplasmosis cases identified using the newly-created CSTE case definition.

More detailed data about histoplasmosis cases detected during routine surveillance are needed to better understand the features of persons at risk, characterize the effects of histoplasmosis on patients (*e.g.,* delays in diagnosis, symptom duration, and decreased productivity), understand patient awareness of histoplasmosis, and determine its true public health burden. This information will not only help inform routine surveillance practices, but also guide awareness efforts and appropriate prevention strategies.

For a period of one year, health department personnel in participating states will conduct telephone interviews with individuals reported as histoplasmosis cases and that meet the CSTE case definition. Health department personnel will record responses on a standardized form. The form will collect information on demographics, underlying medical conditions, exposures, symptom type and duration, healthcare-seeking behaviors, diagnosis, treatment, and outcomes.

This interview activity is consistent with the state's existing authority to investigate reports of notifiable diseases for routine surveillance purposes; therefore, formal consent to participate in the surveillance is not required. However, individuals may choose not to participate and may choose not to answer any question they do not wish to answer.

It will take health department personnel approximately 15 minutes to administer the questionnaire and 15 minutes to retrieve and record diagnostic information from their state reportable disease database. For an estimated 300 patient respondents and 10 public health respondents, this results in an estimated annual burden to the public of 150 hours. There are no additional costs to respondents other than their time.

This is a new Information Collection Request. CDC seeks a 24-month approval. This study is authorized under Section 301 of the Public Health Service Act (42 U.S.C. 241).

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Histoplasmosis cases	Case Report Form for Histoplasmosis Enhanced Surveillance.	300	1	15/60
Health Department Personnel	Case Report Form for Histoplasmosis Enhanced Surveillance.	10	30	15/60

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2018–04741 Filed 3–8–18; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

RIN 0970–0427

Request for Public Comments on Head Start Program Information Report

AGENCY: Office of Head Start (OHS), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Request for public comments on Head Start Program Information Report.

SUMMARY: The Office of Head Start invites public comment on several major changes to the Head Start Program Information Report (PIR) to better align with the comprehensive revision of the Head Start Program Performance Standards (HSPPS), reduce reporting burden, and improve the data collection. Major changes include proposals to remove, add, and significantly update PIR questions. To view proposed changes to the PIR to go into effect for the 2019–20 PIR, please visit *https://eclkc.ohs.acf.hhs.gov/sites/default/files/pdf/summary-of-proposed-changes-to-the-pir-for-public-comment.pdf.*

DATES: Submit comments by April 6, 2018.

FOR FURTHER INFORMATION CONTACT: Fran Majestic, Division Director of Program Operations Division, *HeadStart@eclkc.info*, 1–866–763–648. Deaf and hearing-impaired individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 between 8 a.m. and 7 p.m. Eastern Standard Time.

Dated: February 28, 2018.

Ann Linehan,

Acting Director, Office of Head Start.

[FR Doc. 2018–04683 Filed 3–8–18; 8:45 am]

BILLING CODE 4184–40–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–N–0810]

Equivalence Determination Regarding the European Union Food Safety Control System for Raw Bivalve Molluscan Shellfish

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; request for comments.

SUMMARY: The Food and Drug Administration (FDA or we) is inviting public comment on a proposed determination that the European Union (EU) food safety control system for raw bivalve molluscan shellfish (''shellfish'') intended for export into the United States, as administered by the European Commission (EC), provides at least the same level of sanitary protection as the United States' system and is therefore equivalent. If finalized, this determination would permit the importation of shellfish harvested from certain production areas and processed by establishments that have been listed by FDA on the Interstate Certified Shellfish Shippers List (ICSSL). This notice also briefly describes the processes whereby other EU Member States (EUMS) may be approved in the future.

DATES: Comments must be received on or before May 23, 2018 to ensure consideration before the equivalence determination is finalized.

ADDRESSES: You may submit comments as follows:

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–2018–N–0810 for ''Equivalence Determination Regarding the European Union Food Safety Control System for Raw Bivalve Molluscan Shellfish.'' Received comments 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.'' We will review this copy, including the claimed confidential information, in our 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: Melissa Abbott, Center for Food Safety and Applied Nutrition (HFS–325), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–1401 or Robert Tuverson, Center for Food Safety and Applied Nutrition (HFS–550), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–1586.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is responsible for protecting public health by ensuring the safety of our nation's food supply, including imported foods. This includes raw bivalve molluscan shellfish (oysters, clams, mussels, and roe-on and whole scallops, referred to as ''shellfish'' throughout this notice) imported into the United States. This notice announces and explains the basis for our proposed determination that the EU food safety control system for shellfish intended for export to the United States, which is currently being implemented in certain growing areas in the Netherlands and Spain, provides a level of sanitary protection equivalent to the relevant elements of the U.S. system. FDA is seeking comment on this proposed determination.

A. What is an equivalence determination?

Under the 1995 World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), WTO Member States are required to enter into consultation with the aim of achieving bilateral and multilateral agreements on recognition of the equivalence of specified sanitary or phytosanitary measures (SPS Agreement, Article 4.2) (Ref. 1). When a WTO Member State requests an equivalence determination from another WTO Member State, the requesting WTO Member State must objectively demonstrate that its measures achieve the other WTO Member State's

appropriate level of sanitary or phytosanitary protection (SPS Agreement, Article 4.2) (Ref. 1).

Equivalence is evaluated by an examination of the sanitary and phytosanitary measures (SPS measures) in use in the country, which include all relevant laws, decrees, regulations, requirements and procedures, including end-product criteria, processes and production methods, testing, inspection, and certification and approval procedures. In addition, equivalence is evaluated by how the country implements those SPS measures. In this case, equivalence is evaluated by an examination of sanitary measures relating to shellfish safety.

The United States implemented the SPS Agreement requirement relating to equivalence in section 432 of the Uruguay Round Agreements Act (URAA), Public Law 103–465, which amended section 492 of the Trade Agreements Act of 1979 (Pub. L. 96–39). Under the URAA's section 432(a), U.S. agencies may not find foreign SPS measures equivalent to comparable SPS measures in the United States unless the agency determines that the foreign measures provide at least the same level of sanitary or phytosanitary protection as the comparable SPS measures established under Federal law (19 U.S.C. 2578a(a)).

Also under the URAA, where the comparable domestic SPS measures corresponding to an equivalence determination are not required to be issued as a rule under the Federal Food, Drug, and Cosmetic Act (FD&C Act) or other statute that we administer, we must publish a notice in the **Federal Register** and consider public comment before finalizing the equivalence determination (19 U.S.C. 2578a(c)). Once an equivalence determination is made final, we intend to engage in technical consultations and ongoing verification, including appropriate checking of imports, to ensure that equivalence continues to exist.

B. How are domestic and imported shellfish regulated in the United States?

FDA regulates the safety of fish and fishery products, including shellfish, under the FD&C Act, the Public Health Service Act (PHS Act), and our regulations (21 CFR part 123 *Fish and Fishery Products* and 21 CFR 1240.60 *Molluscan Shellfish*). To satisfy those regulatory requirements, shellfish in interstate commerce is regulated by the States of the United States (States or State) through the National Shellfish Sanitation Program (NSSP) and its *Guide for the Control of Molluscan Shellfish* (NSSP *Guide*) (Ref. 2), which together constitute the broad framework of sanitation standards adopted by each participating State. While the NSSP *Guide* functions as a model ordinance incorporated into State law by participating States, it is not itself a Federal regulation.

The NSSP, which is authorized under section 702 of the FD&C Act (21 U.S.C. 372) and section 311 of the PHS Act (42 U.S.C. 243), is a Federal-State cooperative program supported collaboratively by FDA and the Interstate Shellfish Sanitation Conference (ISSC). The ISSC is a voluntary national organization of Federal and State regulatory officials and the shellfish industry that is engaged in the sanitary control of shellfish. The ISSC provides a formal structure for State regulatory authorities to create legal requirements, guidelines, and procedures for managing the safety of shellfish intended for human consumption. The ISSC passed a resolution in 2011 recognizing FDA as the U.S. authority responsible for considering equivalence with the NSSP if so requested by foreign countries (Ref. 3).

C. What is the history of requests for equivalence determinations by the United States and the EU with respect to shellfish?

The Veterinary Equivalency Agreement of 1998 (VEA) established a framework for the United States and the EU to pursue equivalence determinations for food of animal origin, including shellfish (Ref. 4). For FDA-regulated products, FDA is the competent authority for the United States. For the EU, the EC's Directorate-General for Health and Food Safety (DG SANTE, formerly known as DG SANCO), is the competent authority and represents EUMS with respect to equivalence determinations.

In June 2008, DG SANCO formally requested that the United States undertake an equivalence determination under the VEA with respect to shellfish to allow the EU to export to the United States (Ref. 5). In March 2009, DG SANCO audited the U.S. food safety control system for shellfish, concluding that certain aspects of the U.S. control system were not equivalent to those in the EU (Ref. 6). As a result, in October 2009 the EC determined that the U.S. eligibility to ship shellfish to the EU would end on December 31, 2009 (this date was later moved to July 1, 2010). In 2010, FDA and DG SANCO agreed to engage in equivalence determinations and agreed on a process to evaluate one another's shellfish safety systems to determine whether they provide an equivalent level of food safety protection (Refs. 7 and 8). This process involved expert technical consultations, together with documentary and onsite evaluations and audits, conducted between 2010 and 2016 by both the United States and the EC. This **Federal Register** notice provides the basis for FDA's proposed determination that the EU food safety control system for shellfish is equivalent to the NSSP. As a result of its own assessment of the United States' system, the EC also has made a determination that the United States' system is equivalent to its own, and as a result of that determination has stated its intent to accept shellfish from certain growing areas in the States. For information about the EC's evaluation of the U.S. food safety control system for shellfish, including its onsite visits to production and processing facilities, see Refs. 9 and 10.

II. What is FDA's proposed determination concerning the equivalence of the EU shellfish safety system to the system in the United States?

A. What U.S. SPS measures for shellfish did FDA compare to comparable EU SPS measures?

FDA's assessment focused on whether the EU food safety control system for shellfish contains measures that provide the same level of protection as the food safety measures of the NSSP, which has incorporated Federal regulations specific to fish and fishery products (these are found at part123 and § 1240.60). Thus, the NSSP, which is implemented and enforced by the States, contains within it all relevant Federal requirements concerning, among other things, current good manufacturing practices, hazard analysis and Hazard Analysis Critical Control Point (HACCP) plans, recordkeeping, sanitation control procedures, and the restriction of interstate transport of shellfish in an insanitary manner. The NSSP provisions, similar to the incorporated Federal requirements, apply to both imported and domestic products (Ref. 2). Because of the incorporation in the NSSP of the relevant Federal requirements, we have determined that the NSSP standards are the appropriate SPS measures to use in determining whether the EC regulations are equivalent to U.S. shellfish safety safeguards.

B. What was the scope and process of our assessment of the EU's food safety control system for shellfish?

FDA's proposed determination of equivalence is predicated on an in-depth evaluation of the EC's food safety controls for shellfish and their implementation by EUMS. FDA focused its review on Class A growing areas in the Netherlands and Spain, based on selections made by the EC.

We began our consultation regarding shellfish equivalence by comparing sanitary measures applied by the States through the NSSP with those shellfish sanitary measures applied by the EUMS in accordance with EC legislation. This documentary review included the regulatory framework; training programs; inspection programs; program assessment and audit; food-related illness and outbreaks; compliance and enforcement; industry and community relations; program resources; international communication and harmonization; and laboratory support.

For sanitary measures related to growing area controls, enforcement, and biotoxins, FDA technical experts determined that further evaluation was needed. In conducting this further review, FDA technical experts relied on technical consultations and observations from onsite evaluations, as well as appropriate data analysis and risk assessments. In addition to documentary review, technical consultations, and expert analysis, we performed onsite evaluations as well as appropriate data and risk assessments to verify EUMS implementation of the EU food safety control system for shellfish (Ref. 11).

The FDA expert evaluation combined both quantitative and qualitative considerations, such as the statistical analysis of shellfish meat versus water standards and the review of legal systems. Whether considering quantitative or qualitative factors, we relied on the knowledge and experience of our technical experts and their understanding of known or reasonably foreseeable hazards in shellfish. Our technical experts used their extensive scientific knowledge and experience with shellfish control systems to evaluate and determine whether different control measures were equivalent in controlling identified hazards.

C. What did FDA tentatively conclude based on its evaluation?

FDA technical experts concluded, based on their extensive review of relevant EU measures and onsite evaluations, that the EU's food safety control system for shellfish provides an equivalent level of sanitary protection as the NSSP. Specifically, FDA technical experts concluded that:

- The documentary review demonstrated that most of the shellfish sanitary measures applied by the EUMS in accordance with EC legislation, including certain additional controls negotiated with FDA, are equivalent to the sanitary measures applied by the States through the NSSP (Refs. 7, 8, 11, and 12);
- EC procedures and enforcement criteria for assessing the safety of shellfish using shellfish meat are equivalent to the sanitary measures applied by the States through the NSSP, which rely on assessing growing water quality and classification of waters (Ref. 13); and
- With respect to identifying and responding to emerging pathogens of public health concern, including *Vibrio spp.,* the EU food safety systems provide the same level of public health protection as U.S. systems (Ref. 14).

In reaching these conclusions, FDA technical experts relied on their documentary review, technical consultations with counterparts with the EC, observations from onsite evaluations, as well as appropriate data and risk assessments, described more fully in sections II.E. and II.F.

D. To what growing areas and processing facilities in the EU does this proposed determination apply?

This proposed determination only applies to EC Class A growing areas where additional controls have been implemented to satisfy specific U.S. food safety concerns (''Class A'' means approved for the harvesting of shellfish for direct consumption). For purposes of this notice, we use the term ''growing area,'' by which we mean any site which supports or could support the propagation of shellstock by natural or artificial means. (The EC uses the term ''production area'' and defines it as ''any sea, estuarine or lagoon area, containing either natural beds of bivalve molluscs or sites used for the cultivation of bivalve molluscs, and from which live bivalve molluscs are taken'' (Regulation (EC) No 853/2004, Annex I, 2.5).) Currently, the only shellfish growing areas in the EU that have been determined to be implementing these additional controls are in the Netherlands and Spain. This notice describes the process whereby we may recognize additional EUMS growing areas and list additional EUMS processing facilities on the ICSSL in the future.

E. What is the basis for the FDA's tentative conclusion that procedures and enforcement for assessing shellfish growing area controls in the EU are equivalent to those in the United States?

1. Growing Area Controls

In the United States, the microbiological quality and safety of shellfish is determined through extensive sanitary surveys of shellfish growing areas, which include microbiological testing of the water. Sanitary surveys are ''the written evaluation report[s] of all environmental factors, including actual and potential pollution sources, which have a bearing on the water quality in a shellfish growing area'' (NSSP *Guide* at page 9) (Ref. 2). The EC, in contrast, historically has determined the safety of shellfish and classified shellfish growing areas based on the levels of indicator bacteria found in shellfish meats.

In January 2012, the EC stated that an effort was underway to develop a set of guidelines on how to interpret and implement EU Food Hygiene Regulation (EC) No. 854/2004 (basic food hygiene regulation) as it related to shellfish growing areas, including through the use of sanitary surveys. These new guidelines were contained in a document entitled the *Community Guide to the Principles of Good Practice for the Microbiological Classification and Monitoring of Bivalve Mollusc Production and Relaying Areas with Regard to Regulation 854/2004* (*Community Guide).* In April 2012, the EC provided the *Community Guide* to FDA for review (Refs. 5 and 15).

The *Community Guide* incorporated growing area controls that provided for the assessment of pollution sources in sanitary surveys, the selection of representative monitoring points, the creation of sampling plans, the classification of growing areas, and ongoing monitoring. The EC also provided the associated *Microbiological Monitoring of Bivalve Mollusc Harvesting Areas Guide to Good Practice: Technical Application* (*Technical Application Guide*) (Ref. 16), which provides implementation guidance for the *Community Guide.* FDA technical experts indicated that the *Community Guide* and the *Technical Application Guide* (''*Guide*s'') would be satisfactory if they included additional controls specific for products coming to the United States. To address the U.S. proposal for more detailed guidance covering pollution source identification and the implementation of buffer zones around pollution sources, FDA and the EC formed a working group. In September 2013, this working group

presented annexes addressing buffer zones to be added to the *Guides* (Refs. 5, 15, and 16).

On the basis of this consultation, and on the agreement of the EC to add additional provisions to the *Guides,* we decided that the two *Guides* provided additional controls that would, if properly implemented, provide the same level of public health protection as U.S. controls. While the EC said that these *Guides* would be voluntary for EUMS, it affirmed that it would require their application in growing areas that would be authorized to export shellfish to the United States under a finding of equivalence and that it planned ultimately to require the use of the *Guides* by EUMS, including the additional growing area controls (Ref. 5).

The *Community Guide* specifically prescribes additional guarantees that shellfish exported to the United States from the EU will have to meet. EUMS must ensure that shellfish originate from a specifically listed growing area; the listed growing area will be of permanent Class A status; and all aspects of the guidance set out in both *Guides,* including a full sanitary survey and the buffer zone requirements, will have been implemented for the listed growing areas prior to export to the United States. The *Technical Application Guide* sets specific sampling methodologies that must be followed. FDA and the EC identified priority growing areas within the Netherlands and Spain that would implement the two *Guides'* provisions and form the basis for FDA's onsite evaluation. FDA and the EC technical experts concluded that only growing areas fully implementing the two *Guides* would be permitted to export shellfish to the United States as a part of the equivalence determination (Ref. 17).

2. Classification of Growing Areas Using Water Versus Shellfish Meat Testing

In the United States, growing areas are classified as U.S. Approved, U.S. Conditionally Approved, U.S. Restricted, U.S. Conditionally Restricted, or U.S. Prohibited. Growing areas that are U.S. Approved include those areas where harvesting is permitted for direct marketing. Areas that are U.S. Conditionally Approved meet the criteria for the U.S. Approved classification, except under certain conditions (*e.g.,* excessive rainfall) described in a management plan, in which case they are either closed to harvest or classified as U.S. Restricted. Management plans are formulated by State shellfish authorities and establish the criteria that must be met for growing areas to remain U.S. Approved (NSSP *Guide,* Section IV, Chapter II .05) (Ref. 2). Areas that are U.S. Restricted allow harvesting by special license only of shellstock that are subjected to a suitable and effective post-harvest treatment process through depuration or relaying. Depuration is the process of reducing pathogenic organisms that may be present in shellstock by using a controlled aquatic environment as a treatment process. Relaying means transferring shellstock from a growing area classified as U.S. Restricted to a growing area classified as U.S. Approved or U.S. Conditionally Approved for the purpose of reducing pathogens. Areas that are U.S. Conditionally Restricted are considered U.S. Restricted except under certain conditions described in a management plan, in which case they are closed to harvest. Areas that are U.S. Prohibited are closed to all harvest.

In contrast to FDA's approach of classifying shellfish growing waters based primarily on indicator levels of microorganisms measured in growing waters, the EC classifies its growing areas primarily based on the indicator levels measured in shellfish meats. The EC separates shellfish growing areas into Classes A, B, and C. Class A growing areas are approved for the harvesting of shellfish for direct human consumption. Shellfish harvested from Class B and Class C growing areas are treated in a purification center or relayed so as to meet EU health standards. Shellfish from unclassified areas may not be harvested for human consumption (Ref. 18). Although the classification approach is different, both systems use complex decisional rules based on levels of indicator microorganisms to determine how shellfish from the growing area may be used.

In September 2010, FDA provided initial results of a statistical analysis and model relating to the comparison of shellfish meat versus water testing as the means for providing assurances as to the safety of shellfish (Ref. 13), after which the EC provided additional microbiological and site information data. Following further statistical analysis, FDA's technical experts concluded that the EU's system of growing area classification provided a level of protection equivalent to that of the United States, as long as the shellfish was from EC Class A growing areas. The report of the statistical analysis, entitled *FDA Evaluation of EU and US Microbiological Standards Used for Classifying Shellfish Growing Areas,* concluded that, ''For comparisons made using *E. coli* [*Escherichia coli*] standards prescribed by the EC for shellfish and fecal coliform standards prescribed by the US for waters, no statistically significant level of disagreement can be established between failure and approval outcomes using EU Category A criteria and US Approved criteria ($p > 0.05$). However, a statistically significant level of disagreement between outcomes is demonstrated for comparison using EU Category B criteria and US Restricted criteria ($p < 0.001$)'' (Ref. 13). Based on this statistical analysis, FDA technical experts concluded that EC Class A growing areas were equivalent to U.S. Approved growing areas and that, despite different regulatory approaches and testing methods, restricting shellfish harvesting to EC Class A areas provides the same level of public health protection (Refs. 13 and 17).

Following completion of the statistical analysis, the EC adopted a new regulation in December 2015 (Commission Regulation (EU) 2015/2285) (Ref. 18), establishing a new *E. coli* standard for molluscan shellfish which required further analysis to ensure the adoption of this new *E. coli* standard did not impact the conclusion that EC Class A growing areas are equivalent to U.S. Approved growing areas. To evaluate the impact of this new standard, FDA technical experts compared statistical assessments of the new sampling methodology and concluded that the EC's requirement for monitoring shellfish to maintain Class A growing area status remained equivalent to the U.S. standard (Ref. 19). Further, the EC committed to clarify requirements contained in Annex II (Additional Requirements for Production Areas from which Live Bivalve Molluscs are Harvested for Export to the USA) of the *Community Guide* to specify that ''the listed production area will be of permanent Class A status with a minimum data set of 24 samples to establish classification.'' Based on this understanding, the FDA technical experts concluded that the revised EU *E. coli* standard contained in Commission Regulation (EU) 2015/2285 (Ref. 18), in conjunction with instructions for its application contained in the *Community Guide* and the *Technical Application Guide* (*Guides*), provides the same level of public health protection between the EC Class A molluscan shellfish standard and U.S. Approved growing areas (Refs. 15 and 16).

F. What did FDA conclude regarding the EU food safety system's approach to marine Vibrio spp.?

Differing approaches to control pathogenic strains of *Vibrio spp.* were identified as an area that required further analysis as to whether FDA's and the EU's control programs were equivalent. Specifically, approaches to controlling for two species of pathogenic *Vibrio* bacteria, *Vibrio vulnificus* (*V. vulnificus*) and *Vibrio parahaemolyticus* (*V. parahaemolyticus*), were considered. Filter feeding by shellfish can cause *V. vulnificus* and *V. parahaemolyticus* to concentrate in their tissues. Consuming raw or undercooked shellfish can lead to illness from these pathogens. *V. vulnificus* is found in estuarine environments throughout coastal waters of the continental United States (Ref. 20). Optimal temperatures for *V. vulnificus* growth are between 20 °C to 35 °C, and therefore it appears most often in warm waters. Ninety percent of *V. vulnificus* illnesses linked to shellfish in the United States are associated with the consumption of raw oysters from the Gulf of Mexico. While illnesses associated with *V. vulnificus* are less common than other *Vibrio* species in shellfish, the mortality rate is high. *V. parahaemolyticus* appears in tropical and temperate coastal areas worldwide, including in the United States and the EU. Pathogenic strains of *V. parahaemolyticus* cause more illnesses than *V. vulnificus,* but usually result in only mild or moderately severe gastrointestinal symptoms (Ref. 20).

In December 2012, the FDA and EU technical experts decided to form a working group to discuss differing approaches to address pathogenic strains of *Vibrio spp.* in order to determine whether their control programs were equivalent. Coming out of this working group, the EU's Centre for Environment, Fisheries & Aquaculture Science (CEFAS), as chair of the working group, produced a summary in April 2013 that discussed the occurrence of *V. vulnificus* and *V. parahaemolyticus* illnesses in both the United States and EU (Ref. 10). The summary reported that while the United States has experienced significant public health problems with marine *Vibrios* following consumption of products from at risk areas, currently *Vibrio* infection associated with consumption of shellfish produced in the EU was rarely documented.

Both parties recognized that *V. vulnificus* poses a significant public health concern. As environmental conditions in the EU (*e.g.* growing water temperature) do not present the same level of risk, FDA's technical experts concluded that the EU is able to achieve the same or better public health outcomes as the U.S. system (Ref. 21).

With regard to *V. parahaemolyticus,* both the United States and the EC recognized that the pathogen poses a growing public health concern and recognized the need to engage specific controls when appropriate, given the environmental changes that could impact growing conditions for this organism (Refs. 22 and 23). Given that currently *Vibrio* infection associated with consumption of shellfish produced in the EU was rarely documented, FDA technical experts evaluated the EU food safety system for identifying and responding to pathogens of growing public health concern and illness events, and the EU's underlying systems for controlling pathogens in shellfish to determine whether those systems offered the same level of public health protection as systems in use in the United States. Through this evaluation, FDA technical experts concluded that the EU and the United States have equivalent systems in place to identify and respond to emerging pathogens, including those involving *V. parahaemolyticus* (Ref. 14).

Specifically, FDA technical experts determined that both the United States and EU food safety systems for shellfish are designed and operate to identify and control risks associated with emerging public health threats, including *V. parahaemolyticus.* While the EC does not currently consider *V. parahaemolyticus* nationally notifiable, the Rapid Alert System for Food and Feed (RASFF) is designed to capture adverse events and has included *V. parahaemolyticus* related notifications, which, to date, are from shellfish harvested outside the EU. The RASFF ensures that information is shared and urgent notifications are responded to in order to ensure food safety for consumers within and outside of the EU. In an event, such as a shellfish-related illness outbreak, the EUMS are required to report and investigate the event in order to take appropriate action. The evidence from RASFF alerts (relating to notifications of products presenting a serious health risk or to products tested at border entry and found to present a risk) indicates that *Vibrio* contamination of bivalve mollusc on the EU market is an uncommon occurrence (Ref. 14).

In addition to the EC requiring adverse event reporting through RASFF, FDA technical experts concluded that the EU has significant controls in place to minimize exposure to hazards generally, including foodborne pathogens, that contribute to *V. parahaemolyticus* control:

- The EC mandates that EUMS have systems to ensure that shellfish is harvested from classified growing waters;
- It mandates additional post-harvest controls through mandatory HACCP systems that require business operators to identify and control hazards in their products before they are marketed to consumers; and
- Finally it mandates harvested shellfish are subject to tagging and labeling so that contaminated lots are identified and recalled rapidly (Ref. 14).

Therefore, FDA technical experts have concluded that the EU food safety systems for identifying and responding to emerging pathogens and illness events, together with their underlying systems for controlling pathogens in shellfish, provide that same level of public health protection as the United States to identify and respond to emerging pathogens, including *Vibrio spp.*

G. What was the outcome of FDA's June 2015 onsite evaluation of the EU food safety control system for shellfish?

Finally, FDA performed an onsite evaluation of the EU food safety control system for shellfish in June 2015 to verify EUMS implementation of the EU food safety system, including the additional controls specified in the *Guides.* FDA's onsite evaluation, conducted in the Netherlands and Spain, focused on the procedures for classifying shellfish growing areas; testing of shellfish growing area waters and shellfish meats; preventing harvest of shellfish from growing areas that would not meet the EC Class A or U.S. Approved criteria; assessing and controlling post-harvest processing, handling, labeling, and traceback activities; and assessing and controlling the risk from marine biotoxins (Ref. 11). We identified several issues regarding the implementation of EC controls by the competent authorities of the EUMS evaluated and made recommendations for corrective action. The EC and FDA agreed these recommended corrective actions in the Netherlands and Spain would be implemented before trade could commence under equivalence. The issues identified during our onsite evaluations, and our recommendations for corrective action, are summarized in our 2015 onsite assessment report of Spain and the Netherlands (Ref. 11).

III. Recommended Determination of Equivalence With Conditions

Based on the evaluation described in section II, FDA technical experts conclude that the EU food safety control system for shellfish intended for export to the United States, including implementation of the EC regulations, directives, and the *Guides* (see Refs. 12, 15, and 16), provides at least the same level of public health protection as the U.S. system, as contained in the NSSP sanitation standards adopted and implemented as law by the States.

While recognizing the equivalence of the food safety control systems for raw bivalve molluscan shellfish under the conditions described in this notice, and while FDA and the EC understand that eligibility to export under equivalence would initially apply to growing areas and processing facilities meeting applicable standards in the evaluated EUMS, FDA, and the EC also discussed and established the following steps for adding growing areas and processing facilities in the EUMS:

- EUMS seeking to export shellfish into the United States will notify the EC;
- The EC will confirm that the growing areas to be used for harvesting product intended for export to the United States have a Class A designation;
- The EC will confirm that the growing area controls, including those specified in the *Guides,* are in place, including assessment of the risk related to marine biotoxins and other hazards in shellfish;
- The EC will notify FDA of the EUMS notification, including the location of the growing areas, and the names of the shellfish processing facilities intending to export to the United States; and
- FDA will update the ICSSL as appropriate.

FDA has concluded that it would evaluate exporting EUMS on a periodic basis as part of our routine evaluation program as is done under the NSSP, but would not require prior onsite evaluations before allowing new EUMS or growing areas to export into the United States.

After consideration of public comment submitted in response to this notice, FDA will issue a final determination. FDA and the EC confirmed that the following subjects were excluded from the equivalence finding, as stated in the VEA: Food labeling requirements; food additive maximum levels (MLs); pesticide maximum residue limits (MRLs); drug MRLs; and contaminant MLs. Exported shellfish must comply with the importing country's requirements for these items. FDA and the EC committed to negotiate a bilateral equivalence arrangement that documents the understandings reached during the equivalence process.

IV. Additional Issues for Consideration and Comment

FDA seeks comment on this **Federal Register** notice, including comments and any supporting data or other information, addressing whether this proposed equivalence determination for shellfish coming from the EU, subject to the limitations added by FDA, meets the standard that the EU measures provide at least the same level of sanitary protection as our domestic program's measures (19 U.S.C. 2578a(a)).

V. References

The following references are on display in the Dockets Management Staff (see **ADDRESSES**) and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they are also available electronically at *https://www.regulations.gov.* FDA has verified the website addresses, as of the date this document publishes in the **Federal Register**, but websites are subject to change over time.

1. The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), World Trade Organization (WTO), 1995. Accessed online at *https://www.wto.org/english/tratop_e/sps_e/spsagr_e.htm.*
2. National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish. Food and Drug Administration and Interstate Shellfish Sanitation Conference. 2007 through 2015 revisions. Accessed online at *https://www.fda.gov/food/guidanceregulation/federalstatefoodprograms/ucm2006754.htm.*
3. Guidance on Equivalence Criteria for Food, Interstate Shellfish Sanitation Conference Resolution 11–003, at p. 376 in National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish. Food and Drug Administration and Interstate Shellfish Sanitation Conference. 2011 Revision. Accessed online at *https://www.fda.gov/food/guidanceregulation/federalstatefoodprograms/ucm2006754.htm.*
4. Veterinary Equivalency Agreement of 1998. Accessed online at *https://trade.ec.europa.eu/doclib/docs/2003/october/tradoc_111716.pdf.*
5. EU-U.S. Molluscan Shellfish Project Major Event Timeline. Food and Drug Administration. 2016.
6. Final Report of a Mission Carried Out in the United States From 02 March to 16 March 2009 in Order to Evaluate the Control Systems in Place Governing the Production of Bivalve Molluscs Intended for Export to the European Union. European Commission, Health & Consumers Directorate-General, Directorate F—Food and Veterinary Office. DG (SANCO)/2009–8055–MR—FINAL.
7. Meeting Summary and Attachments from the U.S.-EU Molluscan Shellfish Equivalence Project. January 27–28, 2010. Brussels, Belgium.
8. Meeting Summary and Attachments from the U.S.-EU Molluscan Shellfish Equivalence Project. September 21–22, 2010. College Park, MD.
9. Final Report of an Audit Carried Out in the United States from 17 March 2015 to 27 March 2015 in Order to Evaluate the Control Systems in Place Governing the Production of Bivalve Molluscs and Fishery Products Derived Therefrom Intended for Export to the European Union. European Commission, Directorate-General for Health and Food Safety, Directorate F—Food and Veterinary Office. December 2015. Accessed online at *http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3585.*
10. Marine *vibrio's*—Summary of Food Safety Concerns Regarding Trade of Bivalve Molluscs from USA to EU. The Center for Environment, Fisheries & Aquaculture Science (CEFAS). April 2013. Accessed online at *https://eurlcefas.org/media/13641/ws12_13.pdf.*
11. EU-U.S. Molluscan Shellfish Equivalence Project Report of the U.S. Food and Drug Administration's On-site Assessment of Spain and the Netherlands, 15 June–26 June, 2015. FDA. December 9, 2015.
12. Comparison Chart of FDA–NSSP–EC Provisions That Achieve the Same Shellfish Safety Outcomes. FDA, Center for Food Safety and Applied Nutrition. 2016.
13. FDA Evaluation of EU and U.S. Microbiological Standards Used for Classifying Shellfish Growing Areas. Food and Drug Administration. February 2011.
14. FDA Technical Memo to File on EU safety systems for identifying and responding to emerging pathogens and illness events associated with shellfish. Food and Drug Administration. November 8, 2017.
15. Community Guide to the Principles of Good Practice for the Microbiological Classification and Monitoring of Bivalve Mollusc Production and Relaying Areas with Regard to Regulation 854/2004. European Commission. June 2012, updated January 2014 and January 2017. Accessed online at *https://eurlcefas.org/media/13972/cg_issue-3_final-170117.pdf.*
16. Microbiological Monitoring of Bivalve Mollusc Harvesting Areas Guide to Good Practice: Technical Application. EU Working Group on the Microbiological Monitoring of Bivalve Mollusc Harvesting Areas. Issue 4, August 2010, updated June 2014 (Issue 5) and January 2017 (Issue 6). Accessed online at *https://eurlcefas.org/media/13973/gpg_issue-6-fianl-170117.pdf.*

17. Meeting Summary and Attachment from the U.S.-EU Bivalve Molluscan Shellfish Equivalence Project. November 19–20, 2015. FDA Hillandale Building, Silver Spring, MD.
18. Commission Regulation (EU) 2015/2285 of 8 December 2015 Amending Annex II to Regulation (EC) No. 854/2004 of the European Parliament. Accessed online at *http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015R2285&from=EN.*
19. Meeting Summary and Attachment from the U.S.-EU Bivalve Molluscan Shellfish Equivalence Project. September 19–20, 2016. FDA Center for Food Safety and Applied Nutrition, College Park, MD.
20. Bad Bug Book, *Foodborne Pathogenic Microorganisms and Natural Toxins.* Second Edition. FDA. 2012. Accessed online at *https://www.fda.gov/food/foodborneillnesscontaminants/causesofillnessbadbugbook/.*
21. Risk Assessment of *Vibrio vulnificus* in Raw Oysters, Interpretive Summary and Technical Report. World Health Organization/Food and Agriculture Organization of the United Nations. 2005. Accessed online at *http://www.who.int/foodsafety/publications/micro/mra8.pdf.*
22. Meeting Summary and Attachments from the U.S.-EU Molluscan Shellfish Equivalence Project. September 5–6, 2013. FDA White Oak Campus, Silver Spring, MD.
23. On-going Activities on Emerging Risks in the SCER Unit. Presentation at European Food Safety Authority (EFSA) 56th Advisory Forum Meeting. June 11–12, 2015. Accessed online at *https://www.efsa.europa.eu/sites/default/files/assets/af150611a-p9d.pdf.*

Dated: March 6, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–04772 Filed 3–8–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–N–0410]

Peripheral and Central Nervous System Drugs Advisory Committee; Notice of Meeting; Establishment of a Public Docket; Request for Comments; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; establishment of a public docket; request for comments; correction.

SUMMARY: The Food and Drug Administration is correcting a notice entitled ''Peripheral and Central Nervous System Drugs Advisory Committee; Notice of Meeting; Establishment of a Public Docket; Request for Comments'' that appeared in the **Federal Register** of February 22, 2018. The document was published with the incorrect docket number. This document corrects that error.

FOR FURTHER INFORMATION CONTACT: Lisa Granger, Office of Policy and Planning, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 3330, Silver Spring, MD 20993–0002, 301–796–9115.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of Thursday, February 22, 2018 (83 FR 7727), in FR Doc. 2018–03603, on page 7727, the following correction is made:

1. On page 7727, in the first column, in the header of the document, the docket number is corrected to read ''FDA–2018–N–0410.''

Dated: March 5, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–04774 Filed 3–8–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–P–5946]

Determination That DORYX MPC (Doxycycline Hyclate), Delayed-Release Tablets, 60 Milligrams, Were Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that DORYX MPC (doxycycline hyclate), delayed-release tablets, 60 milligrams (mg), were not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for DORYX MPC (doxycycline hyclate), delayed-release tablets, 60 mg, if all other legal and regulatory requirements are met.

FOR FURTHER INFORMATION CONTACT: Aaron Young, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6217, Silver Spring, MD 20993–0002, 301–796–8083.

SUPPLEMENTARY INFORMATION: In 1984, Congress enacted the Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) (the 1984 amendments), which authorized the approval of duplicate versions of drug products under an ANDA procedure. ANDA applicants must, with certain exceptions, show that the drug for which they are seeking approval contains the same active ingredient in the same strength and dosage form as the ''listed drug,'' which is a version of the drug that was previously approved. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

The 1984 amendments include what is now section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)), which requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the ''Approved Drug Products With Therapeutic Equivalence Evaluations,'' which is known generally as the ''Orange Book.'' Under FDA regulations, drugs are removed from the list if the Agency withdraws or suspends approval of the drug's NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (§ 314.162 (21 CFR 314.162)).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.

DORYX MPC (doxycycline hyclate), delayed-release tablets, 60 mg, are the subject of NDA 50–795, held by Mayne Pharma International Pty Ltd., and initially approved on May 6, 2005. DORYX MPC is indicated for rickettsial infections; sexually transmitted infections; respiratory tract infections; specific bacterial infections; ophthalmic infections; anthrax, including inhalational anthrax (post-exposure); alternative treatment for selected infections when penicillin is contraindicated; adjunctive therapy in acute intestinal amebiasis and severe acne; and prophylaxis of malaria.

Mayne Pharma International Pty Ltd. has never marketed DORYX MPC (doxycycline hyclate), delayed-release tablets, 60 mg. In previous instances (see, *e.g.,* 72 FR 9763 (March 5, 2007) and 61 FR 25497 (May 21, 1996)), the Agency has determined that, for

purposes of §§ 314.161 and 314.162, never marketing an approved drug product is equivalent to withdrawing the drug from sale.

Goodwin Procter LLP submitted a citizen petition dated September 26, 2017 (Docket No. FDA–2017–P–5946), under 21 CFR 10.30, requesting that the Agency determine whether DORYX MPC (doxycycline hyclate), delayed-release tablets, 60 mg, were withdrawn from sale for reasons of safety or effectiveness.

After considering the citizen petition and reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that DORYX MPC (doxycycline hyclate), delayed-release tablets, 60 mg, were not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that this drug product was withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of DORYX MPC (doxycycline hyclate), delayed-release tablets, 60 mg, from sale. We have found no information that would indicate that this drug product was withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list DORYX MPC (doxycycline hyclate), delayed-release tablets, 60 mg, in the ''Discontinued Drug Product List'' section of the Orange Book. The ''Discontinued Drug Product List'' delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. ANDAs that refer to this drug product may be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Dated: March 5, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–04726 Filed 3–8–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Service Administration

Advisory Committee on Interdisciplinary, Community-Based Linkages

AGENCY: Health Resources and Service Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice of meetings.

SUMMARY: In accordance with the Federal Advisory Committee Act, notice is hereby given that two orientation meetings are scheduled for the Advisory Committee on Interdisciplinary, Community-Based Linkages (ACICBL). These meetings will be open to the public. Information about the ACICBL and the agenda for these meetings can be obtained by accessing the ACICBL website at: *https://www.hrsa.gov/advisory-committees/interdisciplinary-community-linkages/meetings/index.html.*

DATES: In order to accommodate the schedules of the ACICBL members, two orientation meetings will be held. The first meeting will be on March 15, 2018 from 11:00 a.m.–4:00 p.m., ET and the second meeting will be on March 27, 2018 from 12:00 p.m.–5:00 p.m., ET.

ADDRESSES: These meetings will be held via conference call/webinar.

- The teleconference call-in number is 1–800–619–2521, passcode: 9271697.
- The webinar link is *https://hrsa.connectsolutions.com/acicbl.*

FOR FURTHER INFORMATION CONTACT: Anyone requesting information regarding the ACICBL should contact Joan Weiss, Ph.D., RN, CRNP, FAAN, HRSA, in one of three ways: (1) Send a request to the following address: Joan Weiss, Ph.D., RN, CRNP, FAAN, Senior Advisor and Designated Federal Officer, Division of Medicine and Dentistry, HRSA, 5600 Fishers Lane, Room 15N39, Rockville, Maryland 20857; (2) call (301) 443–0430; or (3) send an email to *jweiss@hrsa.gov.*

SUPPLEMENTARY INFORMATION: The ACICBL provides advice and recommendations on a broad range of issues relating to grant programs authorized by sections 750–760, Title VII, Part D of the Public Health Service Act. During the March 15, 2018 and March 27, 2018 meetings. ACICBL members will be oriented to the work of the Committee and identify potential topics to work on for 2018.

The ACICBL's reports are submitted to the Secretary of HHS; the Committee on Health, Education, Labor, and Pensions of the U.S. Senate; and the Committee on Energy and Commerce of the U.S. House of Representatives.

Members of the public will have the opportunity to provide comments. Oral comments will be honored in the order they are requested and may be limited as time allows. Requests to make oral comments or provide written comments to the ACICBL should be sent by March 13, 2018 for the March 15, 2018 meeting and by March 25, 2018 for the March 27, 2018 meeting.

Amy McNulty,

Acting Director, Division of the Executive Secretariat.

[FR Doc. 2018–04815 Filed 3–8–18; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, 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 Cancer Institute Special Emphasis Panel; NCI Pediatric Early Phase Clinical Trials Network (PEP–CTN).

Date: March 27, 2018.

Time: 11:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W538, Rockville, MD 20850, (Telephone Conference Call).

Contact Person: Shamala K. Srinivas, Ph.D., Scientific Review Officer, Office of Referral, Review, and Program Coordination, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W530, Bethesda, MD 20892–9750, 240–276–6430, *ss537t@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; U01 SEP: Liquid Biopsy & Early Cancer Assessment.

Date: May 1, 2018.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W102, Rockville, MD 20850, (Telephone Conference Call).

Contact Person: Shakeel Ahmad, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W102, Bethesda, MD 20892–9750, 240–276–6349, *ahmads@mail.nih.gov*.

Name of Committee: National Cancer Institute Special Emphasis Panel; NCI SPORE I Review.

Date: May 10–11, 2018.

Time: 4:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, North Bethesda, MD 20852.

Contact Person: David G. Ransom, Ph.D., Scientific Review Officer, Research Programs Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W124, Bethesda, MD 20892–9750, 240–276–6351, *david.ransom@nih.gov*.

Name of Committee: National Cancer Institute Special Emphasis Panel; NCI SPORE IV Review.

Date: May 17–18, 2018.

Time: 8:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, North Bethesda, MD 20852.

Contact Person: Sanita Bharti, Ph.D., Scientific Review Officer, Research Program Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W122, Bethesda, MD 20892–9750, 240–276–5909, *sanitab@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: March 6, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04802 Filed 3–8–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Draft National Institute of Environmental Health Sciences 2018–2023 Strategic Plan

AGENCY: National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health (NIH), Department of Health and Human Services (HHS).

ACTION: Request for comments.

SUMMARY: The NIEHS is updating its 2012–2017 NIEHS Strategic Plan, which can be viewed at *www.niehs.nih.gov/2012plan.* The goal of the current strategic planning process is to define Strategic Objectives to anticipate, set, and meet priorities in environmental health sciences research, training, and translation in support of the NIEHS mission and vision, as well as to identify key focus areas for implementation of such Strategic Objectives. NIEHS requests comment from researchers in academia and industry, health care professionals, patient advocates and advocacy organizations, scientific or professional organizations, federal agencies, and other interested members of the public on these new Strategic Objectives and focus areas, which are detailed in ''NIEHS Strategic Plan 2018–2023: Advancing Environmental Health Science, Improving Health 2.0.'' The draft plan may be viewed online at *www.niehs.nih.gov/strategicplan.*

DATES: Submit your comments online or by email on or before March 30, 2018, 5:00 p.m. EDT.

ADDRESSES: Comments are strongly encouraged to be submitted online at *https://www.research.net/r/niehs_strategic_plan.* They may also be submitted by email to *ehs-strategic-plan@niehs.nih.gov,* or by mail to: Office of the Deputy Director, NIEHS/NIH/HHS, P.O. Box 12233, Maildrop B2–06, Research Triangle Park, NC 27709.

FOR FURTHER INFORMATION CONTACT: Dr. Sheila Newton, Office of Policy, Planning and Evaluation; email: *newton1@niehs.nih.gov,* or call non-toll-free number 919–541–4343.

SUPPLEMENTARY INFORMATION:

Background: The mission of the NIEHS is to discover how the environment affects people, in order to promote healthier lives. The vision of the NIEHS is to provide global leadership for innovative research that improves public health by preventing disease and disability. The NIEHS achieves its mission and vision through multidisciplinary biomedical research programs, as well as prevention and intervention efforts. NIEHS research is disseminated to inform evidence-based environmental health policies to prevent disease and protect health. The NIEHS also focuses on communication and research translation strategies that encompass training, education, technology transfer, and community engagement.

Request for Comment on Draft NIEHS Strategic Plan 2018–2023

During June–August 2017, the NIEHS solicited input to its strategic planning process through a public, online ''Trends & Insights Survey.'' This survey invited respondents to comment on any aspect of the 2012–2017 NIEHS Strategic Plan, as well as to offer potential new directions and priorities. Following this, NIEHS synthesized the input (~2,000 unique comments) and reported it to the National Advisory Environmental Health Sciences Council (NAEHSC) at its September 2017 meeting. Two members of Council led a discussion to provide further feedback. From September 2017–February 2018, NIEHS Leadership discussed the compiled input and analysis, consulted the NIH Strategic Plan, and determined the current set of Strategic Objectives and supporting focus areas of effort that are detailed in the draft plan. This plan was presented and discussed at the NAEHSC's February 2018 meeting.

The NIEHS seeks Comments from all interested parties on its draft ''NIEHS Strategic Plan 2018–2023: Advancing Environmental Health Science, Improving Health 2.0.'' Input received in response to this request will be collected from February 21 to March 30, 2018.

All comments should be submitted on or before COB (5:00 p.m. EDT) March 30, 2018.

Dated: February 14, 2018.

Linda S. Birnbaum,

Director, National Institute of Environmental Health Sciences and National Toxicology Program.

[FR Doc. 2018–04714 Filed 3–8–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Integrative Health; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Center for Complementary and Integrative Health Special Emphasis Panel.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Complementary and Integrative Health Special Emphasis Panel; Fellowship, Career Development and Research Grant Programs.

Date: April 5, 2018.

Time: 12:00 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Viatcheslav A. Soldatenkov, MD, Ph.D., Scientific Review Officer, Office of Scientific Review, Division of Extramural Activities NCCIH/NIH, 6707 Democracy Boulevard, Suite 401, Bethesda, MD 20892, *soldatenkovv@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Integrative Health, National Institutes of Health, HHS)

Dated: March 5, 2018.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04800 Filed 3–8–18; 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, 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; PAR17–004: Secondary Analyses of Existing Datasets in Heart, Lung, and Blood Diseases and Sleep Disorders (R21).

Date: March 27–28, 2018.

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: Clinical Neurological Disorders and Aging.

Date: March 29, 2018.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Samuel C. Edwards, Ph.D., Chief, Brain Disorders and Clinical Neuroscience, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5210, MSC 7846, Bethesda, MD 20892, (301) 435–1246, *edwardss@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Research Methodology.

Date: March 29, 2018.

Time: 11:30 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 (Telephone Conference Call).

Contact Person: Jose H. Guerrier, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, MSC 7852, Bethesda, MD 20892, 301–435–1137, *guerriej@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Neuroscience Assay, Diagnostics and Animal Model Development.

Date: March 30, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Renaissance, Washington, DC Hotel, 999 Ninth Street NW, Washington, DC 20001–4427.

Contact Person: Susan Gillmor, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–435–1730, *susan.gillmor@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: March 5, 2018.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04700 Filed 3–8–18; 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, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM17–013: Compound Identification Development Cores (U2C).

Date: March 27–28, 2018.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Craig Giroux, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5150, Bethesda, MD 20892, 301–435–2204, *girouxcn@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; AREA Applications in Oncological Sciences.

Date: March 28, 2018.

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: Svetlana Kotliarova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6214, Bethesda, MD 20892, 301–594–7945, *kotliars@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Gastrointestinal Immunology and Diseases.

Date: March 29–30, 2018.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jianxin Hu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2156, Bethesda, MD 20892, 301–827–4417, *jianxinh@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Focus on Antimicrobial Drug Development and Resistance.

Date: March 29, 2018.

Time: 8:00 a.m. to 10:00 a.m.

Agenda: To review and evaluate grant applications.

Place: The Westin St. Francis, 335 Powell Street, San Francisco, CA 94102.

Contact Person: Guangyong Ji, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3211, MSC 7808, Bethesda, MD 20892, 301–435–1146, *jig@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Emerging Technologies in Neuroscience.

Date: March 29–30, 2018.

Time: 8:00 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: Sharon S Low, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5104, MSC 5104, Bethesda, MD 20892–5104, 301–237–1487, *lowss@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–17–240: Innovative Research in Cancer Nanotechnology (IRCN).

Date: March 29–30, 2018.

Time: 8:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Palomar Hotel, 2121 P Street NW, Washington, DC 20037.

Contact Person: Vonda K Smith, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6188, MSC 7892, Bethesda, MD 20892, 301–435–1789, *smithvo@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Mycobacterial induced immunity in HIV-infected and uninfected individuals.

Date: March 29, 2018.

Time: 9:30 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: Jingsheng Tuo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5207, Bethesda, MD 20892, 301–451–8754, *tuoj@nei.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Platelets and Thrombosis.

Date: March 29–30, 2018.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Ai-Ping Zou, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4118, MSC 7814, Bethesda, MD 20892, 301–408–9497, *zouai@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Dermatology, Rheumatology and Inflammation.

Date: March 29, 2018.

Time: 10:30 a.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: Rajiv Kumar, Ph.D., Chief, MOSS IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4216, MSC 7802, Bethesda, MD 20892, 301–435–1212, *kumarra@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; National Metabolomics Data Repository and Program Coordination Centers (U2C).

Date: March 29, 2018.

Time: 1:00 p.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: Sergei Ruvinov, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4158, MSC 7806, Bethesda, MD 20892, 301–435–1180, *ruvinser@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Genetic Diseases: Functional Variant Discovery Tools and Mechanisms.

Date: March 29, 2018.

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 (Telephone Conference Call).

Contact Person: Methode Bacanamwo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2200, Bethesda, MD 20892, 301–827–7088, *methode.bacanamwo@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: March 6, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04798 Filed 3–8–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Integrative Health; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Center for Complementary and Integrative Health Special Emphasis Panel.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Complementary and Integrative Health Special Emphasis Panel; Behavior Interventions for Prevention Opioid Use Disorders or Adjunct To Medication Assisted Treatment-SAMHSA Opioid STR Grants (R21/R33) Special Emphasis Panel.

Date: April 10, 2018.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Video Assisted Meeting).

Contact Person: Yisong Wang, Ph.D., Scientific Review Officer, NCCIH/NIH, Office of Scientific Review, Division of Extramural Activities 6707 Democracy Blvd., Suite 401, Bethesda, MD 20817, 301–480–9483, *yisong.wang@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Integrative Health, National Institutes of Health, HHS)

Dated: March 5, 2018.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04801 Filed 3–8–18; 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, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Cardiovascular Sciences.

Date: March 29–30, 2018.

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: Kimm Hamann, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4118A, MSC 7814, Bethesda, MD 20892, 301–435–5575, *hamannkj@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA: CA–049 Fusion Oncoproteins in Pediatric Cancer.

Date: April 2–3, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314.

Contact Person: Charles Morrow, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6202, MSC 7804, Bethesda, MD 20892, 301–451–4467, *morrowcs@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Global Noncommunicable Diseases and Injury Across the Lifespan: Exploratory Research (R21).

Date: April 3–4, 2018.

Time: 7:30 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: Fungai Chanetsa, MPH, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3135, MSC 7770, Bethesda, MD 20892, 301–408–9436, *fungai.chanetsa@nih.hhs.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA: NIH Transformative Research Awards (R01) Review.

Date: April 3, 2018.

Time: 8:00 a.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Washington Marriott Georgetown, 1221 22nd Street NW, Washington, DC 20037

Contact Person: Raymond Jacobson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5858, MSC 7849, Bethesda, MD 20892, 301–996–7702, *jacobsonrh@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Musculoskeletal and Oral Sciences, Imaging, Surgery, and Informatics.

Date: April 3–4, 2018.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20015.

Contact Person: Anshumali Chaudhari, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4124, MSC 7802, Bethesda, MD 20892, (301) 435–1210, *chaudhaa@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR: Adverse Drug Reaction Research.

Date: April 3, 2018.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Alexander D Politis, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3210, MSC 7808, Bethesda, MD 20892, (301) 435–1150, *politisa@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Neuronal and Glia Function in Neurological Disorders.

Date: April 3, 2018.

Time: 1:00 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 (Telephone Conference Call).

Contact Person: Carol Hamelink, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4192, MSC 7850, Bethesda, MD 20892, (301) 213–9887, *hamelinc@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Opioid Abuse Therapy and Non-Addicting Analgesics.

Date: April 3, 2018.

Time: 1:00 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Mary Custer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4148, MSC 7850, Bethesda, MD 20892, (301) 435–1164, *custerm@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: March 5, 2018.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04799 Filed 3–8–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Career Development and Fellowships in Mental Health Services Research.

Date: March 23, 2018.

Time: 11:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Aileen Schulte, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH Neuroscience Center, 6001 Executive Blvd., Room 6140, MSC 9608, Bethesda, MD 20892–9608, 301–443–1225, *aschulte@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: March 6, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04805 Filed 3–8–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel Cutting-Edge Basic Research Awards (CEBRA) (R21).

Date: March 20, 2018.

Time: 12:00 p.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Susan O. McGuire, Ph.D., Scientific Review Officer, Office of Extramural Policy and Review, National Institute on Drug Abuse, National Institutes of Health, DHHS, 6001 Executive Blvd., Room 4245, Rockville, MD 20852, (301) 827–5817, *mcguireso@mail.nih.gov*.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel Development of a Device to Objectively Measure Pain (R41/R42/R43/R44).

Date: March 29, 2018.

Time: 9:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Contact Person: Julia Berzhanskaya, Ph.D., Scientific Review Officer, Office of Extramural Policy and Review, Division of Extramural Research, National Institute on Drug Abuse, NIH, DHHS, 6001 Executive Boulevard, Room 4234, MSC 9550, Bethesda, MD 20892, 301–827–5840, *julia.berzhanskaya@nih.gov*.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel HIV-associated Neuropathic Pain and Opioid Interaction (R01).

Date: March 29, 2018.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Julia Berzhanskaya, Ph.D., Scientific Review Officer, Office of Extramural Policy and Review, Division of Extramural Research, National Institute on Drug Abuse, NIH, DHHS, 6001 Executive Boulevard, Room 4234, MSC 9550, Bethesda, MD 20892, 301–827–5840, *julia.berzhanskaya@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos.: 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: March 6, 2018.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04804 Filed 3–8–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel; BRAIN Initiative: Theories, Models and Methods for Analysis of Complex Data for the Brain, (2018/08).

Date: April 12, 2018.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Arlington Capital View, 2850 South Potomac Avenue, Arlington, VA 22202.

Contact Person: Dennis Hlasta, Ph.D., Scientific Review Officer, National Institute of Biomedical Imaging and Bioengineering National Institutes of Health, 6707 Democracy Blvd., Bethesda, MD 20892, (301) 451–4794, *dennis.hlasta@nih.gov*.

Dated: March 6, 2018.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–04803 Filed 3–8–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Jenish Patel, Ph.D., 240–669–2894; *jenish.patel@nih.gov*. Licensing information and copies of the U.S. patent application listed below may be obtained by communicating with the indicated licensing contact at the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20852; tel. 301–496–2644. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished patent applications.

SUPPLEMENTARY INFORMATION: Technology description follows.

Protein Nanoparticles for Antigen Display in Vaccines

Description of Technology

The technology relates to a protein-based nanoparticle platform that allows presentation of immunogenic molecules such as influenza virus antigens. This protein platform is made up of hepatitis B capsid/core proteins. The core proteins contain immunogenic loop c/e1, where other antigens can be inserted and the chimeric protein retains the ability to form capsid-like particles. The technology describes the insertion of one or more copies of influenza epitopes derived from the globular head or the

stem region of hemagglutinin protein into or around the c/e1 loop of the core protein. The nanoparticles formed by the use of Hepatitis B virus core proteins can be disassembled and re-assembled, allowing mixing of antigens. Furthermore, the nanoparticles can be expressed in prokaryotic and eukaryotic expression systems. Thus, the platform provides a means for an optimal display of influenza epitopes for the induction of immune response including broadly neutralizing antibodies against the virus and therefore has the potential to be developed into an efficient universal vaccine against influenza virus infection.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404, as well as for further development and evaluation under a research collaboration.

Potential Commercial Applications

- Vaccine against viruses; vaccines against influenza virus; universal influenza virus vaccine

Competitive Advantages

- The nanoparticles may be disassembled and re-assembled allowing mixing of antigens
- Expression in prokaryotic and eukaryotic systems
- Avoids production and usage of live viruses for vaccine generation
- Effective immune response due to the use of authentic viral antigens
- Stability of particle and immunogenicity after high temperature exposure
- Incorporation of epitopes from group 1 and group 2 influenza viruses
- Broadly neutralizing antibodies against influenza virus

Development Stage

- Pre-clinical; in vivo data available (animal)

Inventors: Audray K. Harris, Ph.D., (NIAID) and Dustin McCraw, Ph.D., (NIAID).

Publications: Gallagher JR, *et al.,* Characterization of the disassembly and reassembly of the HBV glycoprotein surface antigen, a pliable nanoparticle vaccine platform. Virology, 2017, Feb; 502:176–187 [PMID 28061386].

Intellectual Property: HHS Reference No. E–005–2017/0—U.S. Patent Application No. 62/540,474 filed August 2, 2017.

Licensing Contact: Jenish Patel, Ph.D., 240–669–2894; *jenish.patel@nih.gov.*

Collaborative Research Opportunity: The National Institute of Allergy and Infectious Diseases is also seeking statements of capability or interest from parties interested in collaborative research. NIAID would like a prospective collaborator to have one or more of the following capabilities: (1) Capacity to produce recombinant protein for animal vaccine studies; (2) perform and evaluate immunogenicity (antibody response) of influenza vaccine antigens in animal (*e.g.* mouse models); (3) perform and evaluate challenge and protection studies of vaccines and influenza viruses. (*e.g.* mouse models); and (4) if results are promising from animal studies, capacity to generate clinical grade materials and perform clinical studies. NIAID will consider executing a Confidentiality Agreement with a prospective collaborator to facilitate receipt of a Capability Statement if requested. For collaboration opportunities, please contact Jenish Patel, Ph.D., 240–669–2894; *jenish.patel@nih.gov.*

Dated: February 27, 2018.

Suzanne Frisbie,

Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2018–04701 Filed 3–8–18; 8:45 am]

BILLING CODE 4140–01–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 for customs purposes for the next three years as of August 24, 2017.

DATES: The accreditation and approval of SGS North America, Inc., as commercial gauger and laboratory became effective on August 24, 2017. The next triennial inspection date will be scheduled for August 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., 12650 McManus Blvd., Suite 103, Newport News, VA 23602, 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
1	Vocabulary.
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
27–03	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.
27–06	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.
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.
27–48	ASTM D–4052	Standard test method for density and relative density of liquids by digital density meter.
27–54	ASTM D–1796	Standard test method for water and sediment in fuel oils by the centrifuge method (Laboratory procedure).

CBPL No.	ASTM	Title
27–58	ASTM D–5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).
N/A	ASTM D–4007	Standard Test Method for Water and Sediment in Crude Oil 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 website 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: February 28, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018–04757 Filed 3–8–18; 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 for customs purposes for the next three years as of April 6, 2017.

DATES: The accreditation and approval of SGS North America, Inc., as commercial gauger and laboratory became effective on April 6, 2017. The next triennial inspection date will be scheduled for April 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., 3735 W. Airline Hwy., Reserve, LA 70084, 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 and Petroleum Products (Hydrometer Method).
27–03	ASTM D–4006	Standard test method for water in crude oil 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.
27–13	ASTM D–4294	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27–48	ASTM D–4052	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 website 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: February 28, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018–04761 Filed 3–8–18; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Saybolt LP (Wilmington, NC) as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Saybolt LP (Wilmington, NC) as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Saybolt LP (Wilmington, NC) has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of August 22, 2017.

DATES: Saybolt LP (Wilmington, NC) was approved and accredited as a commercial gauger and laboratory as of August 22, 2017. The next triennial inspection date will be scheduled for August 2020.

FOR FURTHER INFORMATION CONTACT: Christopher J. Mocella, 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 Saybolt LP, 2321 Burnett Blvd., Wilmington, NC 28401, has been approved to gauge petroleum and certain petroleum products 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. Saybolt LP (Wilmington, NC) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
9	Density Determinations.
12	Calculations.
17	Maritime Measurement.

Saybolt LP (Wilmington, NC) 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
27–02	D1298	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	D86	Standard Test Method for Distillation of Petroleum Products.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–54	D1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method.
Pending	D5453	Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Spark Ignition Engine Fuel, Diesel Engine Fuel, and Engine Oil by Ultraviolet Fluorescence.

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 *CBPGaugersLabs@cbp.dhs.gov.* Please reference the website 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: March 05, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018–04764 Filed 3–8–18; 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. (Gonzalez, LA) 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. (Gonzalez, LA), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (Gonzalez, LA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of May 25, 2017.

DATES: Intertek USA, Inc. (Gonzalez, LA) was approved and accredited as a commercial gauger and laboratory as of May 25, 2017. The next triennial inspection date will be scheduled for May 2020.

FOR FURTHER INFORMATION CONTACT: Christopher J. Mocella, 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 Intertek USA, Inc., 2632 Ruby Ave., Gonzalez, LA 70737, has been approved to gauge petroleum and certain petroleum products 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. Intertek USA, Inc. (Gonzalez, LA), is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurement.

Intertek USA, Inc. (Gonzalez, LA), 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
27–03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27–04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	D86	Standard Test Method for Distillation of Petroleum Products.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27–46	D5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27–48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–50	D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.
27–54	D1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method.
27–58	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 *CBPGaugersLabs@cbp.dhs.gov*. Please reference the website 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: March 5, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018–04760 Filed 3–8–18; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of AmSpec LLC (Cape Canaveral, FL) as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of AmSpec LLC (Cape Canaveral, FL), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec LLC (Cape Canaveral, FL), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of September 28, 2017.

DATES: AmSpec LLC (Cape Canaveral, FL) was approved and accredited as a commercial gauger and laboratory as of September 28, 2017. The next triennial inspection date will be scheduled for September 2020.

FOR FURTHER INFORMATION CONTACT: Christopher J. Mocella, 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 AmSpec LLC, 191 Center St., Suite 102, Cape Canaveral, FL 32920, has been approved to gauge petroleum and certain petroleum products 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. AmSpec LLC (Cape Canaveral, FL) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Properties.
12	Calculations.
17	Maritime Measurement.

AmSpec LLC (Cape Canaveral, FL) 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	D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–02	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	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27–04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	D86	Standard Test Method for Distillation of Petroleum Products.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27–48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–50	D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.
27–53	D2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27–54	D1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method.

CBPL No.	ASTM	Title
27–58	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 *CBPGaugersLabs@cbp.dhs.gov.* Please reference the website 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: March 5, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018–04758 Filed 3–8–18; 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 May 24, 2017.

DATES: The approval of SGS North America, Inc., as commercial gauger became effective on May 24, 2017. The next triennial inspection date will be scheduled for May 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 151.13, that SGS North America, Inc., 6624 Langley Dr., Baton Rouge, LA 70809, 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 website 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: February 28, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018–04762 Filed 3–8–18; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1806]

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 June 7, 2018.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminaryfloodhazarddata* 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 *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1806, 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 *https://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 *https://www.floodsrp.org/pdfs/srp_overview.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 *https://www.fema.gov/preliminaryfloodhazarddata* 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 *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: February 6, 2018.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Lenawee County, Michigan (All Jurisdictions)	
Project: 12–05–0261S Preliminary Dates: August 5, 2016 and December 12, 2017	
Charter Township of Adrian	Township Hall, 2907 Tipton Highway, Adrian, MI 49221.
Charter Township of Madison	Township Hall, 4008 South Adrian Highway, Adrian, MI 49221.
Charter Township of Raisin	Township Offices, 5525 Occidental Highway, Tecumseh, MI 49286.
City of Adrian	City Hall, 135 East Maumee Street, Adrian, MI 49221.
City of Hudson	City Hall, 121 North Church Street, Hudson, MI 49247.
City of Tecumseh	City Hall, 309 East Chicago Boulevard, Tecumseh, MI 49286.
Township of Blissfield	120 South Lane Street, Blissfield, MI 49228.
Township of Cambridge	Township Hall, 9990 West M50, Onsted, MI 49265.
Township of Clinton	Township Hall, 172 West Michigan Avenue, Clinton, MI 49236.
Township of Deerfield	Township Hall, 468 Carey Street, Deerfield, MI 49238.
Township of Franklin	Township Hall, 3922 Monroe Road, Tipton, MI 49287.
Township of Hudson	Township Hall, 14510 Carleton Road, Hudson, MI 49247.
Township of Ogden	Township Hall, 10128 Pence Highway, Blissfield, MI 49228.
Township of Palmyra	4276 Main Street, Palmyra, MI 49268.
Township of Riga	Township Hall, 7817 Riga Highway, Riga, MI 49276.
Township of Rome	Township Office, 9344 Forrister Road, Adrian, MI 49221.
Township of Tecumseh	7750 Hendershot Highway, Tecumseh, MI 49286.
Township of Woodstock	Township Hall, 6486 Devils Lake Highway, Addison, MI 49220.
Village of Blissfield	Village Hall, 130 South Lane Street, Blissfield, MI 49228.
Village of Cement City	135 Main Street, Cement City, MI 49233.
Village of Clinton	Village Office, 119 East Michigan Avenue, Clinton, MI 49236.
Village of Deerfield	Municipal Building, 101 West River Street, Deerfield, MI 49238.
Ashtabula County, Ohio and Incorporated Areas	
Project: 13–05–1793S Preliminary Date: September 29, 2017	
City of Ashtabula	City Hall, 4717 Main Avenue, Ashtabula, OH 44004.
City of Conneaut	City Hall, 294 Main Street, Conneaut, OH 44030.
Unincorporated Areas of Ashtabula County	Building Department, 25 West Jefferson Street, Jefferson, OH 44047.
Village of Geneva-on-the-Lake	Village Hall, 4929 South Warner Drive, Geneva-on-the-Lake, OH 44041.
Village of North Kingsville	Municipal Building, 3541 East Center Street, North Kingsville, OH 44068.

Community	Community map repository address
Erie County, Ohio and Incorporated Areas	
Project: 13–05–1797S Preliminary Date: October 18, 2017	
City of Huron	Huron Township Station, 1820 Bogart Road, Huron, OH 44839.
City of Sandusky	City Hall, 222 Meigs Street, Sandusky, OH 44870.
Unincorporated Areas of Erie County	Erie Regional Planning Commission, 2900 Columbus Avenue, Sandusky, OH 44870.
Village of Bay View	Village Hall, 304 East Bay View Drive, Bay View, OH 44870.
Village of Kelleys Island	Municipal Building, 121 Addison Street, Kelleys Island, OH 43438.
Lake County, Ohio and Incorporated Areas	
Project: 13–05–1798S Preliminary Date: September 29, 2017	
City of Eastlake	City Hall, 35150 Lakeshore Boulevard, Eastlake, OH 44095.
City of Mentor	Municipal Center, 8500 Civic Center Boulevard, Mentor, OH 44060.
City of Mentor-on-the-Lake	City Hall, 5860 Andrews Road, Mentor-on-the-Lake, OH 44060.
City of Willoughby	City Hall, One Public Square, Willoughby, OH 44094.
City of Willowick	City Hall, 30435 Lakeshore Boulevard, Willowick, OH 44095.
Unincorporated Areas of Lake County	County Engineer's Office, 550 Blackbrook Road, Painesville, OH 44077.
Village of Fairport Harbor	Village Hall, 220 Third Street, Fairport Harbor, OH 44077.
Village of Grand River	Village Hall, 205 Singer Avenue, Grand River, OH 44045.
Village of Lakeline	Village Hall, 33801 Lakeshore Boulevard, Lakeline, OH 44095.
Village of North Perry	Village Hall, 4449 Lockwood Road, North Perry, OH 44081.
Village of Timberlake	Municipal Building, 11 East Shore Boulevard, Timberlake, OH 44095.
Lorain County, Ohio and Incorporated Areas	
Project: 13–05–1799S Preliminary Date: October 18, 2017	
City of Avon Lake	City Hall, Engineering and Public Works Department, 150 Avon Belden Road, Avon Lake, OH 44012.
City of Lorain	City Hall, Engineering Department, 200 West Erie Avenue, 4th Floor, Lorain, OH 44052.
City of Sheffield Lake	Building/Fire Department, 4750 Richelieu Avenue, Sheffield Lake, OH 44054.
City of Vermillion	City Hall, 5511 Liberty Avenue, Vermillion, OH 44089.
Ottawa County, Ohio and Incorporated Areas	
Project: 13–05–1802S Preliminary Date: October 18, 2017	
City of Port Clinton	City Hall, 1868 East Perry Street, Port Clinton, OH 43452.
Unincorporated Areas of Ottawa County	Regional Planning Office, 315 Madison Street, Room 107, Port Clinton, OH 43452.
Village of Marblehead	Village Hall, 513 West Main Street, Marblehead, OH 43440.
Village of Put-in-Bay	Village Hall, 157 Concord Avenue, Put-in-Bay, OH 43456.
Sandusky County, Ohio and Incorporated Areas	
Project: 13–05–1803S Preliminary Date: October 18, 2017	
Unincorporated Areas of Sandusky County	Regional Planning Commission, 2511 Countryside Drive, Suite C, Fremont, OH 43420.
King County, Washington and Incorporated Areas	
Project: 15–10–0643S Preliminary Date: September 15, 2017	
City of Auburn	City Hall Annex, Planning and Development Department, Permit Center, 1 East Main Street, 2nd Floor, Auburn, WA 98001.
City of Bellevue	City Hall, 450 110th Avenue Northeast, Bellevue, WA 98004.
City of Kent	Public Works Engineering, 400 West Gowe Street, Kent, WA 98032.
City of Renton	City Hall, 1055 South Grady Way, Renton, WA 98057.
City of Tukwila	Public Works Department, 6300 Southcenter Boulevard, Tukwila, WA 98188.
Muckleshoot Indian Tribe	Philip Starr Building, 39015 172nd Avenue Southeast, Auburn, WA 98092.
Unincorporated Areas of King County	Department of Natural Resources and Parks, Water and Land Resources Division, 201 South Jackson Street, Suite 600, Seattle, WA 98104.

[FR Doc. 2018–04782 Filed 3–8–18; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1804]

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 June 7, 2018.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminaryfloodhazarddata* 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 *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1804, 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 *https://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 *https://www.floodsrp.org/pdfs/srp_overview.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 *https://www.fema.gov/preliminaryfloodhazarddata* 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 *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: February 6, 2018.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Bartholomew County, Indiana and Incorporated Areas	
Project: 10–05–2671S Preliminary Date: July 30, 2014	
City of Columbus	Bartholomew County Planning Department, 123 Washington Street, Suite 8, Columbus, IN 47201.
Town of Hope	Hope Town Hall, 404 Jackson Street, Hope, IN 47246.
Unincorporated Areas of Bartholomew County	Bartholomew County Planning Department, 123 Washington Street, Suite 8, Columbus, IN 47201.

Community	Community map repository address
Cuyahoga County, Ohio and Incorporated Areas	
Project: 13–05–1794S Preliminary Date: October 18, 2017	
City of Bay Village	Engineering Department, 350 Dover Center Road, Bay Village, OH 44140.
City of Cleveland	City Hall, 601 Lakeside Avenue, Cleveland, OH 44114.
City of Euclid	City Hall, 585 East 222nd Street, Euclid, OH 44123.
City of Lakewood	City Hall, 12650 Detroit Avenue, Lakewood, OH 44107.
City of Rocky River	City Hall, 21012 Hilliard Boulevard, Rocky River, OH 44116.
Village of Bratenahl	Village Hall, 411 Bratenahl Road, Bratenahl, OH 44108.

[FR Doc. 2018–04781 Filed 3–8–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1809]

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), in accordance with the Code of Federal Regulations. 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 be finalized 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 *https://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 *https://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 *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: February 6, 2018.

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	Date of modification	Community No.
California:						
Los Angeles ...	City of Agoura Hills (18–09–0469P).	The Honorable William D. Koehler, Mayor, City of Agoura Hills, 30001 Ladyface Court, Agoura Hills, CA 91301.	City Hall, 30001 Ladyface Court, Agoura Hills, CA 91301.	*https://msc.fema.gov/portal/advanceSearch.*	May 18, 2018	065072
Riverside	Unincorporated Areas of Riverside County (17–09–1273P).	The Honorable John F. Tavaglione, Chairman, Board of Supervisors, Riverside County, 4080 Lemon Street, 5th Floor, Riverside, CA 92501.	Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92502.	*https://msc.fema.gov/portal/advanceSearch.*	Apr. 10, 2018	060245
Florida: Duval	City of Jacksonville (17–04–6334P).	The Honorable Lenny Curry, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	City Hall, 117 West Duval Street, Jacksonville, FL 32202.	*https://msc.fema.gov/portal/advanceSearch.*	May 10, 2018	120077
Hawaii: Maui	Maui County (17–09–1464P).	The Honorable Alan M. Arakawa, Mayor, Maui County, 200 South High Street, Kalana O Maui Building, 9th Floor, Wailuku, HI 96793.	County of Maui Planning Department, 2200 Main Street, Suite 315, Wailuku, HI 96793.	*https://msc.fema.gov/portal/advanceSearch.*	May 9, 2018	150003
Illinois:						
Cook	Unincorporated Areas of Cook County (16–05–7359P).	The Honorable Toni Preckwinkle, President, Cook County Board, 118 North Clark Street, Room 537, Chicago, IL 60602.	Cook County Building and Zoning Department, 69 West Washington Street, 21st Floor, Chicago, IL 60602.	*https://msc.fema.gov/portal/advanceSearch.*	May 18, 2018	170054
Cook.	Village of Alsip (16–05–7359P).	The Honorable John D. Ryan, Mayor, Village of Alsip, 4500 West 123rd Street, Alsip, IL 60803.	Village Office, 4500 West 123rd Street, Alsip, IL 60803.	*https://msc.fema.gov/portal/advanceSearch.*	May 18, 2018	170055
Cook	Village of Crestwood. (16–05–7359P) ..	The Honorable Louis Presta. Mayor, Village of Crestwood, 13840 South Cicero Avenue, Crestwood, IL 60418.	Village Hall, 13840 South Cicero Avenue, Crestwood, IL 60418.	*https://msc.fema.gov/portal/advanceSearch.*	May 18, 2018	170080
Indiana: Lake	City of Hammond (17–05–6621P).	The Honorable Thomas M. McDermott, Jr., Mayor, City of Hammond, Hammond City Hall, 5925 Calumet Avenue, Hammond, IN 46320.	City Hall, 5925 Calumet Avenue, Hammond, IN 46320.	*https://msc.fema.gov/portal/advanceSearch.*	May 4, 2018	180134
Missouri: Clay	City of Gladstone (17–07–1263P)..	The Honorable R.D. Mallams, Mayor, City of Gladstone City Hall, 7010 North Holmes Street, Gladstone, MO 64118.	City Hall, 7010 North Holmes Street, Gladstone, MO 64118.	*https://msc.fema.gov/portal/advanceSearch.*	May 11, 2018	290091
Puerto Rico: Puerto Rico.	Commonwealth of Puerto Rico (17–02–1123P).	The Honorable Luis García Pelatti, President, Planning Board Minillas Government Center, P.O. Box 41119, San Juan, PR 00940.	Puerto Rico Planning Board, Minillas Government Center, North Building, East Diego Avenue, Stop 22, San Juan, PR 00940.	*https://msc.fema.gov/portal/advanceSearch.*	May 10, 2018	720000
Texas: Tarrant	City of Euless (17–06–4048P).	The Honorable Linda Martin, Mayor, City of Euless, 201 North Ector Drive, Euless, TX 76039.	City Hall, 201 North Ector Drive, Euless, TX 76039.	*https://msc.fema.gov/portal/advanceSearch.*	May 18, 2018	480593
Washington: King ..	City of Issaquah (17–10–0929P).	The Honorable Fred Butler, Mayor, City of Issaquah, P.O. Box 1307, Issaquah, WA 98027.	Department of Public Works, City Hall, 1775 12th Avenue Northwest, Issaquah, WA 98027.	*https://msc.fema.gov/portal/advanceSearch.*	May 11, 2018	530079

[FR Doc. 2018–04780 Filed 3–8–18; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2018–0013; OMB No. 1660–0008]

Agency Information Collection Activities: Proposed Collection; Comment Request; Elevation Certificate/Floodproofing Certificate

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice and request for comments.

SUMMARY: The Federal Emergency Management Agency, 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 an extension, without change, of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning the Elevation Certificate and the Floodproofing Certificate for Non-Residential Structures.

DATES: Comments must be submitted on or before May 8, 2018.

ADDRESSES: To avoid duplicate submissions to the docket, please use only one of the following means to submit comments:

(1) *Online.* Submit comments at *www.regulations.gov* under Docket ID FEMA–2018–0013. Follow the instructions for submitting comments.

(2) *Mail.* Submit written comments to Docket Manager, Office of Chief Counsel, DHS/FEMA, 500 C Street SW, 8NE, Washington, DC 20472–3100.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice that is available via the link in the footer of *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Joycelyn Collins, Program Analyst, Flood Insurance Directorate, (202) 212–4716. You may contact the Information Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: Communities participating in the National Flood Insurance Program (NFIP) are required to adopt a floodplain management ordinance that meets or exceeds the minimum floodplain management requirements of the NFIP. In accordance with FEMA's minimum floodplain management criteria, communities must require that all new construction and substantial improvement of residential structures and non-residential structures have the lowest floor (including basement) elevated to above the base flood elevation, unless, for residential structures, the community is granted an exception by FEMA for the allowance of basements under 44 CFR 60.6(b) or (c). 44 CFR 60.3(c)(2) and (3)(i). New construction and substantial improvement of non-residential structures, together with attendant utility and sanitary facilities, can also be designed and floodproofed so that below the base flood level, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability to resist hydrostatic and hydrodynamic loads and effects of buoyancy. 44 CFR 60.3(c)(3)(ii). Use of the Elevation Certificate and Floodproofing Certificate is one convenient way for a community to document building compliance. Title 44 CFR 61.7 and 61.8 require proper investigation to estimate the risk premium rates necessary to provide flood insurance.

Collection of Information

Title: Elevation Certificate/ Floodproofing Certificate.

Type of Information Collection: Extension, without change, of a currently approved collection.

OMB Number: 1660–0008.

FEMA Forms: FEMA Form 086–0–33, Elevation Certificate and FEMA Form 086–0–34, Floodproofing Certificate for Non-Residential Structures.

Abstract: The Elevation Certificate and Floodproofing Certificate are used in conjunction with the Flood Insurance Application to rate Post-Flood Insurance Rate Map (FIRM) buildings in Special Flood Hazard Areas. These forms are used for buildings constructed on or after the effective date of the initial FIRM for the community or after December 1, 1974, whichever is later.

Affected Public: Individuals or households, Business or other for-profit, Not-for-profit institutions; Farms; State, Local or Tribal Government.

Number of Respondents: 12,359.

Number of Responses: 12,359.

Estimated Total Annual Burden Hours: 46,345.75.

Estimated Total Annual Respondent Cost: $2,065,214.10.

Estimated Respondents' Operation and Maintenance Costs: $4,325,650.00.

Estimated Respondents' Capital and Start-Up Costs: 0.

Estimated Total Annual Cost to the Federal Government: $68,061.00.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Dated: March 1, 2018.

William H. Holzerland,

Sr. Director for Information Management, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2018–04706 Filed 3–8–18; 8:45 am]
BILLING CODE 9111–47–P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA–2005–20118]

Intent To Request Revision From OMB of One Current Public Collection of Information: Maryland Three Airports: Enhanced Security Procedures for Operations at Certain Airports in the Washington, DC, Metropolitan Area Flight Restricted Zone

AGENCY: Transportation Security Administration, DHS.

ACTION: 60-Day notice.

SUMMARY: The Transportation Security Administration (TSA) invites public

comment on one currently approved Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652–0029, abstracted below that we will submit to OMB for a revision in compliance with the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. The collection is necessary to comply with a requirement for individuals to successfully complete a security threat assessment before: (1) Operating an aircraft to or from the three Maryland airports (Maryland Three Airports) that are located within the Washington, DC, Metropolitan Area Flight Restricted Zone (FRZ), or (2) serving as an airport security coordinator at one of these three airports.

DATES: Send your comments by May 8, 2018.

ADDRESSES: Comments may be emailed to *TSAPRA@tsa.dhs.gov* or delivered to the TSA PRA Officer, Office of Information Technology (OIT), TSA–11, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598–6011.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh at the above address, or by telephone (571) 227–2062.

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation will be available at *http://www.reginfo.gov* upon its submission to OMB. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Consistent with the requirements of Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, TSA is also requesting comments on the extent to which this request for information could be modified to reduce the burden on respondents.

Information Collection Requirement

OMB Control Number 1652–0029; Maryland Three Airports: Enhanced Security Procedures for Operations at Certain Airports in the Washington, DC Metropolitan Area Flight Restricted Zone, 49 CFR part 1562. TSA's regulations impose requirements and security procedures on airport operators of three Maryland airports located within the Washington, DC, Metropolitan Area FRZ (Maryland Three Airports),[1] and on individuals operating aircraft to or from these airports. The information collected is used to determine compliance with 49 CFR part 1562, subpart A.

Part 1562, subpart A, allows an individual who is approved by TSA to operate an aircraft to or from one of the Maryland Three Airports or to serve as an airport security coordinator at one of these airports. In order to be approved, a pilot or airport security coordinator applicant is required to successfully complete a security threat assessment. As part of this threat assessment, the applicant must undergo a criminal history records check and a check of Government terrorist watch lists and other databases to determine whether the individual poses, or is suspected of posing, a threat to transportation or national security. An applicant will not receive TSA's approval under this analysis if TSA determines or suspects them of being a threat to national or transportation security.

Applicants can be fingerprinted at the Ronald Reagan Washington National Airport's (DCA) badging office and any participating airport badging office or law enforcement office located nearby to the applicant's residence or place of work. Applicants must present the following information to TSA, using TSA Form 418, as part of the application process: Full name; Social Security number; date of birth; address; phone numbers; current and valid airman certificate or current and valid student pilot certificate; current medical certificate; a list of the make, model, and Federal Aviation Administration (FAA) aircraft registration number for each aircraft the pilot intends to operate at Maryland Three Airports; one form of Government-issued picture ID; the certificate of completion of the FAA DC Special Flight Rules Area training; and fingerprints. Although not required by the rule, TSA asks applicants to voluntarily provide an email address and emergency contact phone number to facilitate immediate communication that might be necessary when operating in the FRZ or helpful during the application process.

TSA is revising the collection by providing an option to submit the documents for the application by email. Applicants will no longer need to go in person to the FAA Flight Standards District Offices to submit the required documentation, but may submit the information to TSA electronically at *mdthree@tsa.dhs.gov*. Fingerprints, however, will continue to be collected in person at the various locations.

TSA receives approximately 369 applications annually and estimates applicants spend approximately 7.75 hours to prepare and submit the information to TSA, which is a total annual burden of 2,859.75 hours.

Dated: March 1, 2018.

Christina A. Walsh,

TSA Paperwork Reduction Act Officer, Office of Information Technology.

[FR Doc. 2018–04710 Filed 3–8–18; 8:45 am]

BILLING CODE 9110–05–P

[1] The Maryland Three Airports are: College Park Airport (CGS), Potomac Airfield (VKX), and Washington Executive/Hyde Field (W32).

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA–2006–26514]

Intent To Request Extension From OMB of One Current Public Collection of Information: Rail Transportation Security

AGENCY: Transportation Security Administration, DHS.

ACTION: 60-Day notice.

SUMMARY: The Transportation Security Administration (TSA) invites public comment on one currently approved Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652–0051, abstracted below that we will submit to OMB for an extension in compliance with the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. The collection involves the submission of contact information of rail security coordinators (RSCs) and alternate RSCs from certain freight rail and passenger rail entities; reporting of significant security concerns; documenting the transfer of

custody and control of certain hazardous materials rail cars; and providing location and shipping information for certain hazardous materials rail cars.

DATES: Send your comments by May 8, 2018.

ADDRESSES: Comments may be emailed to *TSAPRA@dhs.gov* or delivered to the TSA PRA Officer, Office of Information Technology (OIT), TSA–11, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598–6011.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh at the above address, or by telephone (571) 227–2062.

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation is available at *http://www.reginfo.gov.* Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Consistent with the requirements of Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, TSA is also requesting comments on the extent to which this request for information could be modified to reduce the burden on respondents.

Information Collection Requirement

OMB Control Number 1652–0051; Rail Transportation Security. TSA collects and uses information collected under 49 CFR part 1580 to enhance the security of the Nation's rail systems. Sections 1580.101 and 1580.201 require freight railroad carriers, certain rail hazardous materials shipper and receiver facilities, passenger railroad carriers, and rail mass transit systems to designate and submit contact information for a RSC and at least one alternate RSC to TSA.

Sections 1580.105 and 1580.203 require freight railroad carriers, certain rail hazardous materials shipper and receiver facilities, passenger railroad carriers, and rail mass transit systems to report to TSA significant security concerns, which include security incidents, suspicious activities, and threat information.

Section 1580.103 requires freight railroad carriers, shippers, and receivers in a high threat urban area (HTUA) that handle certain categories and quantities of hazardous materials set forth in § 1580.100(b), known as ''rail security-sensitive materials'' (RSSM), to provide location and shipping information on rail cars under their physical custody and control to TSA upon request. The specified categories and quantities of RSSM cover explosive materials, materials poisonous by inhalation, and radioactive materials.

Section 1580.107 requires a secure chain of physical custody for rail cars containing RSSM which, in turn, requires freight railroad carriers and certain hazardous materials shippers and receivers of RSSM to document the transfer of custody of certain rail cars in writing or electronically and to retain these records for a minimum of 60 calendar days. Specifically, § 1580.107 requires documentation of the secure exchange of custody of rail cars containing RSSM between: A rail hazardous materials shipper and a freight railroad carrier; two separate freight railroad carriers, when the transfer of custody occurs within a HTUA, or outside of an HTUA, but the rail car may subsequently enter an HTUA; and a freight railroad carrier and a rail hazardous materials receiver located within an HTUA. The documentation must uniquely identify that the rail car was attended during the transfer of custody, including car initial and number; identification of individuals who attended the transfer (names or uniquely identifying employee number); location of transfer; and date and time the transfer was completed.

The total annual burden for this collection is approximately 112,764 hours, which is 67,320 hours higher than the current annual inventory. This change is primarily due to an increase in the number of responses of transfer of custody.

Dated: March 1, 2018.

Christina A. Walsh,

TSA Paperwork Reduction Act Officer, Office of Information Technology.

[FR Doc. 2018–04776 Filed 3–8–18; 8:45 am]

BILLING CODE 9110–05–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[189A2100DD/AAKC001030/A0A501010.999900 253G]

List of Programs Eligible for Inclusion in Funding Agreements Negotiated With Self-Governance Tribes by Interior Bureaus Other Than the Bureau of Indian Affairs and Fiscal Year 2018 Programmatic Targets

AGENCY: Office of the Secretary, Interior.

ACTION: Notice.

SUMMARY: This notice lists programs or portions of programs that are eligible for inclusion in self-governance funding agreements with Indian Tribes and lists Fiscal Year 2018 programmatic targets for each of the non-Bureau of Indian Affairs (BIA) bureaus in the Department of the Interior (Department), pursuant to Title IV of the Indian Self-Determination and Education Assistance Act (Act), as amended.

DATES: These programs are eligible for inclusion in self-governance funding agreements until September 30, 2018.

ADDRESSES: Inquiries or comments regarding this notice may be directed to Ms. Sharee M. Freeman, Director, Office of Self-Governance (MS 355H–SIB), 1849 C Street NW, Washington, DC 20240–0001, telephone: (202) 219–0240, fax: (202) 219–1404, or to the bureau-specific points of contact listed below.

FOR FURTHER INFORMATION CONTACT: Dr. Kenneth D. Reinfeld, Office of Self-Governance, telephone: (703) 390–6551 or (202) 821–7107.

SUPPLEMENTARY INFORMATION:

I. Background

Title IV of the Act instituted a permanent self-governance program at the Department. Under the self-governance program, certain programs, services, functions, and activities, or portions thereof, in Department bureaus other than BIA are eligible to be planned, conducted, consolidated, and administered by a self-governance Tribe.

Under section 405(c) of the Act, the Secretary of the Interior (Secretary) is required to publish annually: (1) A list of non-BIA programs, services, functions, and activities, or portions thereof, that are eligible for inclusion in

agreements negotiated under the self-governance program and (2) programmatic targets for non-BIA bureaus.

Two categories of non-BIA programs are eligible for self-governance funding agreements:

(1) Under section 403(b)(2) of the Act, any non-BIA program, service, function, or activity that is administered by the Department that is ''otherwise available to Indian tribes or Indians,'' can be administered by a Tribe through a self-governance funding agreement. The Department interprets this provision to authorize the inclusion of programs eligible for self-determination contracts under Title I of the Act. Section 403(b)(2) also specifies, ''nothing in this subsection may be construed to provide any tribe with a preference with respect to the opportunity of the tribe to administer programs, services, functions, and activities, or portions thereof, unless such preference is otherwise provided for by law.''

(2) Under section 403(c) of the Act, the Secretary may include other programs, services, functions, and activities or portions thereof that are of ''special geographic, historical, or cultural significance'' to a self-governance Tribe.

Under section 403(k) of the Act, funding agreements cannot include programs, services, functions, or activities that are inherently Federal or where the statute establishing the existing program does not authorize the type of participation sought by the Tribe. However, a Tribe (or Tribes) need not be identified in the authorizing statutes in order for a program or element to be included in a self-governance funding agreement. While general legal and policy guidance regarding what constitutes an inherently Federal function exists, the non-BIA bureaus will determine whether a specific function is inherently Federal on a case-by-case basis considering the totality of circumstances. In those instances where the Tribe disagrees with the bureau's determination, the Tribe may request reconsideration from the Secretary.

Subpart G of the self-governance regulations found at 25 CFR part 1000 provides the process and timelines for negotiating self-governance funding agreements with non-BIA bureaus.

Comments on a draft **Federal Register** Notice were requested in an April 3, 2017, memorandum sent by the Director, Office of Self-Governance to Tribal Self-Governance Coordinators and were discussed during a Tribal consultation session held during the Self-Governance Conference in Spokane, Washington, on April 25, 2017.

II. Funding Agreements Between Self-Governance Tribes and Non-BIA Bureaus of the Department of the Interior for Fiscal Year 2018

A. Bureau of Land Management (2)
- Council of Athabascan Tribal Governments
- Duckwater Shoshone Tribe

B. Bureau of Reclamation (5)
- Gila River Indian Community
- Chippewa Cree Tribe of Rocky Boy's Reservation
- Hoopa Valley Tribe
- Karuk Tribe of California
- Yurok Tribe

C. Office of Natural Resources Revenue (none)

D. National Park Service (2)
- Grand Portage Band of Lake Superior Chippewa Indians
- Yurok Tribe

E. Fish and Wildlife Service (1)
- Council of Athabascan Tribal Governments

F. U.S. Geological Survey (none)

G. Office of the Special Trustee for American Indians (1)
- Confederated Salish and Kootenai Tribes of the Flathead Reservation

III. Eligible Programs of the Department of the Interior Non-BIA Bureaus

Below is a listing by bureau of the types of non-BIA programs, or portions thereof, that may be eligible for self-governance funding agreements because they are either ''otherwise available to Indians'' under Title I of the Act and not precluded by any other law, or may have ''special geographic, historical, or cultural significance'' to a participating Tribe. The list represents the most current information on programs potentially available to Tribes under a self-governance funding agreement.

The Department will also consider for inclusion in funding agreements other programs or activities not listed below, but which, upon request of a self-governance Tribe, the Department determines to be eligible under either sections 403(b)(2) or 403(c) of the Act. Tribes with an interest in such potential agreements are encouraged to begin discussions with the appropriate non-BIA bureau.

A. Eligible Bureau of Land Management (BLM) Programs

The BLM carries out some of its activities in the management of public lands through contracts and cooperative agreements. These and other activities, depending upon availability of funds, the need for specific services, and the self-governance Tribe's demonstration of a special geographic, cultural, or historical connection, may also be available for inclusion in self-governance funding agreements. Once a Tribe has made initial contact with the BLM, more specific information will be provided by the respective BLM State office.

Some elements of the following programs may be eligible for inclusion in a self-governance funding agreement. This listing is not all-inclusive, but is representative of the types of programs that may be eligible for Tribal participation through a funding agreement.

Tribal Services

1. Minerals Management. Inspection and enforcement of Indian oil and gas operations: Inspection, enforcement and production verification of Indian coal and sand and gravel operations are already available for contracts under Title I of the Act and, therefore, may be available for inclusion in a funding agreement.

2. Cadastral Survey. Tribal and allottee cadastral survey services are already available for contracts under Title I of the Act and, therefore, may be available for inclusion in a funding agreement.

Other Activities

1. Cultural Heritage. Cultural heritage activities, such as research and inventory, may be available in specific States.

2. Natural Resources Management. Activities such as silvicultural treatments, timber management, cultural resource management, watershed restoration, environmental studies, tree planting, thinning, and similar work, may be available in specific States.

3. Range Management. Activities, such as revegetation, noxious weed control, fencing, construction and management of range improvements, grazing management experiments, range monitoring, and similar activities, may be available in specific States.

4. Riparian Management. Activities, such as facilities construction, erosion control, rehabilitation, and other similar activities, may be available in specific States.

5. Recreation Management. Activities, such as facilities construction and maintenance, interpretive design and construction, and similar activities may be available in specific States.

6. Wildlife and Fisheries Habitat Management. Activities, such as construction and maintenance, implementation of statutory, regulatory and policy or administrative plan-based species protection, interpretive design

and construction, and similar activities may be available in specific States.

7. Wild Horse Management. Activities, such as wild horse round-ups, adoption and disposition, including operation and maintenance of wild horse facilities, may be available in specific States.

For questions regarding self-governance, contact Bryon Loosle, Bureau of Land Management (WO–240), Bureau of Land Management, 1849 C Street NW, Washington, DC 20240, telephone (202) 912–7240, fax (202) 452–7701.

B. Eligible Bureau of Reclamation (Reclamation) Programs

The mission of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. To this end, most of Reclamation's activities involve the construction, operation and maintenance, and management of water resources projects and associated facilities, as well as research and development related to its responsibilities. Reclamation water resources projects provide water for agricultural, municipal and industrial water supplies; hydroelectric power generation; flood control, enhancement of fish and wildlife habitats; and outdoor recreation.

Components of the following water resource projects listed below may be eligible for inclusion in a self-governance annual funding agreement. This list was developed with consideration of the proximity of identified self-governance Tribes to Reclamation projects.

1. Klamath Project, California and Oregon
2. Trinity River Fishery, California
3. Central Arizona Project, Arizona
4. Rocky Boy's/North Central Montana Regional Water System, Montana
5. Indian Water Rights Settlement Projects, as authorized by Congress

Upon the request of a self-governance Tribe, Reclamation will also consider for inclusion in funding agreements other programs or activities which Reclamation determines to be eligible under Section 403(b)(2) or 403(c) of the Act.

For questions regarding self-governance, contact Mr. Kelly Titensor, Policy Analyst, Native American and International Affairs Office, Bureau of Reclamation (96–43000) (MS 7069–MIB); 1849 C Street NW, Washington, DC 20240, telephone: (202) 513–0558, fax: (202) 513–0311.

C. Eligible Office of Natural Resources Revenue (ONRR) Programs

The Office of Natural Resources Revenue (ONNR) collects, accounts for, and distributes mineral revenues from both Federal and Indian mineral leases.

The ONRR also evaluates industry compliance with laws, regulations, and lease terms, and offers mineral-owning Tribes opportunities to become involved in its programs that address the intent of Tribal self-governance. These programs are available to self-governance Tribes and are a good preparation for assuming other technical functions. Generally, ONRR program functions are available to Tribes because of the Federal Oil and Gas Royalty Management Act of 1983 (FOGRMA) at 30 U.S.C. 1701. The ONRR promotes Tribal self-governance and self-determination over trust lands and resources through the following program functions that may be available to self-governance Tribes:

1. Audit of Tribal Royalty Payments. Audit activities for Tribal leases, except for the issuance of orders, final valuation decisions, and other enforcement activities. (For Tribes already participating in ONRR cooperative audits, this program is offered as an option.)

2. Verification of Tribal Royalty Payments. Financial compliance verification, monitoring activities, and production verification.

3. Tribal Royalty Reporting, Accounting, and Data Management. Establishment and management of royalty reporting and accounting systems including document processing, production reporting, reference data (lease, payor, agreement) management, billing and general ledger.

4. Tribal Royalty Valuation. Preliminary analysis and recommendations for valuation, and allowance determinations and approvals.

5. Royalty Internship Program. An orientation and training program for auditors and accountants from mineral-producing Tribes to acquaint Tribal staff with royalty laws, procedures, and techniques. This program is recommended for Tribes that are considering a self-governance funding agreement, but have not yet acquired mineral revenue expertise via a FOGRMA section 202 cooperative agreement, as this term is defined in FOGRMA and implementing regulations at 30 CFR 228.4.

For questions regarding self-governance, contact Paul Tyler, Program Manager, Office of Natural Resources Revenue, Denver Federal Center, 6th & Kipling, Building 67, Room 698, Denver, Colorado 80225–0165, telephone: (303) 231–3413 or fax: (303) 231–3091.

D. Eligible National Park Service (NPS) Programs

NPS administers the National Park System, which is made up of national parks, monuments, historic sites, battlefields, seashores, lake shores and recreation areas. NPS maintains the park units, protects the natural and cultural resources, and conducts a range of visitor services such as law enforcement, park maintenance, and interpretation of geology, history, and natural and cultural resources.

Some elements of the following programs may be eligible for inclusion in a self-governance funding agreement. This list below was developed considering the proximity of an identified self-governance Tribe to a national park, monument, preserve, or recreation area and the types of programs that have components that may be suitable for administering through a self-governance funding agreement. This list is not all-inclusive, but is representative of the types of programs which may be eligible for Tribal participation through funding agreements.

Elements of Programs That May Be Eligible for Inclusion in a Self-Governance Funding Agreement

1. Archaeological Surveys
2. Comprehensive Management Planning
3. Cultural Resource Management Projects
4. Ethnographic Studies
5. Erosion Control
6. Fire Protection
7. Gathering Baseline Subsistence Data—Alaska
8. Hazardous Fuel Reduction
9. Housing Construction and Rehabilitation
10. Interpretation
11. Janitorial Services
12. Maintenance
13. Natural Resource Management Projects
14. Operation of Campgrounds
15. Range Assessment—Alaska
16. Reindeer Grazing—Alaska
17. Road Repair
18. Solid Waste Collection and Disposal
19. Trail Rehabilitation
20. Watershed Restoration and Maintenance
21. Beringia Research
22. Elwha River Restoration
23. Recycling Programs

Locations of National Park Service Units With Close Proximity to Self-Governance Tribes

1. Aniakchack National Monument & Preserve—Alaska
2. Bering Land Bridge National Preserve—Alaska
3. Cape Krusenstern National Monument—Alaska
4. Denali National Park & Preserve—Alaska

5. Gates of the Arctic National Park & Preserve—Alaska
6. Glacier Bay National Park and Preserve—Alaska
7. Katmai National Park and Preserve—Alaska
8. Kenai Fjords National Park—Alaska
9. Klondike Gold Rush National Historical Park—Alaska
10. Kobuk Valley National Park—Alaska
11. Lake Clark National Park and Preserve—Alaska
12. Noatak National Preserve—Alaska
13. Sitka National Historical Park—Alaska
14. Wrangell-St. Elias National Park and Preserve—Alaska
15. Yukon-Charley Rivers National Preserve—Alaska
16. Casa Grande Ruins National Monument—Arizona
17. Hohokam Pima National Monument—Arizona
18. Montezuma Castle National Monument—Arizona
19. Organ Pipe Cactus National Monument—Arizona
20. Saguaro National Park—Arizona
21. Tonto National Monument—Arizona
22. Tumacacori National Historical Park—Arizona
23. Tuzigoot National Monument—Arizona
24. Arkansas Post National Memorial—Arkansas
25. Death Valley National Park—California
26. Devils Postpile National Monument—California
27. Joshua Tree National Park—California
28. Lassen Volcanic National Park—California
29. Point Reyes National Seashore—California
30. Redwood National Park—California
31. Whiskeytown National Recreation Area—California
32. Yosemite National Park—California
33. Hagerman Fossil Beds National Monument—Idaho
34. Effigy Mounds National Monument—Iowa
35. Fort Scott National Historic Site—Kansas
36. Tallgrass Prairie National Preserve—Kansas
37. Boston Harbor Islands National Recreation Area—Massachusetts
38. Cape Cod National Seashore—Massachusetts
39. New Bedford Whaling National Historical Park—Massachusetts
40. Isle Royale National Park—Michigan
41. Sleeping Bear Dunes National Lakeshore—Michigan
42. Grand Portage National Monument—Minnesota
43. Voyageurs National Park—Minnesota
44. Bear Paw Battlefield, Nez Perce National Historical Park—Montana
45. Glacier National Park—Montana
46. Great Basin National Park—Nevada
47. Aztec Ruins National Monument—New Mexico
48. Bandelier National Monument—New Mexico
49. Carlsbad Caverns National Park—New Mexico
50. Chaco Culture National Historic Park—New Mexico
51. Pecos National Historic Park—New Mexico
52. White Sands National Monument—New Mexico
53. Fort Stanwix National Monument—New York
54. Great Smoky Mountains National Park—North Carolina/Tennessee
55. Cuyahoga Valley National Park—Ohio
56. Hopewell Culture National Historical Park—Ohio
57. Chickasaw National Recreation Area—Oklahoma
58. Crater Lake National Park—Oregon
59. John Day Fossil Beds National Monument—Oregon
60. Alibates Flint Quarries National Monument—Texas
61. Guadalupe Mountains National Park—Texas
62. Lake Meredith National Recreation Area—Texas
63. Ebey's Landing National Recreation Area—Washington
64. Fort Vancouver National Historic Site—Washington
65. Mount Rainier National Park—Washington
66. Olympic National Park—Washington
67. San Juan Islands National Historic Park—Washington
68. Whitman Mission National Historic Site—Washington

For questions regarding self-governance, contact Joe Watkins, Chief, American Indian Liaison Office, National Park Service (Org. 2560, 9th Floor), 1201 Eye Street NW, Washington, DC 20005–5905, telephone: (202) 354–6962, fax: (202) 371–6609, or email: *joe_watkins@nps.gov*.

E. Eligible Fish and Wildlife Service (Service) Programs

The mission of the Service is to conserve, protect, and enhance fish, wildlife, and their habitats for the continuing benefit of the American people. Primary responsibilities are for migratory birds, endangered species, freshwater and anadromous fisheries, and certain marine mammals. The Service also has a continuing cooperative relationship with a number of Indian Tribes throughout the National Wildlife Refuge System and the Service's fish hatcheries. Any self-governance Tribe may contact a National Wildlife Refuge or National Fish Hatchery directly concerning participation in Service programs under the Tribal Self-Governance Act. This list is not all-inclusive, but is representative of the types of Service programs that may be eligible for Tribal participation through an annual funding agreement.

1. Subsistence Programs within the State of Alaska. Evaluate and analyze data for annual subsistence regulatory cycles and other data trends related to subsistence harvest needs and facilitate Tribal Consultation to ensure ANILCA Title VII terms are being met, as well as activities fulfilling the terms of Title VIII of ANILCA.

2. Technical Assistance, Restoration and Conservation. Conduct planning and implementation of population surveys, habitat surveys, restoration of sport fish, capture of depredating migratory birds, and habitat restoration activities.

3. Endangered Species Programs. Conduct activities associated with the conservation and recovery of threatened or endangered species protected under the Endangered Species Act (ESA) or candidate species under the ESA. These activities may include, but are not limited to, cooperative conservation programs, development of recovery plans and implementation of recovery actions for threatened and endangered species, and implementation of status surveys for high priority candidate species.

4. Education Programs. Provide services in interpretation, outdoor classroom instruction, visitor center operations, and volunteer coordination both on and off national Wildlife Refuge lands in a variety of communities, and assist with environmental education and outreach efforts in local villages.

5. Environmental Contaminants Program. Conduct activities associated with identifying and removing toxic chemicals, to help prevent harm to fish, wildlife and their habitats. The activities required for environmental contaminant management may include, but are not limited to, analysis of pollution data, removal of underground storage tanks, specific cleanup activities, and field data gathering efforts.

6. Wetland and Habitat Conservation Restoration. Provide services for construction, planning, and habitat monitoring and activities associated with conservation and restoration of wetland habitat.

7. Fish Hatchery Operations. Conduct activities to recover aquatic species listed under the Endangered Species Act, restore native aquatic populations, and provide fish to benefit National Wildlife Refuges and Tribes. Such activities may include, but are not limited to: Tagging, rearing and feeding of fish, disease treatment, and clerical or facility maintenance at a fish hatchery.

8. National Wildlife Refuge Operations and Maintenance. Conduct activities to assist the National Wildlife Refuge System, a national network of lands and waters for conservation, management and restoration of fish, wildlife and plant resources and their habitats within the United States. Activities that may be eligible for a self-

governance funding agreement may include, but are not limited to: Construction, farming, concessions, maintenance, biological program efforts, habitat management, fire management, and implementation of comprehensive conservation planning.

Locations of Refuges and Hatcheries With Close Proximity to Self-Governance Tribes

The Service developed the list below based on the proximity of identified self-governance Tribes to Service facilities that have components that may be suitable for administering through a self-governance funding agreement.

1. Alaska National Wildlife Refuges—Alaska
2. Alchesay National Fish Hatchery—Arizona
3. Humboldt Bay National Wildlife Refuge—California
4. Kootenai National Wildlife Refuge—Idaho
5. Agassiz National Wildlife Refuge—Minnesota
6. Mille Lacs National Wildlife Refuge—Minnesota
7. Rice Lake National Wildlife Refuge—Minnesota
8. National Bison Range—Montana
9. Ninepipe National Wildlife Refuge—Montana
10. Pablo National Wildlife Refuge—Montana
11. Sequoyah National Wildlife Refuge—Oklahoma
12. Tishomingo National Wildlife Refute—Oklahoma
13. Bandon Marsh National Wildlife Refuge—Washington
14. Dungeness National Wildlife Refuge—Washington
15. Makah National Fish Hatchery—Washington
16. Nisqually National Wildlife Refuge—Washington
17. Quinault National Fish Hatchery—Washington
18. San Juan Islands National Wildlife Refuge—Washington
19. Tamarac National Wildlife Refuge—Wisconsin

For questions regarding self-governance, contact Scott Aikin, Fish and Wildlife Service, National Native American Programs Coordinator, 1211 SE Cardinal Court, Suite 100, Vancouver, Washington 98683, telephone (360) 604–2531 or fax (360) 604–2505.

F. Eligible U.S. Geological Survey (USGS) Programs

The mission of the USGS is to collect, analyze, and provide information on biology, geology, hydrology, and geography that contributes to the wise management of the Nation's natural resources and to the health, safety, and well-being of the American people. This information is usually publicly available and includes maps, data bases, and descriptions and analyses of the water, plants, animals, energy, and mineral resources, land surface, underlying geologic structure, and dynamic processes of the earth. The USGS does not manage lands or resources. Self-governance Tribes may potentially assist the USGS in the data acquisition and analysis components of its activities.

For questions regarding self-governance, contact Monique Fordham, Esq., National Tribal Liaison, U.S. Geological Survey, 12201 Sunrise Valley Drive, Reston, Virginia 20192, telephone (703) 648–4437 or fax (703) 648–6683.

G. Eligible Office of the Special Trustee for American Indians (OST) Programs

The Department has responsibility for what may be the largest land trust in the world, approximately 56 million acres. OST oversees the management of Indian trust assets, including income generated from leasing and other commercial activities on Indian trust lands, by maintaining, investing and disbursing Indian trust financial assets, and reporting on these transactions. The mission of the OST is to serve Indian communities by fulfilling Indian fiduciary trust responsibilities. This is to be accomplished through the implementation of a Comprehensive Trust Management Plan (CTM) that is designed to improve trust beneficiary services, ownership information, management of trust fund assets, and self-governance activities.

A Tribe operating under self-governance may include the following programs, services, functions, and activities or portions thereof in a funding agreement:

1. Beneficiary Processes Program (Individual Indian Money Accounting Technical Functions).

2. Appraisal Services Program. Tribes/consortia that currently perform these programs under a self-governance funding agreement with the Office of Self-Governance (OSG) may negotiate a separate memorandum of understanding (MOU) with OST that outlines the roles and responsibilities for management of these programs.

The MOU between the Tribe/consortium and OST outlines the roles and responsibilities for the performance of the OST program by the Tribe/consortium. If those roles and responsibilities are already fully articulated in the existing funding agreement with the OSG, an MOU is not necessary. To the extent that the parties desire specific program standards, an MOU will be negotiated between the Tribe/consortium and OST, which will be binding on both parties and attached and incorporated into the OSG funding agreement.

If a Tribe/consortium decides to assume the operation of an OST program, the new funding for performing that program will come from OST program dollars. A Tribe's newly-assumed operation of the OST program(s) will be reflected in the Tribe's OSG funding agreement.

For questions regarding self-governance, contact Lee Frazier, Program Analyst, Office of External Affairs, Office of the Special Trustee for American Indians (MS 5140—MIB), 1849 C Street NW, Washington, DC 20240–0001, phone: (202) 208–7587, fax: (202) 208–7545.

IV. Programmatic Targets

The programmatic target for Fiscal Year 2018 provides that, upon request of a self-governance Tribe, each non-BIA bureau will negotiate funding agreements for its eligible programs beyond those already negotiated.

V. Public Disclosure

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: February 15, 2018.

Ryan K. Zinke,

Secretary.

[FR Doc. 2018–04743 Filed 3–8–18; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCAD06000 L51010000.ER0000 17XL5017AP LVRWB17B5120 CACA 051967]

Notice of Intent To Prepare a Joint Environmental Impact Statement/Environmental Impact Report and Possible Land Use Plan Amendment for the Proposed RE Crimson Solar Project, Riverside County, CA

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM)

Palm Springs-South Coast Field Office, Palm Springs, CA, intends to prepare a joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR), including a potential amendment to the California Desert Conservation Area (CDCA) Plan, and by this Notice is announcing the beginning of the scoping process to solicit public comments and identify issues.

DATES: This Notice initiates the public scoping process for the EIS/EIR and possible plan amendments. Comments on issues may be submitted in writing until April 9, 2018. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local media, newspapers, and the BLM website at: *https://eplanning.blm.gov/.*

To be included in the Draft EIS/EIR, all comments must be received prior to the close of the 30-day scoping period or 15 days after the last public meeting, whichever is later. The BLM will provide additional opportunities for public participation upon publication of the Draft EIS/EIR.

ADDRESSES: The public may submit comments related to the RE Crimson Solar Project by any of the following methods:

- *Website: https://eplanning.blm.gov/.*
- *Email: blm_ca_crimsonsolar@blm.gov.*
- *Fax:* (541) 618–2400, ATTN: Miriam Liberatore, project manager, RE Crimson Solar.
- *Mail:* ATTN: Miriam Liberatore, project manager, RE Crimson Solar, Bureau of Land Management, 3040 Biddle Road, Medford, OR 97504.

Documents pertinent to this proposal may be examined at the BLM Palm Springs-South Coast Field Office located at 1201 Bird Center Drive, Palm Springs, CA 92262.

FOR FURTHER INFORMATION CONTACT: Miriam Liberatore, project manager, telephone (541) 618–2412; address Bureau of Land Management, 3040 Biddle Road, Medford, OR 97504; email: *mliberat@blm.gov.* Contact Ms. Liberatore to be added to the mailing list. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at (800) 877–8339, to contact the above individual during normal business hours. The Service is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. Telephone replies will be returned during normal business hours.

SUPPLEMENTARY INFORMATION: Sonoran West Solar Holdings, LLC, a wholly owned subsidiary of Recurrent Energy LLC, has requested a right-of-way (ROW) authorization to construct, operate, maintain, and decommission a maximum 350 megawatt solar photovoltaic facility and necessary ancillary facilities, including battery storage, project substations, access roads, operations and maintenance buildings, and lay down areas.

The Project site consists of about 2,700-acres of BLM-administered land within the Riverside East Solar Energy Zone (SEZ). The Desert Renewable Energy Conservation Plan (DRECP) Land Use Plan Amendment also designated the area as a Development Focus Area (DFA).

This document provides notice that the BLM Palm Springs-South Coast Field Office and the California Department of Fish and Wildlife intend to jointly prepare an EIS/EIR, which may include a CDCA Plan Amendment, for the Project. It also announces the beginning of the scoping process for this effort and seeks public input on environmental issues and potential planning criteria relevant to the Project and any potential plan amendments. The public scoping process guides the planning process and determines the relevant issues that will influence the scope of the environmental analysis, including alternatives and environmental consequences.

Preliminary issues for the project have been identified by BLM personnel; Federal, State, and local agencies; and other stakeholders. The issues include: Air quality and greenhouse gas emissions; biological resources, including special status wildlife and vegetation species; cultural resources; geology and soils; hazards and hazardous materials; hydrology and water quality; lands and realty; mineral resources; noise; paleontological resources; recreation; socioeconomics and environmental justice; special designations; transportation and travel management; visual resources; wildland fire ecology; and areas with high potential for renewable energy development.

Written comments may be submitted to the BLM at a scoping meeting, or via one of the methods listed in the addresses section above. Input must be received by the close of the 30-day scoping period or within 15 days after the last public meeting, whichever is later.

By this Notice, the BLM is complying with requirements in 43 CFR 1610.2(c) to notify the public of potential amendments to the CDCA Plan, as amended, predicated on the findings in the EIS/EIR.

If one or more land use plan amendments are necessary, the BLM will integrate the land use planning process with the NEPA process for the Project. A preliminary list of the potential planning criteria that will be used to help guide and define the scope of the plan amendment includes:

1. The plan amendments will be completed in compliance with FLPMA, NEPA, and all other relevant Federal laws, executive orders, and BLM policies;

2. Existing valid plan decisions will not be changed and any new plan decisions will not conflict with existing plan decisions; and

3. The plan amendment(s) will recognize valid existing rights.

The public may submit comments to the BLM on issues and planning criteria in writing at any public scoping meeting, or by using one of the methods listed in the **ADDRESSES** section above.

The BLM will use and coordinate the NEPA scoping process to help fulfill the public involvement process under the National Historic Preservation Act (NHPA) (54 U.S.C. 306108 as provided in 36 CFR 800.2(d)(3)). The information about historic and cultural resources within the area potentially affected by the proposed action will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the proposed action that the BLM is evaluating are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

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. The minutes and list of attendees for each scoping meeting will be available to the public and open for 30 days after the meeting to any participant who wishes to clarify the views he or she expressed. With respect to the

potential land use plan amendment, the BLM will evaluate identified issues to be addressed in the plan amendment, and will place them into one of three categories:

1. Issues to be resolved in the plan amendment;

2. Issues to be resolved through policy or administrative action; or

3. Issues beyond the scope of this plan amendment.

The BLM will provide an explanation in the Draft EIS/EIR as to why an issue was placed in category two or three. The public is also encouraged to help identify any management questions and concerns that should be addressed in the EIS/EIR and potential land use plan amendments. The BLM will work collaboratively with interested parties to identify the management decisions that are best suited to local, regional, and national needs and concerns.

The BLM will use an interdisciplinary approach to develop the EIS and potential land use plan amendments in order to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in the planning process: Air, minerals and geology, outdoor recreation, archaeology, paleontology, wildlife and botany, lands and realty, hydrology, soils, sociology, and economics.

Authority: 40 CFR 1501.7 and 43 CFR 1610.2.

Danielle Chi,

BLM California Deputy State Director.

[FR Doc. 2018–04691 Filed 3–8–18; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[17XL1109AF LLUTG01100 L13100000.EJ0000]

Notice of Availability of a Draft Environmental Impact Statement for the Greater Chapita Wells Natural Gas Infill Project, Uintah County, Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended, the Bureau of Land Management (BLM) has prepared a Draft Environmental Impact Statement (EIS) for the Greater Chapita Wells Natural Gas Infill Project and by this notice is announcing the opening of the comment period.

DATES: To ensure comments will be considered, the BLM must receive written comments on the Greater Chapita Wells Draft EIS within 45 days following the date the Environmental Protection Agency publishes its NOA in the **Federal Register**. The BLM will announce future meetings or hearings and any other public involvement activities at least 15 days in advance through public notices, media releases, and/or mailings.

ADDRESSES: You may submit comments related to the Greater Chapita Wells project by any of the following methods:

- *Website: http://go.usa.gov/csKAz.*
- *Email: UT_Vernal_Comments@blm.gov.*
- *Fax:* 435–781–4410.
- *Mail:* Bureau of Land Management, Vernal Field Office, 170 South 500 East, Vernal, Utah 84078.

Copies of the Greater Chapita Wells Draft EIS are available in the Vernal Field Office at the above address and website.

FOR FURTHER INFORMATION CONTACT: Stephanie Howard, Project Manager, 435–781–4400; BLM Vernal Field Office, 170 South 500 East, Vernal, UT 84078; *showard@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The BLM published in the September 9, 2009, **Federal Register** a Notice of Intent to prepare an EIS (74 FR 46458). The Greater Chapita EIS Project Area encompasses approximately 43,109 acres located in Township 8 South, Ranges 22 through 24 East; Township 9 South, Ranges 22 and 23 East; and Township 10 South, Range 23 East, Salt Lake Base and Meridian, about 25 miles south of Vernal, Utah. Of the 43,109 acres within the project area, about 76 percent is Federal surface administered by the BLM; 15 percent is tribal trust surface; 5 percent is State of Utah surface administered by the Utah Trust Lands Administration; and 4 percent is private surface. The entire project is within the exterior boundary of the Uintah and Ouray Reservation (Uncompahgre Indian Country).

Oil and gas drilling has been ongoing within the Chapita project area since 1952. As of March 2014, the project area contained 1,247 active gas wells on 960 well pads, approximately 257 miles of roads, and approximately 268 miles of pipelines. Total existing disturbance in the project area is approximately 3,975 acres, with approximately 1,000 acres under interim reclamation.

The Draft EIS analyzes a proposal by EOG Resources Inc (EOG) to further develop natural gas resources on their Federal leases in the project area. EOG's proposal includes drilling up to 2,808 new wells and constructing associated ancillary transportation, transmission, and water disposal facilities within the project area. The proposed life of the project is 55 years, with drilling and development activities to occur within the first 15 years. The new gas wells would be drilled to the Green River, Wasatch, Mesaverde Group (including the Blackhawk), Mancos, and Dakota formations at depths of 6,000 to 15,000 feet.

The Draft EIS describes and analyzes in detail the impacts of the No Action Alternative, and three action alternatives, including EOG's Proposed Action. Seven additional alternatives were considered, but eliminated from detailed analysis. The alternatives considered in detail include a landscape-scale mitigation plan that incorporates applicant-committed measures, design features (including best management practices), and the mitigation hierarchy, including compensatory mitigation as applicable to minimize or eliminate impacts to the resources of concern. In particular, the Draft EIS action alternatives contain an applicant-committed ozone management strategy designed to provide a reasonable assurance that project implementation would not contribute to the ongoing ozone situation in the Uinta Basin. This strategy contains five approaches to managing project emissions, including: Applicant-committed emission reduction measures; audio, visual, olfactory and infrared monitoring; a commitment to no-net increase of volatile organic compound emissions to be tracked via an emissions balance sheet; ozone training for personnel; and an ozone event action plan. The following is a summary of the main components of the various alternatives:

1. *No Action Alternative*—The proposed natural gas development on BLM lands and leases as described in the Proposed Action would not be implemented. However, under this alternative, natural gas exploration and development is assumed to continue on Federal, State, and private lands under previous authorizations. Up to 462 new gas wells would be drilled from 425 new well pads and 37 expanded well pads. This alternative also includes expansion of an existing compressor station, construction of 18 liquids gathering system (LGS) facilities,

construction of about 93 miles of new roads, construction of 40 miles of surface pipelines, construction of 90 miles of buried pipelines, and construction of 33 miles of powerlines. In all, approximately 2,685 acres would be disturbed under this alternative. It is estimated that 1,272 acres would be subject to interim reclamation.

2. *Proposed Action*—Under this alternative, up to 2,808 new gas wells would be drilled from 233 new well pads and 960 expanded well pads. This alternative also includes drilling 3 water disposal wells, constructing 18 LGS facilities, constructing about 49 miles of new roads, constructing 36 miles of surface pipelines, constructing 90 miles of buried pipelines, and constructing 33 miles of powerlines. In all, approximately 2,909 acres would be disturbed under this alternative. It is estimated that 410 acres would be subject to interim reclamation.

3. *Resource Protection (BLM-preferred)*—Under this alternative, up to 2,808 new gas wells would be drilled from 162 new well pads and 960 expanded well pads. This alternative also includes drilling 3 water disposal wells, constructing 18 LGS facilities, constructing about 36 miles of new roads, constructing 23 miles of surface pipelines, constructing 90 miles of buried pipelines, and constructing 33 miles of powerlines. In all, approximately 2,547 acres would be disturbed under this alternative. It is estimated that 333 acres would be subject to interim reclamation.

4. *Other Protections*—Under this alternative, up to 2,808 new gas wells would be drilled from 157 new well pads and 880 expanded well pads. This alternative also includes drilling 3 water disposal wells, constructing 18 LGS facilities, constructing about 35 miles of new roads, constructing 102 miles of buried pipelines, and constructing 33 miles of powerlines. In all, approximately 2,629 acres would be disturbed under this alternative. It is estimated that 435 acres would be subject to interim reclamation.

5. *Alternatives Considered, but Eliminated from Further Analysis*—Seven alternatives were considered, but eliminated from further analysis. These include:

a. *Use of Produced Water for Waterflood Projects:* A possible alternative would require that produced water be treated, sold, and transported for use in oil field waterflood operations in adjacent fields (the Chapita project itself is not an oil field waterflood project). This alternative would require the construction of treatment and transportation facilities, or the treated water would have to be transported by truck. Either way, this alternative would result in effects greater than the Proposed Action, so it was dismissed from detailed analysis.

b. *All Project Wells would be Connected to the LGS:* A Federal Energy Regulatory Commission-delineated jurisdictional boundary divides the Chapita project area between power suppliers Moon Lake Electric and Rocky Mountain Power. EOG has contracted with Rocky Mountain Power and is obligated to use that power solely within Rocky Mountain Power's jurisdiction boundary. Also, EOG's current Proposed Action connects as many wells to the electrified LGS as is feasible based on available power, so further expansion of the LGS would require the construction and operation of large hydrocarbon-fueled compressor and generator engines. Therefore, this alternative is technically and economically unfeasible and would result in effects greater than the Proposed Action, so it was dismissed from detailed analysis.

c. *All Field Facilities would be Electrified:* This alternative was not carried forward for the same reasons as the previous alternative, ''All Project Wells would be Connected to the LGS.''

d. *Field-Wide Electrification Using Solar Panel Generation:* A solar panel facility sufficient to generate the power needed to electrify the Chapita project area (an estimated 40 megawatts), would cover about 200 acres. The cost would be an estimated $300 million. In addition, backup power via gas-fired generators would be needed. Therefore, this alternative is technically and economically unfeasible and would result in effects greater than the Proposed Action, so it was dismissed from detailed analysis.

e. *New Roads Limited to a 14-foot running surface:* Because of vehicle safety concerns (safe passing width and road stability issues) this alternative was dismissed from detailed analysis.

f. *New Wellheads within the White River Viewshed would be Placed Below Ground:* Alternative D would preclude further surface disturbance within the 100-year floodplain of the White River by prohibiting new wells or well pads within 0.5 mile or line-of-sight of the White River. This alternative is not analyzed in detail in this EIS because it is sufficiently similar to the other protections.

g. *Full Field Development:* EOG's original proposal included drilling up to 7,028 wells over a 15-year period. When the issue of high concentrations of winter-time ground level ozone in the Uinta Basin was recognized, EOG reduced its well count (among other commitments) to reduce emission of pollutants, in particular ozone precursors. This alternative would result in effects greater than the Proposed Action. Accordingly, it was dismissed from detailed analysis.

The public is encouraged to comment on any of these alternatives. The BLM asks that those submitting comments make them as specific as possible with reference to chapters, page numbers, and paragraphs in the Draft EIS document. Comments that contain only opinions or preferences will not receive a formal response; however, they will be considered, and included, as part of the BLM decision-making process. The most useful comments are those that contain new technical or scientific information, identify data gaps in the impact analysis, or provide a technical or scientific rationale for opinions or preferences.

Before including your address, phone number, email address, or other personal identifying information in your comments, please 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.

Edwin L. Roberson,

State Director.

[FR Doc. 2018–03771 Filed 3–8–18; 8:45 am]

BILLING CODE 4310–DQ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCAD01000 L12100000.MD0000 18XL1109AF]

Meeting of the California Desert District Advisory Council

AGENCY: Bureau of Land Management.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management (BLM) California Desert District Advisory Council (DAC) will meet as indicated below.

DATES: The BLM's California DAC will hold a public meeting on Tuesday, March 20, 2018, from 12:00 p.m. to 5 p.m.

ADDRESSES: The meeting will be held at the Hilton Garden Inn, Mirage Room,

12603 Mariposa Rd., Victorville, CA 92395. The final agenda for the March 20, 2018, public meeting will be posted on the BLM web page at: *https://www.blm.gov/site-page/get-involved-rac-near-you-california-california-desert-district.* Written comments may be filed in advance of the meeting and sent to the California Desert DAC, c/o Bureau of Land Management, External Affairs, 22835 Calle San Juan de Los Lagos, Moreno Valley, CA 92553.

FOR FURTHER INFORMATION CONTACT: Stephen Razo, BLM California Desert District External Affairs, telephone: 951–697–5217, email: *srazo@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individuals. You will receive a reply during normal hours.

SUPPLEMENTARY INFORMATION: All DAC meetings are open to the public. The 15-member DAC advises the Secretary of the Interior, through the BLM, on a variety of planning and management issues associated with public land management on BLM-administered lands in the California desert. The agenda will include time for public comment at the beginning and end of the meeting, as well as during various presentations. While the meeting is tentatively scheduled from 12:00 p.m. to 5:00 p.m., the meeting could conclude earlier depending on the length of time for presentations and discussions. Members of the public interested in a particular agenda item or discussion should schedule their arrival accordingly. The agenda for the meeting will include an update on the Desert Renewable Energy Conservation Plan and updates from council members and the BLM California Desert District Manager.

Written comments will also be accepted at the time of the meeting and, if copies are provided to the recorder, will be incorporated into the minutes.

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 in your comment that the BLM withhold your personal identifying information from public review, the BLM cannot guarantee that it will be able to do so.

Beth Ransel,

California Desert District Manager.

[FR Doc. 2018–04786 Filed 3–8–18; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–25097; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting comments on the significance of properties nominated before February 17, 2018, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted by March 26, 2018.

ADDRESSES: Comments may be sent via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C St. NW, MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before February 17, 2018. Pursuant to section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

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.

Nominations submitted by State Historic Preservation Officers:

CALIFORNIA

Riverside County

Bates, Miles C., House, 73697 Santa Rosa Way, Palm Desert, SG100002238

Solano County

Westminster Presbyterian Church and Cemetery of Tremont, 8290 Tremont Rd., Dixon, SG100002240

IOWA

Woodbury County

Milwaukee Railroad Shops Historic District, 3400 Sioux River Rd., Sioux City, SG100002243

KANSAS

Morris County

Madonna of the Trai, (Santa Fe Trail MPS), 11 E. Main St., Council Grove, MP100002245

Saline County

Norton Apartments, The, 1111 & 1115 E Iron Ave., Salina, SG100002246

Sedgwick County

North Topeka Avenue—10th Street Historic District (Boundary Decrease), 1165, 1103, 1109, 1113, and 1108 N. Topeka Ave., Wichita, BC100002247,

Wilson County

Neodesha City Hall Building, 102 S. 4th St., Neodesha, SG100002248

LOUISIANA

Iberia Parish

Avery Island, LA 329, Avery Island, SG100002249

MONTANA

Hill County

Fort Assinniboine (Boundary Increase), Star Rt. 36, Box 43, Havre vicinity, BC100002250

NEW JERSEY

Burlington County

Woolman, John, Memorial House, 99 Branch St., Mount Holly Township, SG100002251

Cumberland County

Mauricetown Historic District, Roughly along Highland St., Commercial Township, SG100002252

NEW YORK

Erie County

Niagara Machine and Tool Works Factory, 631 & 683 Northland Ave., Buffalo, SG100002255

NORTH DAKOTA

Kidder County

(Federal Relief Construction in North Dakota, 1931–1943, MPS), Robinson Hall, 118 Main St., Robinson, MP100002253

TENNESSEE

Bradley County

Sanda Hosiery Mills, 130–140 Edwards St., Cleveland, SG100002258

Hamblen County

Bethel Methodist Church, 703 N. Cumberland St., Morristown, SG100002260

Shelby County

Oaklawn Garden, 7831 Poplar Pike, Germantown, SG100002262
Sterick North Garage and Hotel, 22 N B.B. King Blvd., Memphis, SG100002263

Tipton County

Bozo's Hot Pit Bar-B-Q, 342 US 70, Mason, SG100002264

Washington County

Wassom Farm, 276 Matthews Mill Rd., Telford vicinity, SG100002265

TEXAS

Cameron County

Brownsville Freight Depot and Warehouse District, Roughly bounded by former RR alignment, E Fronton, E 4th & E 9th Sts., Brownsville, SG100002266

Comal County

Honey Creek Historic District, Along State Park 31 & Bell Ranch Rd., Parcels 77128, 82609, 73632, 77109, 77257, 80607, 81637, 149474, Spring Branch vicinity, SG100002267

Guadalupe County

King-Woods Farmstead, 920 E Court St., Seguin, SG100002268

Harris County

Houston Post, 2410 Polk St., Houston, SG100002269

UTAH

Davis County

Ron's Phillips 66 Service Station, 273 N Main St., Centerville, SG100002273

Salt Lake County

Lee, Harold B. and Fern, House, 1208 South 900 West, Salt Lake City, SG100002276

WISCONSIN

Dane County

Luther Memorial Church, 1021 University Ave., Madison, SG100002284

A request for removal has been made for the following resources:

KANSAS

Barton County

Bridge No. 650—Federal Aid Highway System Bridge, (New Deal-Era Resources of Kansas MPS), NE 60 Ave, 1/12 mile south of NE 220 Rd, Beaver, OT08000612

UTAH

Box Elder County

Planing Mill of Brigham City Mercantile and Manufacturing Association, (Brigham City MPS), 547 E. Forest St., Brigham City, OT89000454

Cache County

Plant Auto Company Building, (Richmond, Utah MPS), 38 South 200 West (UT 91), Richmond, OT04001129
Hyrum Stake Tithing Office, (Tithing Offices and Granaries of the Mormon Church TR), 26 W. Main St., Hyrum, OT85000251

Morgan County

Morgan Elementary School, (Public Works Buildings TR), 75 N. One Hundred E, Morgan, OT86000737

Salt Lake County

Erickson Artillo Dairy Farmhouse, (Murray City, Utah MPS), 5419 S. 900 E., Murray, OT15000677

Summit County

Cunningham, Thomas, House, (Mining Boom Era Houses TR), 139 Main St., Park City, OT84002250

Utah County

Lehi Commercial and Savings Bank—Lehi Hospital, (Lehi, Utah MPS), 206 E. State St., Lehi, OT98001537

Wasatch County

Clotworthy-McMillan House, 261 S. Main St., Heber City, OT99000216

Weber County

Stevens, Sidney, House, 2593 N. 400 East, North Ogden, OT77001326
North Ogden Elementary School, (Public Works Buildings TR), 474 E. 2650 North, North Ogden, OT85000822
Downing Apartments, (Three-Story Apartment Buildings in Ogden, 1908–1928 MPS), 357–359 Twenty-Seventh St., Ogden, OT87002160
Rose Apartments, (Three-Story Apartment Buildings in Ogden, 1908–1928 MPS), 302–308 Twenty-Seventh St., Ogden, OT87002175

Additional documentation has been received for the following resources:

CALIFORNIA

San Francisco County

Coit Memorial Tower, 1 Telegraph Hill Blvd., San Francisco, AD07001468

NEW YORK

Erie County

Elmwood Historic District—West, 285 Norwood Ave., Buffalo, AD12000996

Otsego County

Glimmerglass Historic District, Otsego Lake and Environs, Cooperstown vicinity, AD99001136

NORTH DAKOTA

Ward County

Minot Industrial Historic District, (Minot MRA), Roughly bounded by Souris R., Burlington Northern RR, 1st Ave., Front & Broadway Sts., Minot, AD86002818

TENNESSEE

Davidson County

Travellers' Rest, Franklin Rd., Nashville, AD69000179

Nomination submitted by Federal Preservation Officer:

The State Historic Preservation Officer reviewed the following nomination and responded to the Federal Preservation Officer within 45 days of receipt of the nomination and supports listing the property in the National Register of Historic Places.

HAWAII

Kauai County

US Post Office—Lihue, 4441 Rice St., Lihue, AD89002011

Authority: 60.13 of 36 CFR part 60.

Dated: February 21, 2018.

Julie H. Ernstein,

Acting Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2018–04736 Filed 3–8–18; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[USITC SE–18–014]

Government in the Sunshine Act Meeting Notice

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: March 15, 2018 at 11:00 a.m.

PLACE: Room 101, 500 E Street SW, Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agendas for future meetings: None.

2. Minutes.

3. Ratification List.

4. Vote in Inv. Nos. 701–TA–598–600 and 731–TA–1408–1410 (Preliminary) (Rubber Bands from China, Sri Lanka, and Thailand). The Commission is currently scheduled to complete and file its determinations on March 16, 2018; views of the Commission are currently scheduled to be completed and filed on March 23, 2018.

5. Vote in Inv. Nos. 701–TA–570 and 731–TA–1346 (Final) (Aluminum Foil from China). The Commission is currently scheduled to complete and file its determinations and views of the Commission by April 9, 2018.

6. Outstanding action jackets: None.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: March 6, 2018.

William R. Bishop,

Supervisory Hearings and Information Officer.

[FR Doc. 2018–04892 Filed 3–7–18; 4:15 pm]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1066]

Certain Recombinant Factor IX Products Commission Determination Not To Review an Initial Determination Granting an Unopposed Motion for Termination of the Investigation Based on Withdrawal of the Complaint; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (Order No. 19) granting an unopposed motion for termination of the investigation based on withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Lucy Grace D. Noyola, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–3438. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on August 14, 2017, based on a complaint filed on behalf of Bioverativ Inc. of Waltham, Massachusetts; Bioverativ Therapeutics Inc. of Waltham, Massachusetts; and Bioverativ U.S. LLC of Waltham, Massachusetts (collectively, ''Complainants''). 82 FR 37898 (Aug. 14, 2017). The complaint alleges section 337 of the Tariff Act of 1930, as amended, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain recombinant Factor IX products by reason of infringement of U.S. Patent Nos. 9,670,475; 9,623,091; and 9,629,903. *Id.* The notice of investigation named as respondents CSL Behring LLC of Prussia, Pennsylvania; CSL Behring GmbH, Emil-von-Behring-Strasse of Marburg, Germany; and CSL Behring Recombinant Facility AG, Wankdorfstrasse of Bern, Switzerland (collectively, ''Respondents''). *Id.* The Office of Unfair Import Investigations (''OUII'') also was named as a party in the investigation. On February 6, 2018, Complainants filed a motion to terminate the investigation based on withdrawal of the complaint. On February 8, 2018, Respondents filed a response, taking no position on the motion. On February 12, 2018, OUII filed a response supporting the motion. On February 15, 2018, the presiding administrative law judge (''ALJ'') issued an initial determination (''ID'') (Order No. 19), granting the motion. The ALJ found that the motion complied with section 210.21(a)(1) of the Commission's Rules of Practice and Procedure (19 CFR 210.21(a)(1)), that there was no evidence of extraordinary circumstances preventing termination of the investigation, and that termination is in the public interest. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 6, 2018.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2018–04773 Filed 3–8–18; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1072]

Certain Wi-Fi Enabled Electronic Devices and Components Thereof; Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on Withdrawal of the Allegations in the Complaint; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (''ID'') (Order No. 6) of the presiding administrative law judge (''ALJ''), terminating the above-captioned investigation based on withdrawal of the allegations in the complaint. The Commission has also determined to terminate the investigation.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–2310. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov*. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov*. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on October 3, 2017, based on a complaint filed on behalf of Sharp Corporation of Osaka, Japan and Sharp Electronics Corporation of Montvale, New Jersey. 82 FR 46088–89. The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain Wi-Fi enabled electronic devices and components thereof by reason of infringement of U.S. Patent Nos. 8,325,838 and 8,279,809. The complaint further alleges that a domestic industry exists. The Commission's notice of investigation named as respondents Hisense Co., Ltd. and Hisense Electric, Co. Ltd., both of Qingdao, China; Hisense International (Hong Kong) Co. Ltd. of Sheung Wan, Hong Kong; Hisense USA Corporation, Hisense Electronics Manufacturing Company of America Corporation, and Hisense USA Multimedia R&D Center, Inc., all of Suwanee, Georgia; and Hisense Inc. of Huntington Beach, California. The Office of Unfair Import Investigations (''OUII'') is participating in the investigation.

On December 22, 2017, complainants filed an unopposed motion to terminate the investigation based on a withdrawal

of the allegations in the complaint. In the motion, the complainant states that there are no other agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation. Respondents and OUII filed responses in support of the motion.

The ALJ issued the subject ID on February 5, 2018, granting the unopposed motion for termination. He found that the motion satisfied Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)) and that there are no extraordinary circumstances that warrant denying the motion. No party petitioned for review of the subject ID.

The Commission has determined not to review the ID and has terminated the investigation.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in part 210 of the Commission's Rules of Practice and Procedure, 19 CFR part 210.

By order of the Commission.

Issued: March 6, 2018.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2018–04794 Filed 3–8–18; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–392]

Bulk Manufacturer of Controlled Substances Application: Research Triangle Institute

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration in accordance with 21 CFR 1301.33(a) on or before May 8, 2018.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DRW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: The Attorney General has delegated his authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled substances (other than final orders in connection with suspension, denial, or revocation of registration) has been redelegated to the Assistant Administrator of the DEA Diversion Control Division (''Assistant Administrator'') pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.33(a), this is notice that on March 31, 2017, Research Triangle Institute, 3040 East Cornwallis Road, Hermann Building, Room 106, Research Triangle Park, North Carolina 27709–2194 applied to be registered as a bulk manufacturer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
Marihuana	7360	I
Tetrahydrocannabinols	7370	I

The company will manufacture marihuana (7360) and tetrahydrocannabinols (7370) for use by their researchers under the above-listed controlled substances as Active Pharmaceutical Ingredient (API) for clinical trials.

In reference to drug code (7370) the company plans to bulk manufacture a synthetic tetrahydrocannabinol. No other activities for this drug code are authorized for this registration.

Dated: March 5, 2018.

Susan A. Gibson,

Deputy Assistant Administrator.

[FR Doc. 2018–04766 Filed 3–8–18; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2006–0028]

MET Laboratories, Inc.: Grant of Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces its final decision to expand the scope of recognition for MET Laboratories, Inc., as a Nationally Recognized Testing Laboratory (NRTL).

DATES: The expansion of the scope of recognition becomes effective on March 9, 2018.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, phone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, phone: (202) 693–2110; email: *robinson.kevin@dol.gov.* OSHA's web page includes information about the NRTL Program (see *http://www.osha.gov/dts/otpca/nrtl/index.html*).

SUPPLEMENTARY INFORMATION:

I. Notice of Final Decision

OSHA hereby gives notice of the expansion of the scope of recognition of MET Laboratories, Inc. (MET), as a NRTL. MET's expansion covers the addition of four test standards to its scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified by 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the NRTL to meet OSHA standards that require testing and certification of the products.

The Agency processes applications by a NRTL for initial recognition, or for expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding and, in the second notice, the Agency provides its final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL that details its scope of recognition. These pages are available from the Agency's website at *http://www.osha.gov/dts/otpca/nrtl/index.html.*

MET submitted four applications, one dated July 7, 2015 (OSHA–2006–0028–0037), two dated December 14, 2016

(OSHA–2006–0028–0038 and OSHA–2006–0028–0039), and a fourth dated January 11, 2017 (OSHA–2006–0028–0040), to expand its recognition to include four additional test standards. OSHA staff performed a comparability analysis and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

OSHA published the preliminary notice announcing MET's expansion application in the **Federal Register** on December 18, 2017 (82 FR 60053). The Agency requested comments by January 2, 2018, but it received no comments in response to this notice. OSHA now is proceeding with this final notice to grant expansion of MET's scope of recognition.

To obtain or review copies of all public documents pertaining to the MET's application, go to *www.regulations.gov* or contact the Docket Office, Occupational Safety and Health Administration. Docket No. OSHA–2006–0028 contains all materials in the record concerning MET's recognition.

II. Final Decision and Order

OSHA staff examined MET's expansion application, its capability to meet the requirements of the test standards, and other pertinent information. Based on its review of this evidence, OSHA finds that MET meets the requirements of 29 CFR 1910.7 for expansion of its recognition, subject to the limitation and conditions listed below. OSHA, therefore, is proceeding with this final notice to grant MET's scope of recognition. OSHA limits the expansion of MET's recognition to testing and certification of products for demonstration of conformance to the test standards listed in Table 1 below.

TABLE 1—LIST OF APPROPRIATE TEST STANDARDS FOR INCLUSION IN MET'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 50E	Enclosures for Electrical Equipment, Environmental Considerations.
UL 60079–1	Standard for Explosive Atmospheres—Part 1: Equipment Protection by Flameproof Enclosures ''d''.
UL 60335–2–40	Household and Similar Electrical Appliances—Safety—Part 2–40: Particular Requirements for Electrical Heat Pumps, Air Conditioners and Dehumidifiers.
UL 61800–5–1	Standard for Adjustable Speed Electrical Power Drive Systems—Part 5–1: Safety Requirements—Electrical, Thermal and Energy.

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, a NRTL's scope of recognition does not include these products.

The American National Standards Institute (ANSI) may approve the test standards listed above as American National Standards. However, for convenience, we may use the designation of the standards-developing organization for the standard as opposed to the ANSI designation. Under the NRTL Program's policy (see OSHA Instruction CPL 1–0.3, Appendix C, paragraph XIV), any NRTL recognized for a particular test standard may use either the proprietary version of the test standard or the ANSI version of that standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

A. Conditions

In addition to those conditions already required by 29 CFR 1910.7, MET must abide by the following conditions of the recognition:

1. MET must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in its operations as a NRTL, and provide details of the change(s);

2. MET must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and

3. MET must continue to meet the requirements for recognition, including all previously published conditions on MET's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of MET, subject to the limitation and conditions specified above.

III. Authority and Signature

Loren Sweatt, Deputy Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1–2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on March 5, 2018.

Loren Sweatt,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2018–04746 Filed 3–8–18; 8:45 am]

BILLING CODE 4510–26–P

LEGAL SERVICES CORPORATION

Notice of Solicitation of Proposals for Calendar Year 2019 Basic Field Grant Awards

AGENCY: Legal Services Corporation.

ACTION: Solicitation for proposals for the provision of civil legal services.

SUMMARY: The Legal Services Corporation (LSC) is a federally established and funded organization that funds civil legal aid organizations across the country and in the U.S. territories. Its mission is to expand access to justice by funding high-quality legal representation for low-income people in civil matters.

In anticipation of a congressional appropriation to LSC for Fiscal Year 2019, LSC hereby announces the availability of funds for grants to be made in calendar year 2019 and is soliciting grant proposals from interested parties who are qualified to provide effective, efficient, and high-quality civil legal services to eligible clients in the service area(s) of the states and territories identified below. The availability and the exact amount of congressionally appropriated funds, as well as the date, terms, and conditions of funds available for grants for calendar year 2019, have not been determined.

DATES: See **SUPPLEMENTARY INFORMATION** section for grant application dates.

ADDRESSES: Legal Services Corporation—Notice of Funds

Availability, 3333 K Street NW, Third Floor, Washington, DC 20007–3522.

FOR FURTHER INFORMATION CONTACT: Reginald Haley, Office of Program Performance, (202) 295–1545, *lscgrants@lsc.gov;* or visit the LSC website at *https://www.lsc.gov/grants-grantee-resources.*

SUPPLEMENTARY INFORMATION: Applicants must file a Notice of Intent to Compete (NIC) to participate in the LSC grants process. Applicants must file the NIC by May 4, 2018, 5:00 p.m. E.D.T. The Request for Proposals (RFP), which contains the NIC and grant proposal guidelines, proposal content requirements, service area descriptions, and selection criteria, will be available on or around the week of April 9, 2018. In addition to submitting the grant proposal, applicants for basic field grant awards must also respond to the LSC Fiscal Grantee Funding Application (FGFA). The FGFA will also be available on or around the week of April 9, 2018. The RFP and the FGFA may be accessed at *http://www.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant.* Other key dates in the LSC 2019 basic field grants process, including the deadlines for filing the grant proposals and the FGFA are published at *http://www.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant/basic-field-grant-key-dates.*

LSC is seeking proposals from: (1) Non-profit organizations that have as a purpose the provision of legal assistance to eligible clients; (2) private attorneys; (3) groups of private attorneys or law firms; (4) state or local governments; and (5) sub-state regional planning and coordination agencies that are composed of sub-state areas and whose governing boards are controlled by locally elected officials.

The service areas for which LSC is requesting grant proposals are listed below. Service area descriptions are available at *http://www.grants.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant/lsc-service-areas.* LSC will post all updates and/or changes to this notice at *http://www.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant.* Interested parties are asked to visit *http://www.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant* regularly for updates on the LSC grants process.

State or territory	Service area(s)
Alabama	AL–4.
American Samoa	AS–1.
Arizona	AZ–2, NAZ–5.
California	CA–2, CA–19, CA–26, CA–29, CA–30.
Colorado	CO–6, MCO, NCO–1.
Delaware	MDE.
Florida	FL–5, FL–13, FL–14, FL–15, FL–16, FL–17, FL–18, MFL.
Georgia	GA–1 GA–2, MGA.
Hawaii	HI–1, NHI–1.
Illinois	IL–6, MIL.
Indiana	IN–5, MIN.
Louisiana	LA–15.
Maryland	MD–1, MMD.
Massachusetts	MA–12.
Minnesota	MN–1.
Mississippi	MS–9, MS–10, NMS–1.
Missouri	MO–3, MO–7, MMO.
Montana	MT–1, MMT, NMT–1.
New Jersey	NJ–8.
New Mexico	NM–1, NNM–2.
New York	NY–7, NY–20, NY–21, NY–22, NY–23, NY–24, MNY.
North Carolina	NC–5, MNC, NNC–1.
North Dakota	ND–3, NND–3.
Oklahoma	OK–3, MOK.
Pennsylvania	PA–1, PA–8, PA–11, PA–23, PA–26, MPA.
Puerto Rico	PR–1, MPR.
South Carolina	SC–8, MSC.
South Dakota	SD–4, NSD–1.
Texas	TX–14.
Wyoming	WY–4, NWY–1.

Dated: March 5, 2018.

Stefanie K. Davis,

Assistant General Counsel.

[FR Doc. 2018–04724 Filed 3–8–18; 8:45 am]

BILLING CODE 7050–01–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act; Notice of Agency Meeting

TIME AND DATE: 10:00 a.m., Thursday, March 15, 2018.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street (All visitors must use Diagonal Road Entrance), Alexandria, VA 22314–3428.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. NCUA's Rules and Regulations, Federal Credit Union Bylaws.

2. Proposed Suspension and Debarment Procedures.

FOR FURTHER INFORMATION CONTACT: Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2018–04913 Filed 3–7–18; 4:15 pm]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act; Notice of Agency Meeting

TIME AND DATE: 1:30 p.m., Wednesday, March 14, 2018.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314–3428.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Board Appeal. Closed pursuant to Exemption (8).

FOR FURTHER INFORMATION CONTACT: Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2018–04916 Filed 3–7–18; 4:15 pm]

BILLING CODE 7535–01–P

POSTAL REGULATORY COMMISSION

[Docket No. CP2018–175]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning negotiated service agreements. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* March 12, 2018.

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 negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*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).:* CP2018–175; *Filing Title:* Notice of United States Postal Service of Filing a Functionally Equivalent Global Expedited Package Services 7 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal; *Filing Acceptance Date:* March 2, 2018; *Filing Authority:* 39 CFR 3015.5; *Public Representative:* Timothy J. Schwuchow; *Comments Due:* March 12, 2018.

This Notice will be published in the **Federal Register**.

Stacy L. Ruble,

Secretary.

[FR Doc. 2018–04696 Filed 3–8–18; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2018–176; CP2018–177]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning negotiated service agreements. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* March 13, 2018.

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 negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

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The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*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).:* CP2018–176; *Filing Title:* Notice of United States Postal Service of Filing a Functionally Equivalent Alternative Delivery Provider 1 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal; *Filing Acceptance Date:* March 5, 2018; *Filing Authority:* 39 CFR 3015.5; *Public Representative:* Kenneth R. Moeller; *Comments Due:* March 13, 2018.

2. Docket No(s).: CP2018–177; *Filing Title:* Notice of United States Postal Service of Filing a Functionally Equivalent Alternative Delivery Provider 1 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal; *Filing Acceptance Date:* March 5, 2018; *Filing Authority:* 39 CFR 3015.5; *Public Representative:* Kenneth R. Moeller; *Comments Due:* March 13, 2018.

This Notice will be published in the **Federal Register**.

Stacy L. Ruble,

Secretary.

[FR Doc. 2018–04771 Filed 3–8–18; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82810; File No. SR–BX–2018–009]

Self-Regulatory Organizations; Nasdaq BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Relocate Its Data Feed Offerings

March 6, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 22, 2018, Nasdaq BX, Inc. (''BX'' or ''Exchange'') filed with the Securities and Exchange Commission (''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 relocate the data feeds currently located at Chapter VI, Section 1(a)(3) to Chapter VI, Sec. 19, which is currently reserved, and entitle it ''Data Feeds.''

The text of the proposed rule change is available on the Exchange's website at *http://nasdaqbx.cchwallstreet.com/,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to relocate the data feeds currently located at Chapter VI, Section 1(a)(3) to Chapter VI, Sec. 19, which is currently reserved, and entitle it ''Data Feeds.''

The Exchange considers it is appropriate to move these data feed offerings to a separate rule to better organize its Rulebook and facilitate future cross-references. The Exchange notes that the changes proposed in this filing are of a non-substantive nature.

Specifically, the Exchange proposes to rename Section 19 as ''Data Feeds'' and add the definitions for BX Depth of Market (''BX Depth'')[3] and BX Top of Market (''BX Top'')[4] which are currently contained at Chapter VI, Section 1(a)(3). The Exchange also proposes to add an ''and'' to the end of Chapter VI, Section 1(a)(2) and a cross reference citation to Chapter 19 at Chapter VI, Section 1(a)(3) to point to the proposed rule for the list of data offerings.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the ''Act''),[5] in general, and furthers the objectives of Section 6(b)(5) of the Act,[6] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism for a free and open market and a national market system, and, in general, to protect investors and the public interest, by improving the way its Rulebook is organized, providing ease of reference in locating data feed offerings and providing greater transparency to its rules. As previously stated, the proposed rule relocation is non-substantive and is concerned solely with the administration of the Exchange.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[7] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intra-market competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange's proposal does not impose an undue burden on competition, rather the proposal seeks to improve its Rulebook's clarity and make non-substantive rule changes.

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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] BX Depth is a data feed that provides quotation information for individual orders on the BX Options book, last sale information for trades executed on BX Options, and Order Imbalance Information as set forth in BX Options Rules Chapter VI, Section 8.

[4] BX Top is a data feed that provides the BX Options Best Bid and Offer and last sale information for trades executed on BX Options.

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

[7] 15 U.S.C. 78f(b)(8).

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act[8] and subparagraph (f)(6) of Rule 19b–4 thereunder.[9]

A proposed rule change filed under Rule 19b–4(f)(6) normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii)[10] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change will become operative on filing. The Exchange stated that the proposed rule change promotes the protection of investors and the public interest by improving the organization and clarity of the Exchange's Rulebook. Waiver of the operative delay would allow the Exchange, without delay, to reorganize its Rulebook in a manner that improves clarity and readability. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.[11]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–BX–2018–009 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–BX–2018–009. 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 website (*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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–BX–2018–009, and should be submitted on or before March 30, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–04788 Filed 3–8–18; 8:45 am]

BILLING CODE 8011–01–P

[8] 15 U.S.C. 78s(b)(3)(A)(iii).

[9] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[10] 17 CFR 240.19b–4(f)(6)(iii).

[11] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[12] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82811; File No. SR–NASDAQ–2018–016]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Relocate the Nasdaq Options Market LLC Data Feed Offerings

March 6, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 22, 2018, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''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 relocate the Nasdaq Options Market LLC (''NOM'') data feed offerings currently located at Chapter VI, Section 1(a)(3) to Chapter VI, Section 19(a) which is currently reserved, and entitle it ''Data Feeds.''

The text of the proposed rule change is available on the Exchange's website at *http://nasdaq.cchwallstreet.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to relocate the data feeds currently listed in Chapter VI, Section 1(a)(3) to Chapter VI, Section 19(a) which is currently reserved, and entitle it ''Data Feeds.''

The Exchange considers it is appropriate to move these data feed offerings to a separate rule to better organize its Rulebook and facilitate future cross-references. The Exchange notes that the changes proposed in this filing are of a non-substantive nature.

Specifically, the Exchange proposes to rename Section 19 as ''Data Feeds'' and add the definitions for Nasdaq ITCH to Trade Options (''ITTO'') [3] and Best of Nasdaq Options (''BONO'') [4] which are currently contained at Chapter VI, Section 1(a)(3). The Exchange also proposes to add an ''and'' to the end of Chapter VI, Section 1(a)(2) and a cross reference citation to Chapter 19 at Chapter VI, Section 1(a)(3) to point to the proposed rule for the list of data offerings.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the ''Act''),[5] in general, and furthers the objectives of Section 6(b)(5) of the Act,[6] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism for a free and open market and a national market system, and, in general, to protect investors and the public interest, by improving the way its Rulebook is organized, providing ease of reference in locating data feed offerings and providing greater transparency to its rules. As previously stated, the proposed rule relocation is non-substantive and is concerned solely with the administration of the Exchange.

[3] The ITTO data feed provides quotation information for individual orders on the NOM book, last sale information for trades executed on NOM, and Order Imbalance Information as set forth in NOM Rules Chapter VI, Section 8.

[4] The BONO data feed provides the NOM Best Bid and Offer and last sale information for trades executed on NOM.

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[7] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intra-market competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange's proposal does not impose an undue burden on competition, rather the proposal seeks to improve its Rulebook's clarity and make non-substantive rule changes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act [8] and subparagraph (f)(6) of Rule 19b–4 thereunder.[9]

A proposed rule change filed under Rule 19b–4(f)(6) normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii) [10] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change will become operative on filing. The Exchange stated that the proposed rule change promotes the protection of investors and the public interest by improving the organization and clarity of the Exchange's Rulebook. Waiver of the operative delay would allow the Exchange, without delay, to reorganize its Rulebook in a manner that improves clarity and readability. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.[11]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NASDAQ–2018–016 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–2018–016. 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 website (*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

[7] 15 U.S.C. 78f(b)(8).

[8] 15 U.S.C. 78s(b)(3)(A)(iii).

[9] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[10] 17 CFR 240.19b–4(f)(6)(iii).

[11] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2018–016, and should be submitted on or before March 30, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–04789 Filed 3–8–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82804; File No. SR–NYSE–2017–53]

Self-Regulatory Organizations; New York Stock Exchange LLC; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Amend the Listed Company Manual for Special Purpose Acquisition Companies To Lower the Initial Holders Requirement From 300 to 150 Round Lot Holders and To Eliminate Completely the 300 Public Stockholders Continued Listing Requirement, To Require at Least $5 Million in Net Tangible Assets for Initial and Continued Listing, and To Impose a 30-Day Deadline To Demonstrate Compliance With Certain Initial Listing Requirements Following a Business Combination

March 5, 2018.

I. Introduction

On November 16, 2017, New York Stock Exchange LLC (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the listing requirements for Special Purpose Acquisition Companies (''SPACs'')[3] by reducing the number of round lot holders required for initial listing from 300 to 150 and eliminating the continued listing requirement for a minimum number of holders, which is also currently 300, that applies until a SPAC completes one or more business combinations.[4] NYSE also proposes to require that a SPAC maintain at least $5 million in net tangible assets for initial and continued listing. NYSE is proposing to allow companies 30 days to demonstrate compliance with the applicable holder requirements of Section 102.01A in the Listed Companies Manual (''Manual'') following a business combination.[5] Finally, the NYSE proposes to eliminate certain alternative initial listing distribution criteria for SPACs that list in connection with a transfer or quotation.[6]

The proposed rule change was published for comment in the **Federal Register** on December 6, 2017.[7] On January 18, 2018, the Commission extended the time period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change, to March 6, 2018.[8] The Commission received two comments on the proposal.[9] This order institutes proceedings under Section 19(b)(2)(B) of the Act to determine whether to approve or disapprove the proposal.

II. Description of Proposal

A. Background on SPACs

A SPAC is a special purpose company whose business plan is to raise capital in an initial public offering (''IPO'') and, within a specific period of time, engage in a merger or acquisition with one or more unidentified companies. Among other things, a SPAC must keep 90% of the gross proceeds of its IPO in an escrow account through the date of a business combination.[10] The SPAC must complete one or more business combinations, having an aggregate market value of at least 80% of the value of the deposit account at the time of the agreement to enter into the initial combination, within 36 months of the effectiveness of the IPO registration statement.[11] Additionally, shareholders who object to a business combination have the right to convert their common stock into a pro rata share of the funds held in escrow.[12] Following each business combination the combined company must meet the Exchange's requirements for initial listing of an operating company, including the requirement to maintain a minimum of 300 holders.[13]

B. Description of Proposed Changes to SPAC Listing Standards

The Exchange has proposed to reduce the number of round lot holders required for SPACs initially listing on the Exchange from 300 to 150.[14] The Exchange also proposed to completely eliminate the current continued listing requirement that there be a minimum of 300 holders until such time as the SPAC completes one or more business combinations.[15] In support of this proposal, as set forth in more detail in the Notice, the Exchange states that SPACs often have difficulty demonstrating compliance with these initial and continued listing standards. Based on conversations with market participants, NYSE believes this is due to the unique nature of SPACs which limits the number of interested retail investors and encourages owners to hold their shares until an acquisition is announced, which can be as long as

[12] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Commission notes that throughout this order we have used the term ''SPAC'' or ''SPACs.'' These terms have the same meaning as an ''Acquisition Company'' or ''AC'' which is the term used by NYSE in its current rules and the proposed rule filing.

[4] *See* Section 102.06 of the Listed Company Manual, and *infra* note 11, and accompanying text, which describes the requirements for the value of the business combination(s).

[5] Id.

[6] *See* Section 102.06 of the Manual.

[7] *See* Securities Exchange Act Release No. 82180 (November 30, 2017), 82 FR 57632 (''Notice'').

[8] *See* Securities Exchange Act Release No. 82531, (January 19, 2018), 83 FR 3371 (''Extension'').

[9] *See* Letters to Brent J. Fields, Secretary, Commission, from Michael Kitlas, dated November 30, 2017 (''Kitlas Letter'') and Jeffrey P. Mahoney, General Counsel, Council of Institutional Investors, dated December 20, 2017 (''CII Letter'').

[10] *See* Section 102.06 of the Manual.

[11] *Id.* Amounts disbursed to management for working capital purposes and any deferred underwriter fees are excluded when calculating the 80% value of the deposit account.

[12] *See* Sections 102.06(b) and 102.06(c) of the Manual. If a shareholder vote is taken however, under Section 102.06(b) of the Manual, the right of shareholders voting against a business combination to redeem their shares for cash may be subject to a limit established by the SPAC (that can be set no lower than 10% of the shares sold in the IPO).

[13] *See* Sections 102.06 and 802.01B(ii) of the Manual.

[14] *See* proposed Section 102.06 of the Manual, in Exhibit 5 to NYSE–2017–53.

[15] *See* proposed Section 802.01B(ii) of the Manual in Exhibit 5 to NYSE–2017–53. Section 802.01B of the Manual currently requires at least 300 public stockholders for continued listing. ''Public stockholders'' are defined to exclude holders that are directors, officers, or their immediate families and holders of other concentrated holdings of 10% or more. *See* Section 802.01B(ii) of the Manual.

three years after the IPO.[16] NYSE believes that these same features limit the benefit to investors of having a holder requirement, the purpose of which, according to NYSE, is ''to help ensure that a security has a sufficient number of investors to provide a liquid trading market.'' [17] Among other things, NYSE asserted that because ''the price of [a SPAC] is based primarily on the value of the funds it holds in trust, and the [SPAC] shareholders have the right to redeem their shares for a pro rata share of that trust in conjunction with the Business Combination, the impact of the number of shareholders on [a SPAC] security's price is less relevant than is the case for operating company common stocks.'' [18] For these reasons, NYSE states that ''[SPACs] historically trade close to the value in the trust, even when they have had few shareholders'' and that these ''trading patterns suggest that [SPACs'] low number of shareholders has not resulted in distorted prices.'' [19] NYSE also notes, that ''it can be difficult for a company, once listed, to obtain evidence demonstrating the number of its shareholders because many accounts are held in street name'' and that this process ''is particularly burdensome for [SPACs] because most operating expenses are typically borne by the [SPAC's] sponsors due to the requirement that the gross proceeds of the initial public offering remain in the trust account until the closing of the business combination.'' [20]

The Exchange also proposed to add a new requirement for SPACs to list, and remain listed, that would require SPACs to maintain at least $5 million in net tangible assets.[21] This requirement is being proposed by NYSE as an alternative exception to the Commission's penny stock rule, Rule 3a51–1 under the Act, because NYSE's proposed changes to the minimum number of holders would result in SPACs listed on NYSE no longer qualifying for the current penny stock rule exception that requires listed companies to have 300 round lot holders.[22] The $5 million net tangible assets requirement is an alternative exception to the penny stock rule. As of the date the Exchange filed its proposal, (November 16, 2017) the Exchange stated that ''all [SPACs] currently listed satisfy this alternative.'' [23] If a SPAC does not meet the net tangible assets requirement then it would be subject to immediate suspension and the delisting procedures set forth in Section 804 of the Manual and would not be eligible to follow the procedures outlined in Sections 802.02 and 802.03 of the Manual.[24]

Finally, the Exchange proposed to allow a company 30 days to demonstrate that it is has met the holder requirement following a business combination. The Exchange noted that, under its existing rules, following a SPAC business combination, the resulting company must satisfy all initial listing requirements, including the minimum number of shareholders as set forth in Section 102.01A of the Manual.[25] According to the Exchange, the proposed additional 30 days for a post business combination SPAC to demonstrate compliance with the holder requirement is intended to address delays related to obtaining information about the number of shareholders holding shares in 'street name' accounts.[26] If the SPAC has not demonstrated that it meets the holder requirement within 30 days following a business combination, then the SPAC would be subject to immediate suspension and delisting procedures set forth in Section 804 of the Manual.[27]

III. Summary of Comments

The Commission received two comment letters on the proposal.[28] One commenter stated that the proposed rule change is consistent with the Act.[29] The other commenter stated that it did not support the proposed rule change, noting that ''it does not provide sufficient information for us to make a determination as to whether our members and the capital markets would benefit from the proposed rule changes.'' [30]

This commenter believed more evidence was necessary in several areas to support the proposed changes including: (1) The assertion that price distortions or illiquidity are a lesser concern for SPACs; (2) the assertion that SPACs trade close to the redemption value of the assets held in trust; (3) the number of companies constrained by existing listing standards; (4) the difficulties demonstrating compliance with determining the number of shareholders, including the frequency and length of delays; and (5) why having more listed SPACs would benefit investors or the capital markets.[31]

Further, the commenter raised questions regarding the necessity and operation of the proposed $5 million net tangible assets requirement and the lack of monitoring SPACs that no longer meet the penny stock rules.[32] The commenter also raised speculation that the lack of evidence in support of this proposal closely mirrors a similar proposal by NASDAQ Stock Market LLC (''Nasdaq'').[33] This commenter stated that, ''we believe it is a mistake for NYSE to follow the actions of other exchanges in an effort to compete based on reduced standards around public listings.'' [34]

IV. Proceedings To Determine Whether To Approve or Disapprove SR–NYSE–2017–53 and Ground for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act to determine whether the proposal should be approved or disapproved.[35] Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposal, as discussed below. Institution of disapproval proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved.

Pursuant to Section 19(b)(2)(B) of the Act, the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis and input

[16] *See* Notice at 57633.

[17] *Id.*

[18] *Id. See also, supra* note 12, and accompanying text, that refer to possible limits on the amount of shares that can be redeemed on a pro rata basis.

[19] *Id.*

[20] *Id.*

[21] Net Tangible Assets is defined as total assets less intangible assets and liabilities. *See* proposed Section 102.06 of the Manual.

[22] Rule 15g–1 through 15–9 under the Act impose certain disclosure and additional requirements on brokers and dealers when effecting transactions in penny stocks. *See* 17 CFR 240.15g–1 to 15g–9. Rule 3a51–1 includes an exception from the definition of penny stock for securities registered on a national securities exchange that has initial listing standards, among others, that requires at least 300 round lot holders. Rule 3a51–1 also has an exception from the penny stock definition if a company has $5 million in net tangible assets. *See* 17 CFR 240.3a51–1(a) and 17 CFR 240.3a51–1(g).

[23] *See* Notice at 57634.

[24] *Id.*

[25] *See* Notice at 57634. *See also* Section 802.01B(iv) of the Manual.

[26] *See* Notice at 57634

[27] A SPAC not meeting this requirement would not be eligible to follow the procedures outlined in Sections 802.02 and 802.03 of the Manual. *See* Notice at 57634.

[28] *See supra* note 9.

[29] *See* Kitlas Letter (stating, in full, ''[t]he proposed rule change is consistent with the Act.'').

[30] *See* CII Letter at 1.

[31] *See* CII Letter at 2–3.

[32] *See* CII Letter at 3.

[33] *See* CII Letter at 4. *See also* Securities Exchange Act Release No. 81816 (October 4, 2017), 82 FR 47269 (October 11, 2017) (''Nasdaq Proposal'') and Securities Exchange Act Release No. 82478 (January 9, 2018), 83 FR 2278 (January 16, 2018) (''Nasdaq Order Instituting Proceedings'').

[34] *See* CII Letter at 4.

[35] 15 U.S.C. 78s(b)(2)(B).

concerning the proposed rule change's consistency with the Act [36] and, in particular, with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of free and open market and a national market system, and, in general, to protect investors and the public interest.[37]

The Commission has consistently recognized the importance of the minimum number of holders and other similar requirements in exchange listing standards.[38] Among other things, such listing standards help ensure that exchange listed companies have sufficient public float, investor base, and trading interest to provide the depth and liquidity necessary to promote fair and orderly markets.[39]

NYSE proposes to lower the minimum number of holders required for initial listing of a SPAC from 300 to 150, and to eliminate the continued listing requirement to have a minimum number of holders until the SPAC completes a business combination. In support of its proposal, NYSE asserts that SPACs often have difficulty demonstrating compliance with the minimum number of holders requirements because many accounts are held in street name, so that this information must be obtained from broker-dealers and other third parties. NYSE states that this effort is particularly burdensome for SPACs because most of the expenses incurred in determining the number of holders must be borne by the SPAC's sponsors. The Commission notes that the vast majority of shares of most listed companies are held in street name, and it is not clear from NYSE's proposal how the burdens on SPACs in determining the number of holders are different than for listed companies generally, other than the fact that the SPAC's sponsor bears most of the costs. In addition, as noted by a commenter, it is not clear from NYSE's proposal the extent to which SPACs actually have had difficulties complying with the existing minimum number of holders requirements.[40]

NYSE also takes the position that the benefits of the minimum number of holders requirements are less with SPACs because their value is based primarily on the value of the funds held in trust. NYSE notes that SPACs historically have traded close to the value of the funds held in trust, and concludes that a lack of shareholders has not resulted in distorted prices and the associated concerns. The Commission, however, does not believe it is clear from NYSE's proposal how these historic trading patterns bear on the role of the minimum number of holders requirements in maintaining fair and orderly markets, particularly since NYSE's observations were made while the current minimum number of holder requirements were in place.

Finally, NYSE proposes to allow a listed SPAC 30 days following a business combination to demonstrate compliance with the initial holder requirement. NYSE states that, following a SPAC's business combination, the resulting company must meet all initial listing requirements for operating companies, including the requirement to have a minimum of 300 holders. The Commission notes that initial listing standards, absent an explicit exception, apply upon initial listing. Further, the Commission notes that, because the same number of holders today (*i.e.,* 300) applies to SPACs listed on NYSE before and after a business combination,[41] the issue of a post-combination transition period has not been raised. NYSE proposes to eliminate the continued listing requirement for SPACs, so that a listed SPAC with very few holders may need to have at least 300 holders a short time after a business combination. The Commission does not believe it is clear from NYSE's proposal that such a structure is workable, or how a listed SPAC would ensure it is in a position to sufficiently increase its number of holders.

V. Commission's Solicitation of Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5), or any other provision of the Act, or the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[42]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposal should be approved or disapproved by March 30, 2018. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by April 13, 2018. The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal which are set forth in the Notice, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment, including where relevant, any specific data, statistics, or studies, on the following:

1. Would the proposal ensure that a sufficient liquid market exists for the shares of SPACs on the Exchange? Why or why not?

2. Without any continued listing holder requirement, would the shares of SPACs still trade close to their redemption value, as the Exchange has

[36] 15 U.S.C. 78f(b)(5).

[37] *Id.*

[38] For example, the Commission has repeatedly stated in approving exchange listing requirements, including NYSE's original SPAC listing standards, that the development and enforcement of adequate standards governing the listing of securities on an exchange is an activity of critical importance to financial markets and the investing public. *See e.g.,* Securities Exchange Act Release No. 57785 (May 6, 2008), 73 FR 27597 (May 13, 2008) (stating also that the distribution standards, which include exchange holder requirements, ''. . . should help to ensure that the [SPACs] securities have sufficient public float, investor base, and liquidity to promote fair and orderly markets''); Securities Exchange Act Release No. 58228 (July 25, 2008), 73 FR 44794 (July 31, 2008).

[39] *Id.* The Commission has further stated that once a security has been approved for initial listing, maintenance criteria allow an exchange to monitor the status and trading characteristics of that issue to ensure that it continues to meet the exchange's standards for market depth and liquidity so that fair and orderly markets can be maintained. *See e.g.,* Securities Exchange Act Release No. 57785 (May 6, 2008), 73 FR 27597 (May 13, 2008) also stating that the continued listing standards for SPACs, which include the holder requirements, protect investors and promote fair and orderly markets.

[40] *See* CII Letter at 2.

[41] The Commission recognizes that the initial holder requirement is 300 round lot holders while the continued listing requirement is 300 public shareholders. Therefore, when a SPAC transitions to listing as an operating company after a business combination, it should have at least 300 public shareholders, many of which may also be round lot holders.

[42] Section 19(b)(2) of the Exchange Act, as amended by the Securities Act Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Act Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

stated? If yes, would that trading pattern continue after an announcement of a business combination?

3. Without any continued listing holder requirement, could shares of SPACs be more prone to manipulation, either post-IPO or at the time of the business combination announcement (but before consummation of the business combination)?

4. Has the Exchange demonstrated with specific data, analysis, and studies that the shares of SPACs trade consistently as stated in the proposal, and does the analysis support the proposed reductions in the holder initial and continued listing standards? If not, what data should be reviewed and analyzed? How many SPACs have not been able to meet the Exchange's initial or continued listing applicable holder requirements? In the Exchange's examination of SPACs that were below the continued public holder listing requirement, if any, how few holders did these SPACs have?

5. The Exchange asserted that it is time consuming and burdensome for a SPAC to obtain a list of holders to demonstrate the number of holders, because many shares are held in street name with broker-dealers. The Commission notes that the process of obtaining number of holders is similar for all listed companies. Do commenters think SPACs are particularly burdened by this process and the costs? Is the fact the costs are usually borne by the sponsors relevant?

6. Under its proposal, should the Exchange monitor SPACS that fall below the $5 million net tangible assets standard to assist broker-dealers in complying with the penny stock rules, including during any period when immediate suspension under Section 804.00 of the Manual has not been imposed?

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSE–2017–53 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–NYSE–2017–53. 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 website (*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 website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSE–2017–53 and should be submitted on or before March 30, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[43]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–04713 Filed 3–8–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82812; File No. SR–PEARL–2018–05]

Self-Regulatory Organizations; MIAX PEARL, LLC ; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 403, Withdrawal of Approval of Underlying Securities

March 6, 2018.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 21, 2018, MIAX PEARL, LLC (''MIAX PEARL'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend Exchange Rule 403, Withdrawal of Approval of Underlying Securities, to allow the Exchange to delist an option class if open for trading on another national securities exchange, and to not open for trading or restrict securities with open interest to closing transactions, if open for trading solely on the Exchange.

The text of the proposed rule change is available on the Exchange's website at *http://www.miaxoptions.com/rule-filings/pearl* at MIAX PEARL's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange seeks to amend Rule 403 to add Interpretations and Policies .02, to allow the Exchange to delist an option class if it is open for trading on another securities exchange; restrict option series to closing transactions when an option class is open for trading solely on the Exchange and the underlying security continues to meet the requirements for approval; restrict series with open interest to closing transactions, provided that, opening transactions by Market Makers executed to accommodate closing transactions of other market participants may be permitted; and to delist the option class

[43] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

when all series within that class have expired. The Exchange believes the ability to restrict option series to closing transactions when an option class is open for trading solely on the Exchange and the underlying security continues to meet the requirements for approval will allow the Exchange to delist option series in a timely and efficient manner. The Exchange believes the proposed rule amendment is necessary in connection with the listing and trading of option classes that are open for trading solely on the Exchange, including, but not limited to, cash-settled index option products.[3] The proposed rule change is based on a proposal recently submitted by Cboe Exchange, Inc. (''Cboe'').[4]

Currently, whenever the Exchange determines that an underlying security previously approved for Exchange options transactions does not meet the then current requirements for continuance of such approval or for any other reason should no longer be approved, the Exchange will not open for trading any additional series of options of the class covering that underlying security and may prohibit any opening transactions in series of options of that class previously opened (except that opening transactions by Market Makers executed to accommodate closing transactions of other market participants may be permitted). The Exchange seeks to add Interpretations and Policies .02 to provide that when an option class is trading on another exchange, MIAX PEARL may delist such option class immediately, regardless of whether the option class continues to meet the requirements for approval. When an option class that no longer meets the requirements for approval is trading solely on the Exchange, the Exchange may not add any additional series, may restrict series with open interest to closing transactions, and may delist any series without open interest. However, when an option class continues to meet the requirements for approval and is trading solely on the Exchange, the Exchange may not restrict series with open interest to closing transactions; instead, the Exchange may only delist series with no open interest and determine to not open for trading any additional series in that option class, and may delist the option class when all series within that class have expired.

There are various business reasons why the Exchange may choose to no longer list an option class (*e.g.,* lack of trading interest, lack of market-making interest, etc.). The Exchange believes restricting such classes to closing transactions will allow open interest to be closed in a timelier and more efficient manner. When seeking to delist an option class the Exchange believes that restricting series to closing transactions is a better way to transition the class to a delisted state than the current method of not adding additional series and allowing market participants to continue to add new positions in the existing series. Restricting trading to closing transactions encourages market participants to close transactions, which helps to limit any potential negative effects associated with delisting a class. For example, restricting trading to closing transactions helps prevent market participants from adding new positions that cannot be rolled into the following expiration (a common options strategy).

The Exchange notes that this proposal is consistent with the manner in which Rule 403 operates in relation to option classes with underlying securities that no longer meet the requirements for approval—additional series are not added, series with open interest are restricted to closing only, and series without open interest are delisted. As proposed, when the Exchange seeks to delist an option class with an underlying security that continues to meet the requirements for approval the Exchange will not open additional series in the option class and will restrict trading to closing transactions.

Allowing Market Makers to facilitate closing transactions of other market participants will help market participants close positions in classes that will be delisted by the Exchange, which helps to protect investors and the public interest. It is reasonable to restrict series to closing only pursuant to current Rule 403 when underlying securities no longer meet requirements for approval. The Exchange believes it is also reasonable to restrict series to closing when the options class no longer satisfies business justifications for listing the class.

The Exchange will announce the implementation date of the proposed rule change by Regulatory Circular to be published no later than 90 days following the operative date of the proposed rule. The implementation date will be no later than 90 days following the issuance of the Regulatory Circular.

The Exchange notes that this filing is substantially similar to a companion MIAX Options filing, amending Rule 403 to allow the Exchange to delist an option class if open for trading on another national securities exchange, and to not open for trading or restrict securities with open interest to closing transactions, if open for trading solely on the Exchange.

2. Statutory Basis

MIAX PEARL believes that its proposed rule change is consistent with Section 6(b) of the Act[5] in general, and furthers the objectives of Section 6(b)(5) of the Act[6] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with Section 6(b)(5)[7] requirements that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, when seeking to delist an option class—whether or not the underlying security continues to meet the requirements for approval—the Exchange believes that restricting series to closing transactions is a better way to transition the class to a delisted state than the current method of not adding additional series and allowing market participants to continue to add new positions in the existing series. Restricting trading to closing transactions encourages market participants to close transactions, which helps to limit any potential negative effects associated with delisting a class and helps to protect customers and the public interest.

The Exchange notes that this proposal is consistent with the manner in which Rule 403 operates in relation to option classes with underlying securities that no longer meet the requirements for approval—additional series are not added, series with open interest are restricted to closing only, and series without open interest are delisted. As proposed, when the Exchange seeks to delist an option class with an underlying security that continues to meet the requirements for approval the

[3] MIAX PEARL recently submitted a filing to list cash-settled index option products, which, if approved, will be applicable to this proposed rule amendment. *See* SR–PEARL–2018–02 (filed February 8, 2018).

[4] *See* Securities Exchange Act Release No. 82346 (December 18, 2017), 82 FR 60778 (December 22, 2017)(SR–CBOE–2017–076).

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

[7] *Id.*

Exchange will not open additional series in the option class and will restrict trading to closing transactions. Also consistent with current Rule 403, opening transactions by Market Makers executed to accommodate closing transactions of other market participants may be permitted. Allowing Market Makers and market participants to facilitate closing transactions will help close positions in classes that will be delisted by the Exchange, which helps to protect investors and the public interest. It is reasonable to restrict series to closing only pursuant to current Rule 403 when underlying securities no longer meet requirements for approval. The Exchange believes it is also reasonable to restrict series to closing when the option class no longer satisfies business justifications for listing the class.

The Exchange also believes the proposed changes promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market and a national market system because the proposed rule is designed to allow the Exchange to facilitate transactions in products solely listed on the Exchange in a uniform manner. Additionally, the proposed amendment would foster cooperation and coordination with persons engaged in facilitating transactions in securities and would remove impediments to and perfect the mechanism of a free and open market and a national exchange system because the proposed amendment would make the rules of Exchange consistent with other options exchanges which trade index options.[8] In particular, the Exchange believes that the proposed changes will provide greater clarity to Members [9] and the public regarding the Exchange's Rules as they pertain to index options. It is in the public interest for rules to be uniform and consistent across options exchanges so as to eliminate the potential for confusion.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is consistent with the manner in which Rule 403 operates in relation to option classes with underlying securities that no longer meet the requirements for approval—additional series are not added, series with open interest are restricted to closing only, and series without open interest are delisted. Also consistent with current Rule 403, opening transactions by Market Makers executed to accommodate closing transactions of other market participants may be permitted. Allowing Market Makers to facilitate closing transactions of other market participants will help close positions in classes that will be delisted by the Exchange, which helps to protect investors and the public interest and does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Additionally, the proposed rule change is consistent with the rules of other options exchanges that currently list for trading index options, therefore, the Exchange believes that this proposed rule change will add clarity and uniformity to the rule governing index options.[10]

The Exchange does not believe that the proposed rule change will impose any burden on intermarket competition as the Rules apply equally to all Exchange Members.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act [11] and Rule 19b–4(f)(6) [12] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–PEARL–2018–05 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–PEARL–2018–05. 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 website (*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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–PEARL–2018–05, and

[8] *See supra* notes 3 and 4.

[9] The term ''Member'' means an individual or organization that is registered with the Exchange, pursuant to Exchange rules, for the purposes of trading on the Exchange as an ''Electronic Exchange Member'' or ''Market Maker.'' *See* Exchange Rule 100.

[10] *See supra* note 3.

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

should be submitted on or before March 30, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–04790 Filed 3–8–18; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82815; File No. SR–IEX–2018–05]

Self-Regulatory Organizations; Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rule 11.270 (Clearly Erroneous Executions) To Preclude Members From Requesting a Review of a Volatility Auction as a Clearly Erroneous Execution

March 6, 2018.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (the ''Act''),[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on February 23, 2018, the Investors Exchange LLC (''IEX'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Pursuant to the provisions of Section 19(b)(1) under the Securities Exchange Act of 1934 (''Act''),[4] and Rule 19b–4 thereunder,[5] Investors Exchange LLC (''IEX'' or ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'') a proposed rule change to amend Rule 11.270 (Clearly Erroneous Executions) to preclude Members from requesting a review of a Volatility Auction[6] as a clearly erroneous execution. The Exchange has designated this rule change as ''non-controversial'' under Section 19(b)(3)(A) of the Act[7] and provided the Commission with the notice required by Rule 19b–4(f)(6) thereunder.[8]

The text of the proposed rule change is available at the Exchange's website at *www.iextrading.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statement [sic] may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this proposed rule change is to amend Rule 11.270 (Clearly Erroneous Executions) to preclude Members from requesting a review of a Volatility Auction as a clearly erroneous execution.

On September 19, 2016, Plan Participants, with input from the Advisory Committee and staff of the Commission, proposed the twelfth amendment to the Plan to Address Extraordinary Market Volatility Pursuant to Rule 608 of Regulation NMS under the Act (the ''Limit Up-Limit Down Plan'' or ''Plan''),[9] which contained certain enhancements to the reopening process following a Trading Pause (''Amendment No. 12'').[10] The Exchange is a Participant of the Plan and a member of the Operating Committee, and intends on launching a listings program for corporate issuers in 2018, at which point IEX will be a Primary Listing Exchange. In conjunction with Amendment No. 12, each Primary Listing Exchange filed proposed rule changes with the Commission under Section 19(b) of the Exchange Act to amend their respective rules for automated reopenings following a Trading Pause, and to preclude Members from requesting a review of reopening executions as clearly erroneous.[11] On January 19, 2017, the Commission approved Amendment No. 12.[12] On April 13, 2017, the Commission approved the Thirteenth Amendment to the Plan, which extended the pilot period of the Plan from April 21, 2017, to April 16, 2018, and required the Processor to publish certain data regarding the reopening processes of the Primary Listing Exchanges.[13] On April 28, 2017, the Commission noticed for immediate effectiveness the Fourteenth Amendment to the Plan, which extended the implementation date of Amendment No. 12 to the end of the third quarter of 2017.[14] Finally, on September 26, 2017, the Commission noticed for immediate effectiveness the Fifteenth Amendment to the Plan, which extended the implementation date of Amendment No. 12 to no later than November 30, 2017.[15]

On August 4, 2017, the Commission approved a proposed rule change filed by the Exchange to adopt rules governing auctions in IEX-listed securities, including a Volatility Auction process to resume trading after a Trading Pause in an IEX-listed security pursuant to the Plan.[16] The Exchange's rules governing auctions include the enhancements to the reopening process following a Trading Pause as set forth in Amendment No. 12, but do not include amendments to the Exchange's rules governing clearly erroneous executions.[17] Accordingly, in order to ensure the Exchange's rules are consistent with the Plan and the rules of other Primary Listing Exchanges, the Exchange is proposing to amend Rule 11.270 (Clearly Erroneous Executions) to preclude Members from requesting a

[13] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] 15 U.S.C. 78s(b)(1).

[5] 17 CFR 240.19b–4.

[6] *See* Rule 11.350(f).

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4.

[9] *See also* Securities Exchange Act Release No. 67091 (May 31, 2012), 77 FR 33498 (June 6, 2012) (the ''Limit Up-Limit Down Release''). Note, unless otherwise specified, capitalized terms used herein have the same meaning as set forth in the Plan or in Exchange rules.

[10] *See* letter from Elizabeth K. King, General Counsel, NYSE, to Brent J. Fields, Secretary, Commission, dated September 16, 2016.

[11] *See* Securities Exchange Act Release Nos. 79162 (October 26, 2016), 81 FR 75875 (November 1, 2016) (SR–BatsBZX–2016–61); 79158 (October 26, 2016), 81 FR 75879 (November 1, 2016) (SR–NASDAQ–2016–131); and 79107 (October 18, 2016), 81 FR 73159 (October 24, 2016) (File No. SR–NYSEArca–2016–130). *See also* Cboe BZX Exchange, Inc. (''Cboe Bats'') Rule 11.17(a); the Nasdaq Stock Market LLC (''Nasdaq'') Rule 11890(a)(1); and NYSE Arca, Inc. (''Arca'') Rule 7.10–E(a).

[12] *See* Securities Exchange Act Release No. 79845 (January 19, 2017), 82 FR 8551 (January 26, 2017).

[13] *See* Securities Exchange Act Release No. 80455 (April 13, 2017), 82 FR 18519 (April 19, 2017).

[14] *See* Securities Exchange Act Release No. 80549 (April 28, 2017), 82 FR 20928 (May 4, 2017).

[15] *See* Securities Exchange Act Release No. 81720 (September 26, 2017), 82 FR 45922 (October 2, 2017).

[16] *See* Securities Exchange Act Release No. 81316 (August 4, 2017), 82 FR 37474 (August 10, 2017).

[17] *See* supra note 6 [sic].

review of a Volatility Auction as a clearly erroneous execution.[18]

In adopting and approving Amendment No. 12 and the related exchange filings, the Participants and the Commission, respectively, have agreed that the procedures for reopening trading following a Trading Pause reduces the potential that an order or orders entered by one or more Members caused such execution to be clearly erroneous. Specifically, the Participants believe that the proposed standardized procedures for reopening trading following a Trading Pause incorporates a methodology that allows for widened collars, which may result in a reopening price away from prior trading prices, but which reopening price would be a result of a measured and transparent process that eliminates the potential that such trade would be considered erroneous. Therefore, consistent with the Plan, and the rules of other Primary Listing Exchanges, the Exchange proposes to amend Rule 11.270 (Clearly Erroneous Executions) to preclude Members from requesting a review of a Volatility Auction as a clearly erroneous execution.[19]

As announced in IEX Trading Alerts #2017–015 and #2017–046, the Exchange intends to become a Primary Listing Exchange and support its first IEX-listed security in 2018.[20] In addition, as part of the listings initiative, the Exchange is providing a series of industry wide weekend tests for the Exchange and its Members to exercise the various technology changes required to support IEX Auctions and listings functionality.[21] Accordingly, the Exchange is proposing to implement the proposed changes during the industry wide testing period in 2018 so that Members are on notice regarding the ineligibility of Volatility Auctions for review as a clearly erroneous execution as they optimize their systems to interact with IEX Auctions.

2. Statutory Basis

IEX believes that the proposed rule change is consistent with the provisions of Section 6(b)[22] of the Act in general, and furthers the objectives of Section 6(b)(5) of the Act[23] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

Specifically, the Exchange believes that precluding Members from requesting review of a Volatility Auction as a clearly erroneous execution would remove impediments to and perfect the mechanism of a free and open market and a national market system because the standardized procedures for reopening trading following a Trading Pause reduce the possibility that one or more orders from a Member caused a Volatility Auction to be clearly erroneous. Specifically, the Exchange believes that the standardized procedures for reopening trading following a Trading Pause incorporate a methodology that allows for widened collars, which may result in a reopening price away from prior trading prices, but which reopening price would be a result of a measured and transparent process that eliminates the potential that such trade would be considered erroneous.

Furthermore, the Exchange believes the proposed rule change is consistent with the protection of investors and the public interest in that it is designed to ensure the Exchange's rules are consistent with the Plan and the rules of other Primary Listing Exchanges, which will increase transparency and create consistency regarding the rules governing clearly erroneous executions among Primary Listing Exchanges.

Lastly, the Exchange believes the proposed rule change is consistent with the protection of investors and the public interest because, as discussed in the Purpose section, the Exchange is proposing to implement the proposed changes during the industry wide testing period in 2018 so that Members are on notice regarding the ineligibility of Volatility Auctions for review as a clearly erroneous execution as they optimize their systems to interact with IEX Auctions.

B. Self-Regulatory Organization's Statement on Burden on Competition

IEX does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed change does not impact inter-market competition in that it is designed to ensure the Exchange's rules are consistent with the Plan and the rules of other Primary Listing Exchanges, which will increase transparency and create consistency regarding the rules governing clearly erroneous executions among Primary Listing Markets.

In addition, the Exchange does not believe that the proposed changes will have any impact on intra-market competition, because the proposed changes apply to all Members on a fair and equal basis.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the proposed rule change does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[24] and Rule 19b–4(f)(6) thereunder.[25]

A proposed rule change filed pursuant to Rule 19b–4(f)(6) under the Act[26] normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii)[27] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day

[18] *See supra* note 8 [sic].

[19] The Exchange notes that Participants will be engaging in a more comprehensive review of Rule 11.270 in connection with amendments to the Plan relating to tiering of securities and applicable percentage parameters. The Exchange proposes to make this limited amendment to Rule 11.270 as an initial step to eliminating its clearly erroneous executions rules in their current form.

[20] *See* IEX Trading Alert #2017–015 (Listings Specifications, Testing Opportunities, and Timelines), May 31, 2017. *See also* IEX Trading Alert #2017–046 (IEX Listings Timeline Update), originally published on Monday, October 30, 2017, and re-published on Tuesday, October 31, 2017.

[21] *See, e.g.,* IEX Trading Alert #2017–028 (First Listings Functionality Industry Test on Saturday, August 26), August 17, 2017; IEX Trading Alert #2017–037 (Second Listings Functionality Industry Test on Saturday, September 9), September 7, 2017; IEX Trading Alert #2017–039 (Third Listings Functionality Industry Test on Saturday, September 23), September 18, 2017; IEX Trading Alert #2017–040 (Rescheduled 4th Listing Functionality Industry Test), September 29, 2017; IEX Trading Alert #2017–046 (IEX Listings Timeline Update), originally published on Monday, October 30, 2017, and re-published on Tuesday, October 31, 2017; and IEX Trading Alert #2017–047 (Fourth Listings Functionality Industry Test on Saturday, November 4), October 31, 2017.

[22] 15 U.S.C. 78f.

[23] 15 U.S.C. 78f(b)(5).

[24] 15 U.S.C. 78s(b)(3)(A).

[25] 17 CFR 240.19b–4(f)(6). As required under Rule 19b–4(f)(6)(iii), the Exchange provided the Commission with written notice of its intent to file the proposed rule change, along with a brief description and the text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission.

[26] 17 CFR 240.19b–4(f)(6).

[27] 17 CFR 240.19b–4(f)(6)(iii).

operative delay. The Exchange stated that waiver of the operative delay is consistent with the protection of investors and the public interest because it would allow the Exchange to implement the proposed rule change upon effectiveness, thus immediately increasing transparency and creating consistency regarding the rules governing clearly erroneous executions among Primary Listing Exchanges. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposal as operative upon filing.[28]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–IEX–2018–05 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–IEX–2018–05. 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 website (*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 website viewing and printing in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–IEX–2018–05, and should be submitted on or before March 30, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[29]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–04793 Filed 3–8–18; 8:45 am]

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[28] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[29] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82814; File No. SR–MIAX–2018–07]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 403, Withdrawal of Approval of Underlying Securities

March 6, 2018.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 21, 2018, Miami International Securities Exchange, LLC (''MIAX Options'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend Exchange Rule 403, Withdrawal of Approval of Underlying Securities, to allow the Exchange to delist an option class if open for trading on another national securities exchange, and to not open for trading or restrict securities with open interest to closing transactions, if open for trading solely on the Exchange.

The text of the proposed rule change is available on the Exchange's website at *http://www.miaxoptions.com/rule-filings/* at MIAX Options' principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange seeks to amend Rule 403 to add Interpretations and Policies .02, to allow the Exchange to delist an option class if it is open for trading on another securities exchange; restrict option series to closing transactions when an option class is open for trading solely on the Exchange and the underlying security continues to meet the requirements for approval; restrict series with open interest to closing transactions, provided that, opening transactions by Market Makers executed to accommodate closing transactions of other market participants may be permitted; and to delist the option class when all series within that class have expired. The Exchange believes the ability to restrict option series to closing transactions when an option class is

open for trading solely on the Exchange and the underlying security continues to meet the requirements for approval will allow the Exchange to delist option series in a timely and efficient manner. The Exchange believes the proposed rule amendment is necessary in connection with the listing and trading of option classes that are open for trading solely on the Exchange, including, but not limited to, exclusively listed cash-settled index option products.[3] The proposed rule change is based on a proposal recently submitted by Cboe Exchange, Inc. (''Cboe'').[4]

Currently, whenever the Exchange determines that an underlying security previously approved for Exchange options transactions does not meet the then current requirements for continuance of such approval or for any other reason should no longer be approved, the Exchange will not open for trading any additional series of options of the class covering that underlying security and may prohibit any opening transactions in series of options of that class previously opened (except that opening transactions by Market Makers executed to accommodate closing transactions of other market participants may be permitted). The Exchange seeks to add Interpretations and Policies .02 to provide that when an option class is trading on another exchange, MIAX Options may delist such option class immediately, regardless of whether the option class continues to meet the requirements for approval. When an option class that no longer meets the requirements for approval is trading solely on the Exchange, the Exchange may not add any additional series, may restrict series with open interest to closing transactions, and may delist any series without open interest. However, when an option class continues to meet the requirements for approval and is trading solely on the Exchange, the Exchange may not restrict series with open interest to closing transactions; instead, the Exchange may only delist series with no open interest and determine to not open for trading any additional series in that option class, and may delist the option class when all series within that class have expired.

There are various business reasons why the Exchange may choose to no longer list an option class (*e.g.,* lack of trading interest, lack of market-making interest, etc.). The Exchange believes restricting such classes to closing transactions will allow open interest to be closed in a timelier and more efficient manner. When seeking to delist an option class the Exchange believes that restricting series to closing transactions is a better way to transition the class to a delisted state than the current method of not adding additional series and allowing market participants to continue to add new positions in the existing series. Restricting trading to closing transactions encourages market participants to close transactions, which helps to limit any potential negative effects associated with delisting a class. For example, restricting trading to closing transactions helps prevent market participants from adding new positions that cannot be rolled into the following expiration (a common options strategy).

The Exchange notes that this proposal is consistent with the manner in which Rule 403 operates in relation to option classes with underlying securities that no longer meet the requirements for approval—additional series are not added, series with open interest are restricted to closing only, and series without open interest are delisted. As proposed, when the Exchange seeks to delist an option class with an underlying security that continues to meet the requirements for approval the Exchange will not open additional series in the option class and will restrict trading to closing transactions.

Allowing Market Makers to facilitate closing transactions of other market participants will help market participants close positions in classes that will be delisted by the Exchange, which helps to protect investors and the public interest. It is reasonable to restrict series to closing only pursuant to current Rule 403 when underlying securities no longer meet requirements for approval. The Exchange believes it is also reasonable to restrict series to closing when the options class no longer satisfies business justifications for listing the class.

The Exchange will announce the implementation date of the proposed rule change by Regulatory Circular to be published no later than 90 days following the operative date of the proposed rule. The implementation date will be no later than 90 days following the issuance of the Regulatory Circular.

2. Statutory Basis

The Exchange believes that its proposed rule change is consistent with Section 6(b) of the Act[5] in general, and furthers the objectives of Section 6(b)(5) of the Act[6] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with Section 6(b)(5)[7] requirements that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, when seeking to delist an option class—whether or not the underlying security continues to meet the requirements for approval—the Exchange believes that restricting series to closing transactions is a better way to transition the class to a delisted state than the current method of not adding additional series and allowing market participants to continue to add new positions in the existing series. Restricting trading to closing transactions encourages market participants to close transactions, which helps to limit any potential negative effects associated with delisting a class and helps to protect customers and the public interest.

The Exchange notes that this proposal is consistent with the manner in which Rule 403 operates in relation to option classes with underlying securities that no longer meet the requirements for approval—additional series are not added, series with open interest are restricted to closing only, and series without open interest are delisted. As proposed, when the Exchange seeks to delist an option class with an underlying security that continues to meet the requirements for approval the Exchange will not open additional series in the option class and will restrict trading to closing transactions. Also consistent with current Rule 403, opening transactions by Market Makers executed to accommodate closing transactions of other market participants may be permitted. Allowing Market Makers and market participants to facilitate closing transactions will help close positions in classes that will be delisted by the Exchange, which helps to protect investors and the public interest. It is reasonable to restrict series to closing only pursuant to current Rule 403 when underlying securities no

[3] *See* Securities Exchange Act Release No. 81371 (August 10, 2017), 82 FR 38942 (August 16, 2017) (SR–MIAX–2017–39).

[4] *See* Securities Exchange Act Release No. 82346 (December 18, 2017), 82 FR 60778 (December 22, 2017) (SR–CBOE–2017–076).

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

[7] *Id.*

longer meet requirements for approval. The Exchange believes it is also reasonable to restrict series to closing when the option class no longer satisfies business justifications for listing the class.

The Exchange also believes the proposed changes promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market and a national market system because the proposed rule is designed to allow the Exchange to facilitate transactions in products solely listed on the Exchange in a uniform manner. Additionally, the proposed amendment would foster cooperation and coordination with persons engaged in facilitating transactions in securities and would remove impediments to and perfect the mechanism of a free and open market and a national exchange system because the proposed amendment would make the rules of Exchange consistent with other options exchanges which trade index options.[8] In particular, the Exchange believes that the proposed changes will provide greater clarity to Members [9] and the public regarding the Exchange's Rules as they pertain to index options. It is in the public interest for rules to be uniform and consistent across options exchanges so as to eliminate the potential for confusion.

B. Self-Regulatory Organization's Statement on Burden on Competition

MIAX Options does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is consistent with the manner in which Rule 403 operates in relation to option classes with underlying securities that no longer meet the requirements for approval—additional series are not added, series with open interest are restricted to closing only, and series without open interest are delisted. Also consistent with current Rule 403, opening transactions by Market Makers executed to accommodate closing transactions of other market participants may be permitted. Allowing Market Makers to facilitate closing transactions of other market participants will help close positions in classes that will be delisted by the Exchange, which helps to protect investors and the public interest and does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Additionally, the proposed rule change is consistent with the rules of other options exchanges that currently list for trading index options, therefore, the Exchange believes that this proposed rule change will add clarity and uniformity to the rule governing index options.

The Exchange does not believe that the proposed rule change will impose any burden on intermarket competition as the Rules apply equally to all Exchange Members.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act [10] and Rule 19b–4(f)(6) [11] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–MIAX–2018–07 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–MIAX–2018–07. 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 website (*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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–MIAX–2018–07, and should be submitted on or before March 30, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–04792 Filed 3–8–18; 8:45 am]

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[8] *See supra* note 4.

[9] The term ''Member'' means an individual or organization approved to exercise the trading rights associated with a Trading Permit. Members are deemed ''members'' under the Exchange Act. *See* Exchange Rule 100.

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[12] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82813; File No. SR–Phlx–2018–19]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Relocate the Exchange's Data Feeds

March 6, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 22, 2018, Nasdaq PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''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 relocate the data feeds currently located at Rule 1000(b)45(C)(i) through (iv) to Rule 1070, which is currently reserved, and entitle it ''Data Feeds.''

The text of the proposed rule change is available on the Exchange's website at *http://nasdaqphlx.cchwallstreet.com/,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to relocate the data feeds currently listed in Rules 1000(b)45(C)(i) through (iv) to Rule 1070, which is currently reserved, and, correspondingly, entitle the rule ''Data Feeds.''

The data feed offerings were recently added to the Exchange's rulebook (''Rulebook'') as part of the ''System'' definition in Rule 1000(b)45.[3] The Exchange, however, considers it is appropriate to move these data feed offerings to a separate rule to better organize its Rulebook and facilitate future cross-references. The Exchange notes that the changes proposed in this filing are of a non-substantive nature.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[4] in general, and furthers the objectives of Section 6(b)(5) of the Act,[5] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest, by improving the way its Rulebook is organized, providing ease of reference in locating data feed offerings and providing greater transparency to its rules. As previously stated, the proposed rule relocation is non-substantive and is concerned solely with the administration of the Exchange.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange's proposal does not impose an undue burden on competition, rather the proposal seeks to improve its Rulebook's clarity and make non-substantive rule changes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act[6] and subparagraph (f)(6) of Rule 19b-4 thereunder.[7]

A proposed rule change filed under Rule 19b–4(f)(6) normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii)[8] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change will become operative on filing. The Exchange stated that the proposed rule change promotes the protection of investors and the public interest by improving the organization and clarity of the Exchange's Rulebook. Waiver of the operative delay would allow the Exchange, without delay, to reorganize its Rulebook in a manner that improves clarity and readability. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.[9]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 82577 (January 24, 2018), 83 FR 4354 (January 30, 2018) (SR–Phlx–2018–09).

[4] 15 U.S.C. 78f(b).

[5] 15 U.S.C. 78f(b)(5).

[6] 15 U.S.C. 78s(b)(3)(A)(iii).

[7] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[8] 17 CFR 240.19b–4(f)(6)(iii).

[9] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

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–Phlx–2018–19 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–Phlx–2018–19. 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 website (*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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–Phlx–2018–19, and should be submitted on or before March 30, 2018.

[10] 17 CFR 200.30–3(a)(12).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[10]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–04791 Filed 3–8–18; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82809; File No. SR–NYSEAMER–2018–06]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Change To Modify the NYSE American Options Fee Schedule

March 6, 2018.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on February 23, 2018, NYSE American LLC (the ''Exchange'' or ''NYSE American'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the NYSE American Options Fee Schedule (''Fee Schedule''). The Exchange proposes to implement the fee change effective March 1, 2018. The proposed change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to modify the Fee Schedule, effective March 1, 2018. Specifically, the Exchange proposes to modify the Messages to Contracts Traded Ratio Fees by modifying the number of messages permitted by an ATP holder before excessive messages are charged.

The Exchange proposes to modify the calculation basis for the Messages to Contracts Traded Ratio Fees (''Messages Fee''), which are assessed as part of the Monthly Excessive Bandwidth Utilization Fees.[4] Currently, the Exchange charges $0.005 per 1,000 messages (including orders or quotes) in excess of 1.5 billion messages in a calendar month if the ATP Holder does not execute at least 1 contract for every 1,500–5,000 messages entered, as determined by the Exchange.[5] The Exchange proposes to modify the threshold and to charge for messages in excess of 3 billion messages per calendar month.

During the period of recent volatility and activity, the Exchange noted a significantly higher number of messages generated without a proportional amount of executed volume, especially in less active-option issues. Concurrently, the Exchange saw no degradation in system performance because of prudent upgrades and expansion of the trading system in the past year. Thus, the Exchange believes that the proposal to increase the threshold to incur the monthly Messages Fee would continue to encourage market participants to be rational and efficient in the use of the Exchange's system capacity. The Exchange believes that the increased threshold should also reduce the possibility of charging ATP Holders a Messages Fee for messages designed to help maintain accurate and liquid markets with more narrow spreads.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Fee Schedule, Section II (Monthly Excessive Bandwidth Utilization Fees) (''EBUF) (describing both the Order to Trade Ratio Fee (Section II.A) and the Messages to Contracts Traded Ratio Fee (Section II.B), which comprises the EBUF, and noting that if an ATP Holder is liable for either or both fees in a given month, that firm would only be charged the greater of the two fees). The Exchange is not proposing to modify the Order to Trade Ratio Fees.

[5] Currently, the Exchange has set the ratio at 1 contract for every 5,000 messages.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[6] in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,[7] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposed modification to the Messages Fees is reasonable, equitable, and not unfairly discriminatory because it should still encourage market participants to be rational and efficient in the use of the Exchange's system capacity, which benefits all market participants. The proposed calculation basis is reasonable because it would apply to all market participants that are subject to the Messages Fee.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[8] the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes the proposed changes to the Messages Fees would not place an unfair burden on competition as it would continue to encourage efficient use of Exchange bandwidth and would apply to all market participants that are subject to the Messages Fee.

To the extent that these purposes are achieved, the Exchange believes that the proposed changes would enhance the quality of the Exchange's markets and increase the volume of orders directed to the Exchange. In turn, all the Exchange's market participants would benefit from the improved market liquidity. If the proposed changes make the Exchange a more attractive marketplace for market participants at other exchanges, such market participants are welcome to become ATP Holders.

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)[9] of the Act and subparagraph (f)(2) of Rule 19b–4[10] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[11] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSEAMER–2018–06 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEAMER–2018–06. 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 website (*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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEAMER–2018–06 and should be submitted on or before March 30, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–04787 Filed 3–8–18; 8:45 am]

BILLING CODE 8011–01–P

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(4) and (5).

[8] 15 U.S.C. 78f(b)(8).

[9] 15 U.S.C. 78s(b)(3)(A).

[10] 17 CFR 240.19b–4(f)(2).

[11] 15 U.S.C. 78s(b)(2)(B).

[12] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice:10344]

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 April 9, 2018.

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:* 1,000,000.
- *Estimated Number of Responses:* 1,000,000.
- *Average Time per Response:* 3.5 minutes.
- *Total Estimated Burden Time:* 58,333 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

A 60-day notice for public comment was published on December 15, 2017 (82 FR 59943). No responsive comments were received. This renewal request increases the number of respondents from 325,000 to 1,000,000 to continue to allow the Department to collect qualitative customer feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery.

Methodology

Respondents will fill out a brief customer survey after completing their interaction with a Department Program 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. 2018–04735 Filed 3–8–18; 8:45 am]

BILLING CODE 4710–24–P

DEPARTMENT OF STATE

[Public Notice: 10312]

30-Day Notice of Proposed Information Collection: Supplemental SIV Chief of Mission Application

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 April 9, 2018.

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.

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Supplemental SIV Chief of Mission Application.
- *OMB Control Number:* 1405–0134.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* Bureau of Consular Affairs, Visa Office (CA/VO/L/R).
- *Form Number:* DS–157.
- *Respondents:* Afghan Special Immigrant Visa Applicants.
- *Estimated Number of Respondents:* 8,700.
- *Estimated Number of Responses:* 8,700.
- *Average Time per Response:* 1 hour.
- *Total Estimated Burden Time:* 8,700 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 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

Department of State uses Form DS–157 (Supplemental SIV Chief of Mission Application) in order to facilitate the Chief of Mission approval process required for special immigrant visa (SIV) applicants under section 602(b) of the Afghan Allies Protection Act of 2009 (Pub. L. 111–8). The information requested on the form is limited to that

which the Chief of Mission uses to evaluate eligibility of SIV applicants. The DS–157 is only being used by Afghan SIV applicants for Chief of Mission approval.

Methodology

Applicants are required to complete the DS–157, along with other required documentation, and to submit their package to the appropriate SIV email address.

Edward Ramotowski,

Deputy Assistant Secretary, Bureau of Consular Affairs, Department of State.

[FR Doc. 2018–03496 Filed 3–8–18; 8:45 am]

BILLING CODE 4710–06–P

DEPARTMENT OF STATE

[Public Notice 10350]

Secretary of State's Determination Under the Frank R. Wolf International Religious Freedom Act of 2016

The Secretary of State's designation of ''entities of particular concern'' for religious freedom violations. Pursuant to Section 408(a) of the International Religious Freedom Act of 1998 (Pub. L. 105–292), notice is hereby given that, on March 5, 2018, the Secretary of State, under authority delegated by the President, has designated each of the following as an ''entity of particular concern'' under section 301 of the Frank R. Wolf International Religious Freedom Act of 2016 (Pub. L. 114–281), for having engaged in particularly severe violations of religious freedom: al-Nusra Front, al-Qa'ida in the Arabian Peninsula, al-Qa'ida, al-Shabab, Boko Haram, ISIS, ISIS-Khorasan, and the Taliban.

Daniel L. Nadel,

Director, Office of International Religious Freedom, Department of State.

[FR Doc. 2018–04718 Filed 3–8–18; 8:45 am]

BILLING CODE 4710–18–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Little Cottonwood Canyon, Salt Lake County, Utah

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: FHWA, on behalf of the Utah Department of Transportation (UDOT), is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for proposed transportation improvements in and near Little Cottonwood Canyon in Salt Lake County, Utah.

FOR FURTHER INFORMATION CONTACT: Brandon Weston, Environmental Services Director, Environmental Services Division, UDOT 4501 South 2700 West, P.O. Box 141265, Salt Lake City, Utah 84114–1265; Telephone: (801) 965–4603, email: *brandonweston@utah.gov.* John Thomas, PE, Little Cottonwood Canyon Project Manager, UDOT Region 2, 2010 South 2760 West, Salt Lake City, UT 84104–4592; Telephone: (801) 550–2248, Email: *johnthomas@utah.gov.*

SUPPLEMENTARY INFORMATION: The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being or have been carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated January 17, 2017, and executed by FHWA and UDOT. UDOT, as the assigned National Environmental Policy Act (NEPA) agency, will prepare an EIS for proposed improvements to SR–210, a two-lane roadway, in Little Cottonwood Canyon in Salt Lake County, Utah. The proposed project study area extends from the intersection of SR–210 and SR–190/Fort Union Boulevard in Cottonwood Heights, Utah to the terminus of SR–210 in the town of Alta, Utah. Transportation improvements are needed to address congestion, improve safety for all users, and enhance the availability of public transportation options in the canyon. To address these needs, UDOT is proposing to make operational improvements, introduce demand-management measures, and support efforts by transit providers to implement increased transit service in the project study area. UDOT has developed this proposal based on numerous previous studies and public involvement efforts carried out by a range of agencies and stakeholders regarding the need for potential transportation improvements in the project study area. The project may require FHWA to appropriate National Forest System lands and transfer such lands to UDOT for highway use, pursuant to authority under 23 U.S.C. 317. The project may also require approvals by the USDA Forest Service, the U.S. Army Corps of Engineers, and/or other agencies.

UDOT will consider a range of alternatives based on the purpose of and need for the project and taking into account agency and public input. The currently contemplated alternatives include: (1) Taking no action; (2) multiple, combined actions, including:

- Transportation System Management (TSM);
- Making operational improvements;
- Introducing demand-management measures;
- Tolling and/or high-occupancy vehicle (HOV) programs;
- Facilitating implementation of improved public transit service;
- Enhancing safety, access, and mobility in the area through improved information sharing and adding designated parking areas; and
- Roadway improvements;

(3) different combinations of any of the above; and (4) other alternatives if identified during the scoping process. Alternatives that do not meet the project purpose and need or that are otherwise not reasonable will not be carried forward for detailed consideration.

A Coordination Plan is being prepared to define the agency and public participation procedure for the environmental review process. The plan will outline (1) how agencies and the public will provide input during the scoping process; (2) the development of the purpose and need; and (3) alternatives development. UDOT anticipates that the USDA Forest Service will be invited to serve as a cooperating agency in the NEPA process.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, state, and local agencies as well as to Native American tribes and to private organizations and citizens who have previously expressed, or who are known to have, an interest in this proposal. A public scoping meeting will be held on April 10, 2018 from 4:00 p.m. to 8:00 p.m. at Cottonwood Heights City Hall, 2277 East Bengal Boulevard, Cottonwood Heights, Utah 84121. Public notices announcing the meeting will be published in the region. Information regarding this meeting and the project may also be obtained through a public website maintained by UDOT at *www.udot.utah.gov/littlecottonwoodeis.*

During the NEPA process, other public meetings will be held as appropriate to allow the public, as well as Federal, state, and local agencies, and tribes, to provide comments on the purpose of and need for the project, potential alternatives, and social, economic, and environmental issues of concern.

In addition, a public hearing will be held following the release of the Draft EIS. Public notice advertisements and direct mailings will notify interested

parties of the time and place of the public meetings and the public hearing. The Draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Written comments or questions concerning this proposed action and the EIS should be directed to UDOT representatives at the mail or email addresses provided above by May 4, 2018. For additional information please visit the project website at *www.udot.utah.gov/littlecottonwoodeis.* Information requests or comments can also be provided by email to *littlecottonwoodeis@utah.gov.*

(Catalog of Federal and Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Dated: March 5, 2018.

Ivan Marrero,

Division Administrator, Federal Highway Administration, Salt Lake City, Utah.

[FR Doc. 2018–04808 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0027]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel PRIMA STELLA; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 9, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0027. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel PRIMA STELLA is:

—*Intended Commercial Use of Vessel*: ''Passenger Charter''

—*Geographic Region*: ''California''

The complete application is given in DOT docket MARAD–2018–0027 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

By Order of the Maritime Administrator.

Dated: March 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–04763 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0031]

Request for Comments on the Renewal of a Previously Approved Information Collection: Procedures for Determining Vessel Services Categories for Purposes of the Cargo Preference Act

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. The Maritime Administration will use the data submitted by vessel operators to create a list of Vessel Self-Designations and determine whether the Agency agrees or disagrees with a vessel owner's designation of a vessel. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on December 5, 2017.

DATES: Comments must be submitted on or before April 9, 2018.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW, Washington, DC 20503. Comments are invited on: (a) Whether the proposed collection of information is necessary for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request

for OMB's clearance of this information collection.

FOR FURTHER INFORMATION CONTACT: Jan Downing, 202–366–0783, Office of Cargo and Commercial Sealift, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W23–308, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Title: Procedures for Determining Vessel Services Categories for Purposes of the Cargo Preference Act.

OMB Control Number: 2133–0540.

Type of Request: Renewal of a Previously Approved Information Collection.

Abstract: The purpose is to provide information to be used in the designation of service categories of individual vessels for purposes of compliance with the Cargo Preference Act under a Memorandum of Understanding entered into by the U.S. Department of Agriculture, U.S. Agency for International Development, and the Maritime Administration. The Maritime Administration will use the data submitted by vessel operators to create a list of Vessel Self-Designations and determine whether the Agency agrees or disagrees with a vessel owner's designation of a vessel. It will use data submitted with re-designation requests to determine whether or not a vessel should be re-designated into a different service category.

Respondents: Owners or operators of U.S.-registered vessels and foreign-registered vessels.

Estimated Number of Respondents: 200.

Estimated Number of Responses: 200.

Estimated Hours per Response: 0.25.

Annual Estimated Total Annual Burden Hours: 50.

Frequency of Response: Annually.

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.93.)

* * * * *

By Order of the Maritime Administrator.

Dated: March 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–04806 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms, and Record Keeping Requirements: Agency Information Collection Activity Under OMB Review

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Request (ICR) abstracted below will be submitted to the Office of Management and Budget (OMB) for review. The ICR describes the nature of the information collection and its expected burden. A **Federal Register** Notice with a 60-day comment period soliciting public comments on the following information collection was published on July 27, 2017.

DATES: Submit comments to the Office of Management and Budget (OMB) on or before April 9, 2018.

FOR FURTHER INFORMATION CONTACT: Randolph Atkins at the National Highway Traffic Safety Administration, Office of Behavioral Safety Research (NTI–131), W46–500, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Dr. Atkins' phone number is 202–366–5597 and his email address is *randolph.atkins@dot.gov*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2127—New.

Title: Effectiveness of State Law Enforcement Liaison Programs.

Form No.: NHTSA Form 1408 and NHTSA Form 1409.

Type of Review: Regular.

Respondents: NHTSA proposes to conduct two one-time surveys. The first survey will include all the State Law Enforcement Liaisons (LELs) across the country. The second survey will include the LELs' supervisors from their sponsoring agencies in the 49 States that use LELs, either State Highway Safety Office (SHSO) or other sponsoring agency personnel.

Estimated Number of Respondents: There are approximately 240 State LELs and 49 staff from the sponsoring agencies that supervise the LELs—a total of 289 respondents.

Estimated Time per Response: There are two survey questionnaires of equal length, one for LELs and one for their supervisors. The average amount of time for each respondent to complete the on-line information collection is estimated at 45 minutes. This includes any time needed to retrieve information.

Total Estimated Annual Burden Hours: 217 hours.

Frequency of Collection: The information collection will be administered a single time.

Abstract: State Law Enforcement Liaisons (LELs) promote NHTSA's traffic safety programs and initiatives. The way LELs are organized and carry out their mission varies widely across States. NHTSA proposes to collect information from LELs and their State and/or sponsoring agencies to improve NHTSA's understanding of LEL programs in the United States and to evaluate the programmatic and cost effectiveness of existing LEL approaches. The study will use online website-based surveys designed to identify their program characteristics, costs, and State-recommended program practices. The following data will be collected: Number of LELs, program structure and organization, job description, program objectives, reporting requirements, performance monitoring practices, program costs, communication networks, reported usefulness of specific program practices, site and conference attendance practices, and public outreach activities. Study outcomes will be used to inform funding agencies and LEL programs about LEL best practices and what is required to maintain maximum LEL program effectiveness. The information will support States and other agencies and organizations in their efforts to reduce and prevent injuries among the motoring public using traffic safety programs promoted by the LELs.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for Department of Transportation, National Highway Traffic Safety Administration, or by email at *oira_submission@omb.eop.gov,* or fax: 202–395–5806.

Comments are Invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department of Transportation, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including

the use of automated collection techniques or other forms of information technology.

A comment to OMB is most effective if OMB receives it within 30 days of publication of this notice.

Authority: 44 U.S.C. Section 3506(c)(2)(A).

Issued in Washington, DC, on March 6, 2018.

Jeff Michael,

Associate Administrator, Research and Program Development.

[FR Doc. 2018–04751 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. DOT–NHTSA–2017–0087]

Reports, Forms, and Record Keeping Requirements

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on November 2, 2017. Two comments were received. The content of neither comment related to the proposed data collection.

DATES: Comments must be submitted on or before April 9, 2018.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Ms. Laurie Flaherty, Coordinator, National 911 Program, Office of Emergency Medical Services, National Highway Traffic Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, NPD–400, Room W44–322, Washington, DC 20590, (202) 366–2705. Please identify the relevant collection of information by referring to its OMB Control Number.

SUPPLEMENTARY INFORMATION:

Title: Medical Directors Workforce Assessment.

OMB Control Number: U.S. DOT Docket No. NHTSA–2017–0087.

Type of Request: New information collection.

Abstract: With over 50,000 separate Emergency Medical Services (EMS) agencies and fire departments providing care to millions of patients each year, a clear description of the training and backgrounds of those who provide medical direction of EMS services in the U.S. is surprisingly not available. An estimated 8,500 medical directors serve 20,000 EMS agencies and 30,000 fire departments across the country.

Public Safety Answering Points that answer 911 calls and provide emergency medical dispatch, aeromedical services, mass gathering events such as marathons and concerts, and police departments and their special operations teams also require medical directors if their personnel provide emergency care or instruction. Despite a growing number of trained and now boarded certified EMS physicians, prehospital medical direction faces several obstacles and unknowns. Currently data is difficult to identify, but many medical directors are thought to be from several specialties such as family practice, internal medicine, and surgery and have little or no EMS experience. In addition, individuals serving as EMS directors have varying degrees of involvement with their services. Medical directors' compensation, legal protections, involvement in research, and education are also largely unknown.

Knowing more about the population of EMS medical directors in the United States would create several benefits. Defining this groups' demographics, qualifications, number, types and sizes of agencies served, and their financial compensation and legal protections is critical to determining trends of employment, identifying professional and training needs, recognizing barriers for medical directors, and directing policy and advocacy efforts. Collecting this data is essential for improving EMS medical direction across the nation and the National Highway Safety Administration (NHTSA) and other federal departments would benefit from understanding its prehospital medical leadership from a national preparedness perspective.

The goal of the Medical Directors Workforce Assessment is to investigate and define key attributes of EMS and 911 medical directors across the United States in order to create a national picture of prehospital medical direction. The data will be used to establish an Emergency Medical Services Medical Director Workforce Assessment (EMSMDWA), which can guide future policy and investment in activities to support the improvement of prehospital medical direction.

Affected Public: Under this proposed effort, the respondents would voluntarily submit data described above utilizing a web-based data collection tool. Reporting entities are EMS and 911 Medical Directors of state and local EMS and 911 systems. The total maximum number of respondents is estimated 350.

Estimated Number of Respondents: Under this proposed effort, several forums and organizations known for medical director involvement will be targeted by the Office of EMS, to respond to an online survey being developed by the National Association of EMS Physicians, under the terms of a cooperative agreement (DTNH22–16–H–00007). The total number of respondents is estimated at 350. This is a one-time survey and no annual or second survey is planned at this time.

Estimated Total Annual Burden Hours: NHTSA estimates that the time required to submit the data described utilizing the web-based tool will be one hour (no advance preparation, one hour of entry to website) per reporting entity, for a total of 350 hours for all entities. The respondents would not incur any reporting costs from the information collection beyond the time it takes to populate the web-based data collection tool. The respondents also would not incur any recordkeeping burden or recordkeeping costs from the information collection.

The total estimated costs to respondents or record-keepers are based on the following: The total hour burden of the collection of information equaling 350 hours.

Respondents will be EMS and 911 Medical Directors at of State, local, territorial, and tribal EMS and 911 systems. To estimate reasonable staff expenses to respond to this information collection, the Agencies reviewed the Bureau of Labor Statistics (BLS) Occupational Outlook Handbook and determined that the Physicians and Surgeons description closely aligns with the positions of personnel responsible for completing this request. BLS lists a median salary of $208,000 per year amounting to $100.00 per hour. There are no capital, start-up, or annual operation and maintenance costs involved in the collection of information.

Total cost based on hour's burden equals $35,000.00.

Public Comments Invited: You are asked to comment on any aspects of this information collection, including (a) whether the proposed collection of

information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance 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 the use of automated collection techniques or other forms of information technology.

Authority: 44 U.S.C. Section 3506(c)(2)(A).

Issued in Washington, DC, on March 6, 2018.

Jeff Michael,

Associate Administrator, Research and Program Development.

[FR Doc. 2018–04749 Filed 3–8–18; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms, and Record Keeping Requirements Agency Information Collection Activity Under OMB Review

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Request (ICR) abstracted below will be submitted to the Office of Management and Budget (OMB) for review. The ICR describes the nature of the information collection and its expected burden.

DATES: Submit comments to the Office of Management and Budget (OMB) on or before April 9, 2018.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for Department of Transportation, National Highway Traffic Safety Administration, or by email at *oira_submission@omb.eop.gov,* or fax: 202–395–5806.

FOR FURTHER INFORMATION CONTACT: Randolph Atkins at the National Highway Traffic Safety Administration, Office of Behavioral Safety Research (NTI–131), W46–500, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Dr. Atkins' phone number is 202–366–5597 and his email address is *randolph.atkins@dot.gov*.

SUPPLEMENTARY INFORMATION: A **Federal Register** notice with a 60-day comment period soliciting public comments on the following information collection was published on August 9, 2017 (82 FR 37287–37288).

OMB Control Number: 2127—New.

Title: Compliance-Based Ignition Interlock Removal.

Form No.: NHTSA 1395.

Type of Review: Regular.

Respondents: NHTSA has identified 31 States that conduct some type of Compliance Based Removal (CBR) of Breath Alcohol Ignition Interlock Devices (BAIIDs). The number of participants will vary for each State. We estimate an average of three participants per State. Most participants will be State officials and these individuals will provide most of the necessary information for each State. We anticipate that in some instances State officials will refer us to representatives of interlock providers to obtain data not available to the State official. The data to be collected is administrative in nature. No personally identifiable data will be collected. We will not be collecting data that is commonly considered sensitive or private.

Estimated Number of Respondents: An estimated sample size of 93 respondents (3 respondents per state for each of the 31 states identified as having some form of CBR for BAIIDs).

Estimated Time per Response: The average amount of time for each respondent to complete the information collection is estimated at 20 minutes. This includes any time needed to retrieve information.

Total Estimated Annual Burden Hours: 62 hours.

Frequency of Collection: The information collection will be administered a single time.

Abstract: Alcohol impairment is one of the primary causes of motor vehicle crashes on the Nation's highways. In 2016, 28 percent of all motor-vehicle traffic fatalities involved alcohol impairment, resulting in the loss of 10,497 lives. A vehicle equipped with a BAIID requires the driver to provide a breath sample to start the vehicle. If the breath sample is above a set limit for Breath Alcohol Concentration (BrAC), then the vehicle will not start. BAIIDs have been shown to reduce driving-under-the-influence (DUI) recidivism of DUI offenders who have BAIIDs installed on their vehicles; however, the effect tends to dissipate once the devices are removed. The data generated by the BAIIDs can be used to identify offenders unable to comply with interlock program requirements. It is believed that these are the offenders most likely to recidivate. CBR programs are designed to reduce recidivism by delaying removal of the BAIID for these offenders.

The purpose of the study is to provide critical information needed by NHTSA to determine the effects of CBR on DUI recidivism, as well as information on the types of CBR policies currently in place. This information will be useful to States interested in instituting or changing CBR policies in their own interlock programs to help reduce deaths and injuries associated with DUI. The data collected will be used to assist NHTSA in its ongoing responsibilities for: (a) Developing an accurate understanding of potential traffic safety interventions on a national scale; (b) providing information to NHTSA's partners involved in improving public safety; and (c) providing sound scientific reports on NHTSA's activities to other public safety researchers.

The study will be conducted in two phases. In phase one, information will be collected on the details of the States' implementation of CBR and information on their CBR-related data to identify States with sufficient data to conduct an evaluation of the effects of CBR on DUI recidivism. It will also identify States' interested in participating in an evaluation of CBR effectiveness. We anticipate that information will come from State officials familiar with their States' interlock programs. It may also be necessary to collect data from interlock providers in those States. We estimate that this phase of data collection will involve contacting and interviewing an average of three people per State (93 total). Initial contacts will be made by telephone and email. Data will then be collected through semi-structured face-to-face and telephone interviews. The second phase of the study will be an evaluation of CBR effectiveness using the States' existing data. These evaluations will be conducted in up to four States, depending on phase one findings regarding data availability and interest in participation.

Comments are Invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department of Transportation, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance

the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A comment to OMB is most effective if OMB receives it within 30 days of publication of this notice.

Authority: 44 U.S.C. Section 3506(c)(2)(A).

Issued in Washington, DC, on March 6, 2018.

Jeff Michael,

Associate Administrator, Research and Program Development.

[FR Doc. 2018–04755 Filed 3–8–18; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[U.S. DOT Docket No. NHTSA–2017–0089]

Reports, Forms, and Record Keeping Requirements

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Request for public comment on proposed collection of information.

SUMMARY: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections.

This document describes the collection of information for which NHTSA intends to seek OMB approval.

DATES: Comments must be received on or before May 8, 2018.

ADDRESSES: You may submit comments identified by DOT Docket ID Number NHTSA–2017–0089 using any of the following methods:

Electronic submissions: Go to *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.

Mail: Docket Management Facility, M–30, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590.

Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. Fax: 1–(202) 493–2251.

Instructions: Each submission must include the Agency name and the Docket number for this Notice. Note that all comments received will be posted without change to *http://www.regulations.gov* including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Kathryn Wochinger, Contracting Officer's Representative, DOT/NHTSA (NPD–310), 1200 New Jersey Avenue SE, W46–487, Washington, DC 20590. Dr. Wochinger's phone number is (202) 366–4300 and email address is *kathryn.wochinger@dot.gov.*

SUPPLEMENTARY INFORMATION:

OMB Clearance Number: None.

Title: National Survey of Drinking, Drug Use, and Driving Attitudes and Behaviors.

Type of Request: New information collection requirement.

Requested Expiration Date of Approval: 3 years from date of approval.

Summary of the Collection of Information: NHTSA has periodically conducted a national survey of driver attitudes and self-reported behavior on drinking and driving, to understand the prevalence of drinking and driving among drivers, the perception of impaired driving as a traffic safety problem, and driver awareness and attitudes towards impaired driving laws. NHTSA and others have used the data to track national trends in the drinking-driving problem and assess the impact of countermeasures to reduce impaired driving.

The survey was last administered in 2008, and NHTSA is preparing to administer an updated version of the survey, referred to as the National Survey on Drinking, Drug Use and Driving (NSDDD). The survey will continue to address alcohol but will add items on drugs other than alcohol. The survey will replace the previously used telephone interviews with an online and mailed questionnaire; respondents will complete either the internet or paper surveys.

Description of the Need for the Information and Proposed Use of the Information

NHTSA's mission is to save lives, prevent injuries and reduce traffic-related health care and other economic costs. The agency develops, promotes and implements educational, engineering and enforcement programs with the goal of ending preventable tragedies and reducing economic costs associated with vehicle use and highway travel. Impaired driving is a long-standing highway safety and public health problem. Efforts to reduce impaired driving have resulted in impressive improvements, but it remains a significant problem. For example, data compiled and analyzed by NHTSA show that in 2016, 10,497 people died in alcohol-impaired-driving crashes, accounting for 28 percent of all motor vehicle traffic fatalities in the United States. An alcohol-impaired-driving crash are those that involve a driver with a blood alcohol concentration (BAC) of 0.08 grams per deciliter (g/dL) or higher. In addition to concern about alcohol-impaired driving, there are increasing questions regarding drug-impaired driving.

The objectives of the project include the following:

- To survey a nationally representative sample of driving-age individuals on their knowledge, attitudes and beliefs about drinking, drug use (including over-the-counter, prescription, and illegal drugs) and alcohol- and drug-positive/impaired driving;
- To assess the public's awareness, acceptance and opinions of laws on alcohol-involved and drugged driving;
- To obtain information helpful in the monitoring of progress in impaired driving safety programs and revealing areas that require further attention; and
- To add to the knowledge base supporting NHTSA's responsibilities for providing a sound scientific basis for the development of countermeasure programs.

Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information): The potential respondents would be people aged 18 years or older who drive a passenger vehicle at least periodically. NHTSA would contact a maximum of 30,000 households via United States mail to obtain 7,000 completed questionnaires. The contact would consist of a screening instrument to determine survey eligibility. Eligible respondents would a member of the household who is at least 18 years of age and has driven at least once in the previous two weeks. A respondent would complete a single survey only; there will be no request for follow-up information or response.

Privacy Protections. Throughout the project, the privacy of all households and participants will be protected. Access to the online instrument will be controlled using an alphanumeric PIN, with access restricted to using encrypted connection via Secure Socket Layer (SSL) certificates. Personally-identifiable information such as the postal address of sample members will

be kept separate from the data collected, and stored in restricted folders on secure password-protected servers that are only accessible to study staff who have need to access them. The study data will be reported in aggregate only, and identifying information would not be used in any reports resulting from this data collection effort.

Total Estimated Time per Response. The expected average duration for the respondent selection is 0.10 hours (6 minutes) per respondent. The expected average duration to complete the online or paper questionnaire is 0.33 hours (20 minutes).

Total Estimated Annual Burden Hours. Of the 30,000 sampled addresses, NHTSA estimates that 9,348 respondents will complete the screening process at 0.10 hours per respondent, resulting in 935 annualized burden hours; and that 7,004 respondents will take the survey, resulting in 2,311 annualized burden hours. The participants would not incur any reporting cost from the information collection. The participants would also not incur any record keeping burden or record keeping cost from the information collection.

Authority: 44 U.S.C. Section 3506(c)(2)(A).

Issued in Washington, DC, on March 6, 2018.

Jeff Michael,

Associate Administrator, Research and Program Development.

[FR Doc. 2018–04750 Filed 3–8–18; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them. Additionally, OFAC is publishing an update to the identifying information of persons currently included in the Specially Designated Nationals and Blocked Persons List.

DATES: See **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT:

OFAC: 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; Assistant Director for Regulatory Affairs, tel.: 202–622–4855; or the Department of the Treasury's Office of the General Counsel: Office of the Chief Counsel (Foreign Assets Control), tel.: 202–622–2410.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The Specially Designated Nationals and Blocked Persons List (SDN List) and additional information concerning OFAC sanctions programs are available on OFAC's website (*http://www.treasury.gov/ofac*).

Notice of OFAC Actions

On March 6, 2018, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authority listed below.

Individuals

1. AVILA ROCHA, Maria Monserrat (Latin: ÁVILA ROCHA, María Monserrat) (a.k.a. AVILA DE LA ROCHA, Maria Monserrate; a.k.a. AVILA ROCHA, Maria Monserrate), Genaro Estrada, Sinaloa, Sinaloa 81960, Mexico; DOB 11 Feb 1960; citizen Mexico; Gender Female; I.F.E. AVRCMN60021125M800 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION). Designated pursuant to section 805(b)(3) of the Foreign Narcotics Kingpin Designation Act (''Kingpin Act''), 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION.

2. RIVERA SANDOVAL, Reyna Isabel, Genaro Estrada, Sinaloa, Sinaloa 81960, Mexico; DOB 01 Nov 1980; POB Sinaloa, Sinaloa, Mexico; citizen Mexico; Gender Female; R.F.C. RISR801101P90 (Mexico); C.U.R.P. RISR801101MSLVNY00 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION). Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION.

3. RIVERA GUERRERO, Raquel, Genaro Estrada, Sinaloa, Sinaloa, Mexico; DOB 29 Aug 1987; POB Sinaloa, Sinaloa, Mexico; citizen Mexico; Gender Female; R.F.C. RIGR8708294Z0 (Mexico); C.U.R.P. RIGR870829MSLVRQ04 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION). Designated pursuant to section 805(b)(2) of the Kingpin Act, 21 U.S.C. 1904(b)(2), for materially assisting in, or providing financial or technological support for or to, or providing goods or services in support of, the international narcotics trafficking activities of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION and Joel Efren RUELAS AVILA. Also designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION and Joel Efren RUELAS AVILA.

4. RUELAS AVILA, Patricia Lourdes (Latin: RUELAS ÁVILA, Patricia Lourdes), Genaro Estrada, Sinaloa, Sinaloa 81960, Mexico; DOB 07 Apr 1983; POB Sinaloa, Sinaloa, Mexico; citizen Mexico; Gender Female; R.F.C. RUAP830407MS8 (Mexico); C.U.R.P. RUAP830407MSLLVT03 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION). Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION and Joel Efren RUELAS AVILA.

5. RUELAS AVILA, Trinidad (Latin: RUELAS ÁVILA, Trinidad), Genaro Estrada, Sinaloa, Sinaloa, Mexico; DOB 06 Aug 1989; POB Sinaloa, Sinaloa, Mexico; citizen Mexico; Gender Male; R.F.C. RUAT890806BA4 (Mexico); C.U.R.P. RUAT890806HSLLVR06 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION). Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION and Jose Luis RUELAS AVILA.

6. RUELAS AVILA, Jose Maria (Latin: RUELAS ÁVILA, José María), Mexico; DOB 15 Aug 1977; POB Guasave, Sinaloa, Mexico; citizen Mexico; Gender Male; R.F.C. RUAM770815791 (Mexico); C.U.R.P. RUAM770815HSLLVR05 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION). Designated pursuant to section 805(b)(2) of the Kingpin Act, 21 U.S.C. 1904(b)(2), for materially assisting in, or providing financial or technological support for or to, or providing goods or services in support of, the international narcotics trafficking activities of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION. Also designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION.

7. SANCHEZ MEDRANO, Cruz (Latin: SÁNCHEZ MEDRANO, Cruz) (a.k.a. ''CRUZITA''), Genaro Estrada, Sinaloa, Sinaloa 81960, Mexico; DOB 01 Nov 1980; POB Sinaloa, Sinaloa, Mexico; citizen Mexico; Gender Female; R.F.C. SAMC790809JD5 (Mexico); C.U.R.P.

SAMC801101MSLNDR06 (Mexico) (individual) [SDNTK] (Linked To: CRUZITA NOVEDADES; Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION). Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION.

8. SANCHEZ MEDRANO, Pedro (Latin: SÁNCHEZ MEDRANO, Pedro), Genaro Estrada, Sinaloa, Sinaloa, Mexico; DOB 05 Nov 1976; POB Los Mochis, Ahome, Sinaloa, Mexico; citizen Mexico; Gender Male; R.F.C. SAMP761105FK4 (Mexico); C.U.R.P. SAMP761105HSLNDD01 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION). Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION.

Entities

1. AGRICOLA RUELAS, S.P.R. DE R.I. (a.k.a. ''AGRICOLA RUELAS'' SOCIEDAD DE PRODUCCION RURAL DE RESPONSABILIDAD ILIMITADA), Av. Victor C Miranda SN, Genaro Estrada Poste 112, Sinaloa, Sinaloa C.P. 81960, Mexico; Poblado Genaro Estrada, Municipio de Sinaloa, Sinaloa, Mexico; R.F.C. ARU010206T27 (Mexico); National ID No. 25RQ00000933 (Mexico); Folio Mercantil No. C 4892138 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION.

2. ALONDRA PRODUCE, S.P.R. DE R.I. (a.k.a. ''ALONDRA PRODUCE'', SOCIEDAD DE PRODUCCION RURAL DE RESPONSABILIDAD ILIMITADA), Genaro Estrada, Municipio de Sinaloa, Sinaloa, Mexico; Business Registration Document # CUD: A201404010921001167 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, Jose Luis RUELAS AVILA.

3. COMERCIALIZADORA GAEL 4, S.A. DE C.V. (a.k.a. COMERCIALIZADORA GAEL 4, SOCIEDAD ANONIMA DE CAPITAL VARIABLE), Poblado Genaro Estrada, Sinaloa, Sinaloa, Mexico; Business Registration Document # CUD: A201510131236131441 (Mexico); Folio Mercantil No. 178794 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION.

4. CONSTRUCTORA JOEL, S.A. DE C.V., Calle 14, Poste 111, Trinidad Fuentes Ruperto, Genaro Estrada, Municipio de Sinaloa, Sinaloa, Mexico; Genaro Estrada, Sinaloa, Sinaloa, Mexico; Business Registration Document # CUD: A201309051409325760 (Mexico); Folio Mercantil No. 168964 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of Joel Efren RUELAS AVILA.

5. CONSTRUCTORA VANIA, S.A. DE C.V., Calle 14, Poste 111, Trinidad Fuentes Ruperto, Genaro Estrada, Municipio de Sinaloa, Sinaloa, Mexico; Genaro Estrada, Sinaloa, Sinaloa, Mexico; Business Registration Document # CUD: A201309051410465765 (Mexico); Folio Mercantil No. 168954 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION and Joel Efren RUELAS AVILA.

6. CRUZITA NOVEDADES (a.k.a. NOVEDADES CRUZITA), Sinaloa, Sinaloa 81960, Mexico [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, Cruz SANCHEZ MEDRANO.

7. DISPERSORA GAEL, S.A. DE C.V., Poblado Genaro Estrada, Sinaloa, Sinaloa, Mexico; Business Registration Document # CUD: A201405281136157818 (Mexico); Folio Mercantil No. 172714 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, the RUELAS TORRES DRUG TRAFFICKING ORGANIZATION.

8. FELIXTAPIA, S.C. DE R.L. DE C.V., Sinaloa de Leyva, Sinaloa, Mexico; Business Registration Document # CUD: A201501211805106744 (Mexico); Folio Mercantil No. 175774 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, Hector Librado RIVERA SANDOVAL.

Additionally, on March 6, 2018, OFAC updated the SDN List for the following persons, whose property and interests in property subject to U.S. jurisdiction continue to be blocked under the Kingpin Act.

Individuals

1. RIVERA SANDOVAL, Hector Librado (Latin: RIVERA SANDOVAL, Héctor Librado), La Playita, Sinaloa, Sinaloa, Mexico; DOB 03 Jun 1982; POB Sinaloa, Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. RISH820603HSLVNC07 (Mexico); RFC RISH820603V75 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION).

2. RUELAS AVILA, Jose Luis (Latin: RUELAS ÁVILA, José Luis), C 14 S/N, Loc Genaro Estrada, Sinaloa, Sinaloa 81960, Mexico; DOB 11 Mar 1981; POB Sinaloa, Sinaloa, Mexico; nationality Mexico; Gender Male; R.F.C. RUAL810311933 (Mexico); C.U.R.P. RUAL810311HSLLVS02 (Mexico); I.F.E. RLAVLS81031125H800 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION).

3. RUELAS AVILA, Joel Efren (Latin: RUELAS ÁVILA, Joel Efren), Calle 10 Sin Numero, Localidad Genaro Estrada, Sinaloa, Mexico; DOB 20 Sep 1978; POB Guasave, Sinaloa, Mexico; nationality Mexico; Gender Male; R.F.C. RUAJ780920C10 (Mexico); C.U.R.P. RUAJ780920HSLLVL02 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION).

The listings for these previously designated persons now appear as follows:

Individuals

1. RIVERA SANDOVAL, Hector Librado (Latin: RIVERA SANDOVAL, Héctor Librado), La Playita, Sinaloa, Sinaloa, Mexico; DOB 03 Jun 1982; POB Sinaloa, Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. RISH820603HSLVNC07 (Mexico); RFC RISH820603V75 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION; Linked To: FELIXTAPIA, S.C. DE R.L. DE C.V.).

2. RUELAS AVILA, Jose Luis (Latin: RUELAS ÁVILA, José Luis), C 14 S/N, Loc Genaro Estrada, Sinaloa, Sinaloa 81960, Mexico; DOB 11 Mar 1981; POB Sinaloa, Sinaloa, Mexico; nationality Mexico; Gender Male; R.F.C. RUAL810311933 (Mexico); C.U.R.P. RUAL810311HSLLVS02 (Mexico); I.F.E. RLAVLS81031125H800 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION; Linked To: ALONDRA PRODUCE, S.P.R. DE R.I.).

3. RUELAS AVILA, Joel Efren (Latin: RUELAS ÁVILA, Joel Efren), Calle 10 Sin Numero, Localidad Genaro Estrada, Sinaloa, Mexico; DOB 20 Sep 1978; POB Guasave, Sinaloa, Mexico; nationality Mexico; Gender Male; R.F.C. RUAJ780920C10 (Mexico); C.U.R.P. RUAJ780920HSLLVL02 (Mexico) (individual) [SDNTK] (Linked To: RUELAS TORRES DRUG TRAFFICKING ORGANIZATION; Linked To: CONSTRUCTORA JOEL, S.A. DE C.V.; Linked To: CONSTRUCTORA VANIA, S.A. DE C.V.).

Dated: March 6, 2018.

John E. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2018–04748 Filed 3–8–18; 8:45 am]

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Vol. 83, No. 47

Friday, March 9, 2018

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