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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0093; Product Identifier 2017–CE–047–AD; Amendment 39–19284; AD 2018–10–09]

RIN 2120–AA64

Airworthiness Directives; DG Flugzeugbau GmbH Gliders

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

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2017–11–03 for DG Flugzeugbau GmbH Model DG–500MB gliders that are equipped with a Solo 2625 02 engine modified with a fuel injection system following the instructions of Solo Kleinmoteren GmbH Technische Mitteilung 4600–3 and identified as Solo 2625 02i. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as failure of the connecting rod bearing resulting from too much load on the rod bearings from the engine control unit. This AD adds a model to the applicability. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective June 26, 2018.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of June 29, 2017 (82 FR 24015; May 25, 2017).

ADDRESSES: You may examine the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0093; or in person at Docket Operations, U.S. Department of Transportation, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

For service information identified in this AD, contact Solo Kleinmotoren GmbH, Postfach 600152, 71050 Sindelfingen, Germany; telephone: +49 703 1301–0; fax: +49 703 1301–136; email: *aircraft@solo-germany.com;* internet: *http://aircraft.solo-online.com.* You may review copies of the referenced service information at the FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

FOR FURTHER INFORMATION CONTACT: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: *jim.rutherford@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to DG Flugzeugbau GmbH Models DG–500MB and DG–1000M gliders. That NPRM was published in the **Federal Register** on February 12, 2018 (83 FR 5956), and proposed to supersede AD 2017–11–03, Amendment 39–18902 (82 FR 24015; May 25, 2017) (''AD 2017–11–03''). Since we issued AD 2017–11–03, the FAA has now type certificated the DG Flugzeugbau GmbH Model DG–1000M glider and that glider model is equipped with a Solo 2625 02i engine. Since this model has the same engine, it is subject to the same unsafe condition in AD 2017–11–03.

The NPRM proposed to correct an unsafe condition for the specified products and was based on mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country. You may examine the MCAI on the internet at: *https://www.regulations.gov/document?D=FAA-2017-0158-0002.*

Comments

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

Conclusion

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

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

Related Service Information Under 1 CFR Part 51

We reviewed Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin) Nr. 4600–6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016, approved for incorporation by reference on June 29, 2017 (82 FR 24015; May 25, 2017). The service information describes procedures for a software update that provides new settings to the engine control unit (ECU) to lower the load on the bearings of the crankshaft. 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 of this AD.

Costs of Compliance

We estimate that this AD will affect 6 products of U.S. registry. We also estimate that it would take about 2 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour.

Based on these figures, we estimate the cost of this AD on U.S. operators to be $1,020, or $170 per product.

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 small airplanes, gliders, balloons, airships, domestic business jet transport airplanes, and associated appliances to the Director of the Policy and Innovation 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 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.

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–2018–0093; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory 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.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Amendment 39–18902 (82 FR 24015; May 25, 2017) and adding the following new AD:

2018–10–09 DG Flugzeugbau GmbH: Amendment 39–19284; Docket No. FAA–2018–0093; Product Identifier 2017–CE–047–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective June 26, 2018.

(b) Affected ADs

This AD supersedes AD 2017–11–03, Amendment 39–18902 (82 FR 24015; May 25, 2017) (''AD 2017–11–03'').

(c) Applicability

This AD applies to DG Flugzeugbau GmbH Models DG–500MB and DG–1000M gliders, all serial numbers, certificated in any category, that are:

(1) Equipped with Solo 2625 02 engine modified with a fuel injection system following the instructions of Solo Kleinmotoren GmbH Service Bulletin (SB)/Technische Mitteilung (TM) 4600–3 ''Fuel Injection System'' and re-identified as Solo 2625 02i; or

(2) equipped with a Solo 2625 02i engine at manufacture and have engine serial numbers S/Ns up to 369/207, except engine S/Ns 354/194, 356/196, 357/197, 358/198, 361/201, 362/202, 363/203, 364/204, and 368/206.

(d) Subject

Air Transport Association of America (ATA) Code 73: Engine fuel and control.

(e) Reason

This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as failure of the connecting rod bearing resulting from too much load on the rod bearings from the engine control unit. This AD results from the need to add a glider model to the applicability. We are issuing this AD to prevent such failure that could lead to the potential of an in-flight shut-down and engine fire and result in loss of control.

(f) Actions and Compliance

(1) Unless already done, modify the engine by installing a software update for the engine control unit (ECU) following the actions in Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin), Nr. 4600–6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016, at the applicable compliance time in paragraph (f)(1)(i) or (ii) of this AD.

(i) For Model DG–500MB gliders, within the next 60 days after June 29, 2017 (the effective date of AD 2017–11–03); or

(ii) For Model DG–1000M gliders, within the next 60 days after the effective date of this AD.

(2) After the modification of an engine as required by paragraph (f)(1)(i) or (f)(1)(ii) of this AD, do not install a replacement ECU on that engine and do not upload any software update to the ECU of that engine unless the ECU software version is as specified in Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin), Nr. 4600–6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016.

(3) The Note in Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin), Nr. 4600–6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016, stating ''the actions have to be accomplished by a certified maintenance organization and must be released to service accordingly'' is not applicable to this AD.

Note 1 to paragraph (f) of this AD: This service information contains German to English translation. The EASA used the English translation in referencing the document. For enforceability purposes, we will refer to the Solo Kleinmotoren service information as it appears on the document.

(g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Small Airplane Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: *jim.rutherford@faa.gov.* Before using any approved AMOC on any glider to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(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, Small Airplane Standards Branch, FAA; or the European Aviation Safety Agency (EASA).

(h) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2016–0254, dated

December 15, 2016, correction dated January 4, 2017, for related information. You may examine the MCAI on the internet at: *https://www.regulations.gov/document?D=FAA-2017-0158-0002.*

(i) Material Incorporated by Reference

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

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

(3) The following service information was approved for IBR on June 29, 2017 (82 FR 24015; May 25, 2017).

(i) Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin), Nr. 4600–6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016.

(ii) Reserved.

Note 2 to paragraph (i)(3)(i) of this AD: This service information contains German to English translation. The EASA used the English translation in referencing the document. For enforceability purposes, we will refer to the Solo Kleinmotoren service information as it appears on the document.

(4) For service information identified in this AD, contact Solo Kleinmotoren GmbH, Postfach 600152, 71050 Sindelfingen, Germany; telephone: +49 703 1301–0; fax: +49 703 1301–136; email: *aircraft@solo-germany.com;* internet: *http://aircraft.solo-online.com.*

(5) You may view this service information at FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call 816–329–4148. In addition, you can access this service information on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0093.

(6) 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 Kansas City, Missouri, on May 11, 2018.

Melvin J. Johnson,

Aircraft Certification Service, Deputy Director, Policy and Innovation Division, AIR–601.

[FR Doc. 2018–10583 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–13–P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 30

Foreign Futures and Options Transactions

AGENCY: Commodity Futures Trading Commission.

ACTION: Order.

SUMMARY: The Commodity Futures Trading Commission (Commission or CFTC) is granting an exemption to certain member firms designated by the National Stock Exchange of India Ltd. (NSE) from the application of certain of the Commission's foreign futures and option regulations based upon substituted compliance with certain comparable regulatory and self-regulatory requirements of a foreign regulatory authority consistent with conditions specified by the Commission, as set forth herein. This Order is issued pursuant to Commission Regulation 30.10, which permit persons to file a petition with the Commission for exemption from the application of certain of the Regulations set forth in part 30 and authorizes the Commission to grant such an exemption if such action would not be otherwise contrary to the public interest or to the purposes of the provision from which exemption is sought. The Commission notes that this Order does not pertain to any transaction in swaps, as defined in Section 1a(47) of the Commodity Exchange Act (Act).

DATES: Effective May 22, 2018.

FOR FURTHER INFORMATION CONTACT: Andrew V. Chapin, Associate Chief Counsel, (202) 418–5465, *achapin@cftc.gov,* or Scott W. Lee, Special Counsel, (202) 418–5090, *slee@cftc.gov,* Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street NW, Washington, DC 20581.

SUPPLEMENTARY INFORMATION: The Commission has issued the following Order:

Order Under CFTC Regulation 30.10 Exempting Firms Designated by the National Stock Exchange of India Ltd. (NSE) From the Application of Certain of the Foreign Futures and Option Regulations the Later of the Date of Publication of the Order Herein in the *Federal Register* or After Filing of Consents by Such Firms and NSE, as Appropriate, to the Terms and Conditions of the Order Herein.

Commission Regulations governing the offer and sale of commodity futures and option contracts traded on or subject to the regulations of a foreign board of trade to customers located in the U.S. are contained in part 30 of the Commission's regulations.[1] These regulations include requirements for intermediaries with respect to registration, disclosure, capital adequacy, protection of customer funds, recordkeeping and reporting, and sales practice and compliance procedures that are generally comparable to those applicable to transactions on U.S. markets.

In formulating a regulatory program to govern the offer and sale of foreign futures and option products to customers located in the U.S., the Commission, among other things, considered the desirability of ameliorating the potential impact of such a program. Based upon these considerations, the Commission determined to permit persons located outside the U.S. and subject to a comparable regulatory structure in the jurisdiction in which they were located to seek an exemption from certain of the requirements under part 30 of the Commission's regulations based upon substituted compliance with the regulatory requirements of the foreign jurisdiction.[2]

Appendix A to part 30, ''Interpretative Statement With Respect to the Commission's Exemptive Authority Under § 30.10 of Its Rules'' (Appendix A), generally sets forth the elements the Commission will evaluate in determining whether a particular regulatory program may be found to be comparable for purposes of exemptive relief pursuant to Regulation 30.10.[3] These elements include: (1) registration, authorization or other form of licensing, fitness review or qualification of persons that solicit and accept customer orders; (2) minimum financial requirements for those persons who accept customer funds; (3) protection of customer funds from misapplication; (4) recordkeeping and reporting requirements; (5) sales practice standards; (6) procedures to audit for compliance with, and to take action against those persons who violate, the requirements of the program; and (7) information sharing arrangements between the Commission and the appropriate governmental and/or self-regulatory organization to ensure Commission access on an ''as needed'' basis to information essential to maintaining standards of customer and market protection within the U.S.

Moreover, the Commission specifically stated in adopting Regulation 30.10 that no exemption of a general nature would be granted unless the persons to whom the exemption is to be applied: (1) submit to jurisdiction in the U.S. by designating an agent for service of process in the U.S. with

[1] Commission regulations referred to herein are found at 17 CFR Chapter I.

[2] ''Foreign Futures and Foreign Options Transactions,'' 52 FR 28290 (Aug. 5, 1987).

[3] 52 FR 28990, 29001.

respect to transactions subject to part 30 and filing a copy of the agency agreement with the National Futures Association (NFA); (2) agree to provide access to their books and records in the U.S. to the Commission and Department of Justice representatives; and (3) notify NFA of the commencement of business in the U.S.[4]

On August 2, 2007, NSE petitioned the Commission on behalf of its member firms, located and conducting a financial investment business in the Republic of India, for an exemption from the application of the Commission's part 30 Regulations to those firms. NSE amended its petition on various occasions with additional information. In support of its petition, NSE stated that granting such an exemption with respect to such firms that it has authorized to conduct foreign futures and option transactions on behalf of customers located in the U.S. would not be contrary to the public interest or to the purposes of the provisions from which the exemption is sought because such firms are subject to a regulatory framework comparable to that imposed by the Act and the regulations thereunder.

Based upon a review of the petition, supplementary materials filed by NSE, the Commission has concluded that the standards for relief set forth in Regulation 30.10 and, in particular, Appendix A thereof, have been met and that compliance with applicable Indian law and NSE rules may be substituted for compliance with those sections of the Act and regulations thereunder more particularly set forth herein.

By this Order, the Commission hereby exempts, subject to specified conditions, those firms identified to the Commission by NSE as eligible for the relief granted herein from:

- Registration with the Commission for firms and for firm representatives;
- The requirement in Commission Regulation 30.6(a) and (d), 17 CFR 30.6(a) and (d), that firms provide customers located in the U.S. with the risk disclosure statements in Commission Regulation 1.55(b), 17 CFR 1.55(b), and Commission Regulation 33.7, 17 CFR 33.7, or as otherwise approved under Commission Regulation 1.55(c), 17 CFR 1.55(c);
- The separate account requirement contained in Commission Regulation 30.7, 17 CFR 30.7;
- Those sections of part 1 of the Commission's financial regulations that apply to foreign futures and options sold in the U.S. as set forth in part 30; and
- Those sections of part 1 of the Commission's regulations relating to books and records which apply to transactions subject to part 30,

based upon substituted compliance by such persons with the applicable statutes and regulations in effect in India.

This determination to permit substituted compliance is based on, among other things, the Commission's finding that the regulatory framework governing persons in India who would be exempted hereunder provides:

(1) A system of qualification or authorization of firms who deal in transactions subject to regulation under part 30 that includes, for example, criteria and procedures for granting, monitoring, suspending and revoking licenses, and provisions for requiring and obtaining access to information about authorized firms and persons who act on behalf of such firms;

(2) Financial requirements for firms including, without limitation, a requirement for a minimum level of working capital and daily mark-to-market settlement and/or accounting procedures;

(3) A system for the protection of customer assets that is designed to preclude the use of customer assets to satisfy house obligations and requires separate accounting for such assets;

(4) Recordkeeping and reporting requirements pertaining to financial and trade information;

(5) Sales practice standards for authorized firms and persons acting on their behalf that include, for example, required disclosures to prospective customers and prohibitions on improper trading advice;

(6) Procedures to audit for compliance with, and to redress violations of, the customer protection and sales practice requirements referred to above, including, without limitation, an affirmative surveillance program designed to detect trading activities that take advantage of customers, and the existence of broad powers of investigation relating to sales practice abuses; and

(7) Mechanisms for sharing of information between the Commission, NSE and the Indian regulatory authorities on an ''as needed'' basis including, without limitation, confirmation data, data necessary to trace funds related to trading futures products subject to regulation in India, position data, and data on firms' standing to do business and financial condition.

Commission staff has concluded, upon review of the petition of NSE and accompanying exhibits, that NSE's regulation of financial futures and options intermediaries is comparable to that of the U.S. in the areas specified in Appendix A of part 30, as described above.

This Order does not provide an exemption from any provision of the Act or regulations thereunder not specified herein, such as the antifraud provision in Regulation 30.9. Moreover, the relief granted is limited to brokerage activities undertaken on behalf of customers located in the U.S. with respect to transactions entered on or subject to the rules of NSE for products that customers located in the U.S. may trade.[5] The relief does not extend to regulations relating to trading, directly or indirectly, on U.S. exchanges, and does not pertain to any transaction in swaps, as defined in Section 1a(47) of the Act. For example, a NSE member trading in U.S. markets for its own account would be subject to the Commission's large trader reporting requirements.[6] Similarly, if such a firm were carrying positions on a U.S. exchange on behalf of foreign clients and submitted such transactions for clearing on an omnibus basis through a firm registered as a futures commission merchant under the Act, it would be subject to the reporting requirements applicable to foreign brokers.[7] The relief herein is inapplicable where the firm solicits or accepts orders from customers located in the U.S. for transactions on U.S. markets. In that case, the firm must comply with all applicable U.S. laws and regulations, including the requirement to register in the appropriate capacity.

The eligibility of any firm to seek relief under this exemptive Order is subject to the following conditions:

(1) The NSE, as the self-regulatory organization responsible for monitoring the compliance of such firms with the regulatory requirements described in the Regulation 30.10 petition, must represent in writing to the Commission that:

(a) Each firm for which relief is sought is registered, licensed or authorized, as appropriate, and is otherwise in good standing under the standards in place in India; such firm is engaged in business with customers located in India as well as in the U.S.; and such firm and its principals and employees who engage in activities subject to part 30 would not be statutorily disqualified from registration under Section 8a(2) of the Act, 7 U.S.C. 12a(2);

[4] 52 FR 28980, 28981 and 29002.

[5] *See, e.g.,* Sections 2(a)(1)(C) and (D) of the Act.

[6] *See, e.g.,* 17 CFR part 18.

[7] *See, e.g.,* 17 CFR parts 17 and 21.

(b) It will monitor firms to which relief is granted for compliance with the regulatory requirements for which substituted compliance is accepted and will promptly notify the Commission or NFA of any change in status of a firm that would affect its continued eligibility for the exemption granted hereunder, including the termination of its activities in the U.S.;

(c) All transactions with respect to customers located in the U.S. will be made subject to the regulations of NSE;

(d) It will provide the Commission with prompt notice of all material changes to the relevant laws in India, any rules promulgated thereunder, and NSE rules, including, but not limited to NSE's authorization, licensure or registration, as applicable;

(e) Customers located in the U.S. will be provided no less stringent regulatory protection than India customers under all relevant provisions of Indian law; and

(f) It will cooperate with the Commission with respect to any inquiries concerning any activity subject to regulation under the part 30 Regulations, including sharing the information specified in Appendix A on an ''as needed'' basis and will use its best efforts to notify the Commission if it becomes aware of any information that in its judgment affects the financial or operational viability of a member firm doing business in the U.S. under the exemption granted by this Order.

(2) Each firm seeking relief hereunder must represent in writing that it:

(a) Is located outside the U.S., its territories and possessions and, where applicable, has subsidiaries or affiliates domiciled in the U.S. with a related business (*e.g.,* banks and broker/dealer affiliates) along with a brief description of each subsidiary's or affiliate's identity and principal business in the U.S.;

(b) Consents to jurisdiction in the U.S. under the Act by filing a valid and binding appointment of an agent in the U.S. for service of process in accordance with the requirements set forth in Regulation 30.5;

(c) Agrees to provide access to its books and records related to transactions under part 30 required to be maintained under the applicable statutes and regulations in effect in India upon the request of any representative of the Commission or U.S. Department of Justice at the place in the U.S. designated by such representative, within 72 hours, or such lesser period of time as specified by that representative as may be reasonable under the circumstances after notice of the request;

(d) Has no principal or employee who solicits or accepts orders from customers located in the U.S. who would be disqualified under Section 8a(2) of the Act, 7 U.S.C. 12a(2), from doing business in the U.S.;

(e) Consents to participate in any NFA arbitration program that offers a procedure for resolving customer disputes on the papers where such disputes involve representations or activities with respect to transactions under part 30, and consents to notify customers located in the U.S. of the availability of such a program; *provided, however,* that the firm may require its customers located in the U.S. to execute a consent concerning the exhaustion of certain mediation or conciliation procedures made available by NSE prior to bringing an NFA arbitration proceeding; and

(f) Undertakes to comply with the applicable provisions of Indian laws and NSE rules that form the basis upon which this exemption from certain provisions of the Act and regulations thereunder is granted.

As set forth in the Commission's September 11, 1997 Order delegating to NFA certain responsibilities, the written representations set forth in paragraph (2) shall be filed with NFA.[8] Each firm seeking relief hereunder has an ongoing obligation to notify NFA should there be a material change to any of the representations required in the firm's application for relief.

This Order will become effective as to any designated NSE firm the later of the date of publication of the Order in the **Federal Register** or the filing of the consents set forth in paragraphs (2)(a)–(f). Upon filing of the notice required under paragraph (1)(b) as to any such firm, the relief granted by this Order may be suspended immediately as to that firm. That suspension will remain in effect pending further notice by the Commission, or the Commission's designee, to the firm and NSE.

This Order is issued pursuant to Regulation 30.10 based on the representations made and supporting material provided to the Commission and the recommendation of the staff, and is made effective as to any firm granted relief hereunder based upon the filings and representations of such firms required hereunder. Any material changes or omissions in the facts and circumstances pursuant to which this Order is granted might require the Commission to reconsider its finding that the standards for relief set forth in Regulation 30.10 and, in particular, Appendix A, have been met. Further, if experience demonstrates that the continued effectiveness of this Order in general, or with respect to a particular firm, would be contrary to public policy or the public interest, or that the systems in place for the exchange of information or other circumstances do not warrant continuation of the exemptive relief granted herein, the Commission may condition, modify, suspend, terminate, withhold as to a specific firm, or otherwise restrict the exemptive relief granted in this Order, as appropriate, on its own motion.

The Commission will continue to monitor the implementation of its program to exempt firms located in jurisdictions generally deemed to have a comparable regulatory program from the application of certain of the foreign futures and option regulations and will make necessary adjustments if appropriate.

Issued in Washington, DC, on May 17, 2018, by the Commission.

Robert Sidman,

Deputy Secretary of the Commission.

Appendix to Foreign Futures and Options Transactions—Commission Voting Summary

On this matter, Chairman Giancarlo and Commissioners Quintenz and Behnam voted in the affirmative. No Commissioner voted in the negative.

[FR Doc. 2018–10902 Filed 5–21–18; 8:45 am]

BILLING CODE 6351–01–P

[8] 62 FR 47792, 47793 (Sept. 11, 1997). Among other duties, the Commission authorized NFA to receive requests for confirmation of Regulation 30.10 relief on behalf of particular firms, to verify such firms' fitness and compliance with the conditions of the appropriate Regulation 30.10 Order and to grant exemptive relief from registration to qualifying firms.

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

[Docket No. SSA–2018–0016]

RIN 0960–AI28

Extension of Expiration Date for Endocrine Disorders Body System Listings

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: We are extending the expiration date of Endocrine Disorders body system in the Listing of Impairments (listings) in our regulations. We are making no other revisions to the body system in this final rule. This extension ensures that we will continue to have the criteria we need to evaluate impairments in the affected body system at step three of the

sequential evaluation processes for initial claims and continuing disability reviews.

DATES: This final rule is effective May 22, 2018.

FOR FURTHER INFORMATION CONTACT: Cheryl A. Williams, Director, Office of Medical Policy, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 965–1020. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213, or TTY 1–800–325–0778, or visit our internet site, Social Security Online, at *http://www.socialsecurity.gov.*

SUPPLEMENTARY INFORMATION:

Background

We use the listings in appendix 1 to subpart P of part 404 of 20 CFR at the third step of the sequential evaluation process to evaluate claims filed by adults and children for benefits based on disability under the title II and title XVI programs.[1] 20 CFR 404.1520(d), 416.920(d), 416.924(d). The listings are in two parts: Part A has listings criteria for adults and Part B has listings criteria for children. If you are age 18 or over, we apply the listings criteria in Part A when we assess your impairment or combination of impairments. If you are under age 18, we first use the criteria in Part B of the listings when we assess your impairment(s). If the criteria in Part B do not apply, we may use the criteria in Part A when those criteria consider the effects of your impairment(s). 20 CFR 404.1525(b), 416.925(b).

Explanation of Changes

In this final rule, we are extending the date on which the Endocrine Disorders body system will no longer be effective as set out in the following chart:

Body system	Current expiration date	Extended expiration date
Endocrine Disorders (9.00 and 109.00)	June 8, 2018	June 26, 2020.

We continue to revise and update the listings on a regular basis, including those body systems not affected by this final rule.[2] We continue to evaluate the treatment of disorders in the Endocrine Disorders body system, and intend to update the listing affected by this final rule as necessary based on medical advances. Therefore, we are extending the expiration date listed above.

Regulatory Procedures

Justification for Final Rule

We follow the Administrative Procedure Act (APA) rulemaking procedures specified in 5 U.S.C. 553 in promulgating regulations. Section 702(a)(5) of the Social Security Act, 42 U.S.C. 902(a)(5). Generally, the APA requires that an agency provide prior notice and opportunity for public comment before issuing a final regulation. The APA provides exceptions to the notice-and-comment requirements when an agency finds there is good cause for dispensing with such procedures because they are impracticable, unnecessary, or contrary to the public interest.

We determined that good cause exists for dispensing with the notice and public comment procedures. 5 U.S.C. 553(b)(B). This final rule only extends the date on which the Endocrine Disorders body system listings will no longer be effective. It makes no substantive changes to our rules. Our current regulations[3] provide that we may extend, revise, or promulgate the body system listings again. Therefore, we determined that opportunity for prior comment is unnecessary, and we are issuing this regulation as a final rule.

In addition, for the reasons cited above, we find good cause for dispensing with the 30-day delay in the effective date of this final rule. 5 U.S.C. 553(d)(3). We are not making any substantive changes to the Endocrine Disorders body system listings. Without an extension of the expiration date for the Endocrine Disorders body system listings, we will not have the criteria we need to assess medical impairments in the body system at step three of the sequential evaluation processes. We therefore find it is in the public interest to make this final rule effective on the publication date.

Executive Order 12866, as Supplemented by Executive Order 13563

We consulted with the Office of Management and Budget (OMB) and determined that this final rule does not meet the requirements for a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. Therefore, OMB did not review it. We also determined that this final rule meets the plain language requirement of Executive Order 12866.

Regulatory Flexibility Act

We certify that this final rule does not have a significant economic impact on a substantial number of small entities because it affects only individuals. Therefore, a regulatory flexibility analysis is not required under the Regulatory Flexibility Act, as amended.

Paperwork Reduction Act

These rules do not create any new or affect any existing collections and, therefore, do not require Office of Management and Budget approval under the Paperwork Reduction Act.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security-Disability Insurance; 96.002, Social Security-Retirement Insurance; 96.004, Social Security-Survivors Insurance; 96.006, Supplemental Security Income)

List of Subjects in 20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-age, Survivors and Disability Insurance, Reporting and recordkeeping requirements, Social Security.

Nancy Berryhill,

Acting Commissioner of Social Security.

For the reasons set out in the preamble, we are amending appendix 1 to subpart P of part 404 of chapter III of title 20 of the Code of Federal Regulations as set forth below.

PART 404—FEDERAL OLD–AGE, SURVIVORS AND DISABILITY INSURANCE (1950–)

Subpart P—[Amended]

■ 1. The authority citation for subpart P of part 404 continues to read as follows:

Authority: Secs. 202, 205(a)–(b) and (d)–(h), 216(i), 221(a) and (h)–(j), 222(c), 223,

[1] We also use the listings in the sequential evaluation processes we use to determine whether a beneficiary's disability continues. See 20 CFR 404.1594, 416.994, and 416.994a.

[2] Since we last extended the expiration dates of the listings affected by this final rule in May 2016 (81 FR 32643), we published final rules revising the medical criteria for evaluating respiratory disorders (81 FR 37138 (2016)), neurological disorders (81 FR 43048 (2016)), mental disorders (81 FR 66137 (2016)), and human immunodeficiency virus (HIV) infection (81 FR 86915 (2016)).

[3] See the first sentence of appendix 1 to subpart P of part 404 of 20 CFR.

225, and 702(a)(5) of the Social Security Act (42 U.S.C. 402, 405(a)–(b) and (d)–(h), 416(i), 421(a) and (h)–(j), 422(c), 423, 425, and 902(a)(5)); sec. 211(b), Pub. L. 104–193, 110 Stat. 2105, 2189; sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. Amend appendix 1 to subpart P of part 404 by revising item 10 of the introductory text before Part A to read as follows:

Appendix 1 to Subpart P of Part 404—Listing of Impairments

* * * * *

10. Endocrine Disorders (9.00 and 109.00): June 26, 2020.

* * * * *

[FR Doc. 2018–10867 Filed 5–21–18; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2017–0460]

Drawbridge Operation Regulation; Shrewsbury River, Sea Bright, New Jersey

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations; request for comments.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Monmouth County Highway Bridge (alternatively referred to as the ''Sea Bright Bridge'' or the ''S–32 Bridge'') across the Shrewsbury River, mile 4.0, at Sea Bright, New Jersey. This deviation will test a proposed change to the drawbridge operation schedule to determine whether a permanent change to the schedule is warranted. This deviation will allow the bridge to operate under an alternate schedule that seeks to balance the seasonally high volume of roadway traffic crossing the bridge during peak hours with the existing needs of marine traffic.

DATES: This deviation is effective from 9 a.m. on May 25, 2018, to 7 p.m. on September 3, 2018.

Comments and related material must reach the Coast Guard on or before September 3, 2018.

ADDRESSES: You may submit comments identified by docket number USCG–2017–0460 using Federal eRulemaking Portal at *http://www.regulations.gov.*

See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this test deviation, call or email Ms. Donna Leoce, Project Officer, First Coast Guard District, telephone 212–514–4332, *donna.d.leoce@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Background, Purpose and Legal Basis

On July 18, 2017, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled, ''Drawbridge Operation Regulation; Shrewsbury River, Sea Bright, New Jersey'' in the **Federal Register** (82 FR 32777) soliciting comments on the proposed rule through September 18, 2017. In addition, Commander (dpb), First Coast Guard District published Public Notice 1–155 dated July 28, 2017.

The Monmouth County Highway Bridge, mile 4.0, across the Shrewsbury River at Sea Bright, New Jersey, has a vertical clearance of 15 feet at Mean High Water and 17 feet at Mean Low Water when the span is in the closed position. Vertical clearance is unlimited when the draw is open. Horizontal clearance is 75 feet. Waterway users include recreational vessels and a limited number of commercial vessels including tug/barge combinations.

The existing drawbridge regulation, 33 CFR 117.755, requires the draw of the Monmouth County Highway Bridge to open as follows:

The draw shall open on signal at all times; except that, from May 15 through September 30, on Saturday, Sunday and holidays, between 9 a.m. and 7 p.m., the draw need open only on the hour and half hour.

This regulation has been in effect since July 6, 2010. The owner of the bridge, the Monmouth County Board of Chosen Freeholders, requested a change to the drawbridge operating regulations given the increased volume of vehicular traffic crossing the bridge associated with the summer months. The increase of vehicular traffic has resulted in significant traffic congestion on either side of the bridge during peak travel hours. The owner of the bridge asserts traffic congestion will be relieved through reduction of required bridge openings for vessels.

Monmouth County also requested that from May 15 to September 30 the modified operating regulations presently encompassing Saturdays, Sundays, and holidays be expanded to include Fridays as well. Monmouth County posited that starting the modified weekend operating schedule on Friday will allow for more efficient and economical operation of the bridge, given the volume of vehicular traffic crossing the bridge at the beginning of the weekend.

The NPRM published in July 2017, if made a Final Rule, would permanently change the operating hours to allow the Monmouth County Highway Bridge to open as follows: The draw shall open on signal at all times; except that, from May 15 through September 30, on Friday, Saturday, Sunday and holidays, between 9 a.m. and 7 p.m., the draw need only open on the hour.

In response to the comments received, follow-up meetings with Monmouth County officials, and further review of bridge logs and traffic counts, the Coast Guard now proposes to test an alternate schedule by adjusting the proposed rule to allow the draw to open as follows: The draw shall open on signal at all times; except that, from the Friday before Memorial Day through Labor Day, on Friday, Saturday, Sunday and holidays, between 9 a.m. and 7 p.m., the draw need only open on the hour.

Before advancing the proposed rule to a final rule, the Coast Guard supports testing an alternate schedule for the 2018 boating season in order to better assess safety concerns and further compare roadway traffic counts versus requests for bridge openings. Monmouth County plans to record traffic counts during the Memorial Day, July 4th, and Labor Day time periods as well as additional one-week periods in July and August. Bridge tenders will also collect boat traffic data. Data from this test and further public comments will best inform our final decision.

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

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

II. 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 notice as being available in this 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.

Dated: May 17, 2018.

C.J. Bisignano,

Supervisory Bridge Management Specialist, First Coast Guard District.

[FR Doc. 2018–10872 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–0216]

Drawbridge Operation Regulation; Long Creek & Sloop Channel, Hempstead, NY

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Loop Parkway Bridge across Long Creek, mile 0.7, and Meadowbrook State Parkway Bridge across Sloop Channel, mile 12.8, both at Hempstead, New York. This deviation is necessary in order to facilitate a motorcycle ride event and allows both bridges to remain in the closed position for two hours.

DATES: This deviation is effective from 11 a.m. to 1 p.m. on September 30, 2018.

ADDRESSES: The docket for this deviation, USCG–2018–0216, is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH''. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Ms. Judy K. Leung-Yee, Bridge Management Specialist, First District Bridge Branch, U.S. Coast Guard; telephone 212–514–4336, email *Judy.K.Leung-Yee@uscg.mil.*

SUPPLEMENTARY INFORMATION: The event sponsor requested and the bridge owner for both bridges, the New York State Department of Transportation, concurred with this temporary deviation from the normal operating schedule to facilitate a public event, the Dee Snider's Motorcycle Ride to Benefit Melissa's Wish.

The Loop Parkway Bridge, mile 0.7, across Long Creek has a vertical clearance in the closed position of 21 feet at mean high water and 25 feet at mean low water. The existing bridge operating regulations are found at 33 CFR 117.799(f).

The Meadowbrook State Parkway Bridge, mile 12.8, across Sloop Channel has a vertical clearance in the closed position of 22 feet at mean high water and 25 feet at mean low water. The existing bridge operating regulations are found at 33 CFR 117.799(h).

Under this temporary deviation, the Loop Parkway Bridge and the Meadowbrook State Parkway Bridge may remain in the closed position between 11 a.m. and 1 p.m. on September 30, 2018. Both waterways are used primarily by seasonal recreational vessels and commercial fishing vessels. Coordination with Coast Guard Sector Long Island Sound has indicated no mariner objections to the proposed short-term closure of the draw. Vessels able to pass through the bridge in the closed position may do so at all times. The bridges will be able to open for emergencies and there is no immediate alternate route for vessels to pass.

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

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

Dated: May 17, 2018.

C.J. Bisignano,

Supervisory Bridge Management Specialist, First Coast Guard District.

[FR Doc. 2018–10940 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2018–0413]

Safety Zone; Annual Swim Around Key West, Key West, FL

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the temporary safety zone for the 42nd Annual Swim Around Key West, Key West, Florida from 9 a.m. until 6 p.m. on June 16, 2018. Our regulation for Recurring Safety Zones in Captain of the Port Key West Zone identifies the regulated area for this event. This action is necessary to ensure the safety of event participants and spectators. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the regulated area without approval from the Captain of the Port Key West or a designated representative.

DATES: The regulations in 33 CFR 165.786, Table to § 165.786, Item 6.2 will be enforced from 9 a.m. until 6 p.m. on June 16, 2018.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email Gregory Bergstrom, Sector Key West Waterways Management Department, Coast Guard; telephone (305) 292–8772; email *Greg.C.Bergstrom@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones in 33 CFR 165.786, Table to § 165.786, Item 6.2, from 9 a.m. until 6 p.m. on June 16, 2018 for the annual Swim Around Key West in Key West, Florida. This action prevents vessels from transiting areas specifically designated as safety zones during the periods of enforcement to ensure the protection of the maritime public and event participants from the hazards associated with the listed annual recurring events. During the enforcement period, no person or vessel may enter, transit through, anchor within, or remain

within the established regulated areas without approval from the Captain of the Port Key West or designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

The Coast Guard will provide notice of the regulated area by Local Notice to Mariners and Broadcast Notice to Mariners. If the Captain of the Port Key West determines that the regulated area need not be enforced for the full duration stated in this publication, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: May 17, 2018.

J.A. Janszen,

Captain, U.S. Coast Guard, Captain of the Port Key West.

[FR Doc. 2018–10860 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2018–0414]

Safety Zone; FKCC Swim Around Key West, Key West, FL

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the temporary safety zone for the Annual FKCC Swim Around Key West, in Key West, Florida from 9 a.m. until 6 p.m. on June 30, 2018. Our regulation for Recurring Safety Zones in Captain of the Port Key West Zone identifies the regulated area for this event. This action is necessary to ensure the safety of event participants and spectators. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the regulated area without approval from the Captain of the Port Key West or a designated representative.

DATES: The regulations in 33 CFR 165.786, Table to § 165.786, Line No. 6.1 will be enforced from 9 a.m. until 6 p.m. on June 30, 2018.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice of enforcement, call or email Gregory Bergstrom, Sector Key West Waterways Management Department, Coast Guard; telephone (305) 292–8772; email *Greg.C.Bergstrom@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones in 33 CFR 165.786, Table to § 165.786, Line No. 6.1, from 9 a.m. until 6 p.m. on June 30, 2018 for the annual FKCC Swim Around Key West in Key West, Florida. This action prevents vessels from transiting areas specifically designated as safety zones during the periods of enforcement to ensure the protection of the maritime public and event participants from the hazards associated with the listed annual recurring events. During the enforcement period, no person or vessel may enter, transit through, anchor within, or remain within the established regulated areas without approval from the Captain of the Port Key West or designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

The Coast Guard will provide notice of the regulated area by Local Notice to Mariners and Broadcast Notice to Mariners. If the Captain of the Port Key West determines that the regulated area need not be enforced for the full duration stated in this publication, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: May 17, 2018.

J.A. Janszen,

Captain, U.S. Coast Guard, Captain of the Port Key West.

[FR Doc. 2018–10861 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2018–0350]

Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone—Michigan City Summerfest Fireworks, Lake Michigan

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone in 33 CFR 165.929 for the Michigan City Summerfest Fireworks on a portion of Lake Michigan on July 4, 2018. This action is necessary and intended to ensure safety of life and property on navigable waters prior to, during, and immediately after the fireworks display. During the enforcement period listed below, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or a designated representative.

DATES: The regulation in 33 CFR 165.929 will be enforced for safety zone listed as (e)(35) in Table 165.929 from 9 p.m. through 10 p.m. on July 4, 2018.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email LT John Ramos, Waterways Management Division, Marine Safety Unit Chicago, U.S. Coast Guard; telephone (630) 986–2155, email *D09-DG-MSUChicago-Waterways@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the Michigan City Summerfest safety zone listed as item (e)(35) in Table 165.929 of 33 CFR 165.929 from 9 p.m. until 10 p.m. on July 4, 2018. This action is being taken to provide for the safety of life on a navigable waterway during the fireworks display. This safety zone encompasses all waters of Michigan City Harbor and Lake Michigan within the arc of a circle with a 1,000 foot radius from the launch site located in position 41°43.700′ N, 086°54.617′ W. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or a designated on-scene representative.

This notice of enforcement is issued under authority of 33 CFR 165.929, Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone and 5 U.S.C. 552 (a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this safety zone enforcement period via Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port Lake Michigan, or a designated on-scene representative may be contacted via Channel 16, VHF–FM or at (414) 747–7182.

Dated: May 3, 2018.

Thomas J. Stuhlreyer,

Captain, U.S. Coast Guard, Captain of the Port Lake Michigan.

[FR Doc. 2018–10891 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Part 414

[CMS–5522–F2]

RIN 0938–AT13

Medicare Program; CY 2018 Updates to the Quality Payment Program; and Quality Payment Program: Extreme and Uncontrollable Circumstance Policy for the Transition Year; Corrections

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

ACTION: Final rule with comment period and interim final rule with comment period; correction and correcting amendment.

SUMMARY: This document corrects technical errors that appeared in the final rule with comment period and interim final rule with comment period published in the **Federal Register** on November 16, 2017 entitled ''Medicare Program; CY 2018 Updates to the Quality Payment Program; and Quality Payment Program: Extreme and Uncontrollable Circumstance Policy for the Transition Year'' (hereinafter referred to as the ''CY 2018 Quality Payment Program final rule'').

DATES: This correction is effective May 22, 2018.

FOR FURTHER INFORMATION CONTACT:

Molly MacHarris, (410) 786–4461, for inquiries related to MIPS.

Benjamin Chin, (410) 786–0679, for inquiries related to APMs.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 2017–24067 (82 FR 53568), the final rule with comment period and interim final rule with comment period there were a number of technical errors that are identified and corrected in the Correction of Errors section of this correcting document. The provisions in this correction document are effective as if they had been included in the document published in the **Federal Register** on November 16, 2017. Accordingly, the corrections are applicable for program years beginning January 1, 2018.

II. Summary of Errors

A. Summary of Errors in Preamble

On page 53577, we inadvertently made an error in citing the incremental collection of information-related burden.

On page 53743, we inadvertently made an error in identifying the regulation text citation.

On page 53744, we inadvertently made an error in identifying the regulation text citation.

On page 53900, we inadvertently made an error in citing the reduction in burden cost relative to a baseline of continuing the policies in the CY 2017 Quality Payment Program final rule.

On page 53911, we inadvertently made an error in citing the estimated data submission burden for the Quality Payment Program.

On page 53925, we inadvertently made an error in citing the total estimated labor cost for annual recordkeeping and data submission.

On page 53925, we inadvertently made an error in citing the decrease in labor cost burden relative to the estimated baseline of continued transition year policies.

On page 53925, Table 74—Annual Recordkeeping And Submission Requirements

a. Sixth column titled ''Total annual burden cost'', second row, we inadvertently made an error in citing the total annual burden cost for QCDR and Registries self-nomination.

b. Sixth column titled ''Total annual burden cost'', nineteenth row, we inadvertently made an error in citing the total annual burden cost.

On page 53927, we inadvertently made an error in citing the reduction in burden costs in the Quality Payment Program Year 2 relative to Quality Payment Program Year 1.

On page 53950, we inadvertently made an error in citing the collection of information-related burden associated with the CY 2018 Quality Payment Program final rule with comment period.

On page 53950, we inadvertently made an error in citing the reduction in incremental collection of information-related burden associated with the CY 2018 Quality Payment Program final rule with comment period relative to the baseline burden of continuing the policies and information collections set forth in the CY 2017 Quality Program final rule.

On page 53950, Table 81—Additional Costs And Benefits, in the second column titled ''Costs/benefits'', second row, we inadvertently made an error in citing the incremental collection of information/Paperwork Reduction Act burden estimates.

B. Summary of Errors in Regulation Text

On page 53954, in the regulation text at § 414.1370(g)(1)(ii)(B), we inadvertently made errors in identifying the beginning CY performance period for which CMS calculates a quality improvement score for an APM Entity.

On page 53954, at 414.1370(h)(5)(i)(B), due to typographical errors, the percent values for the advancing care information performance category and the improvement activities performance category are incorrect.

On page 53957, we inadvertently made an error in identifying the regulation text citation.

On page 53961, at § 414.1420(d)(3)(i), we inadvertently deleted the existing regulation text regarding the expected expenditures standard.

C. Summary of Errors in Appendix

On page 53969, Table A.3. Average Change in Leg Pain following Lumbar Discectomy/Laminotomy, Quality #461, we inadvertently omitted the MAP recommendation description in the ''Rationale''.

On page 53970, Table A.4. Bone Density Evaluation for Patients with Prostate Cancer and Receiving Androgen Deprivation Therapy, Quality #462, we incorrectly identified the MAP recommendation description in the ''Rationale''.

On page 53971, Table A.5. Prevention of Post-Operative Vomiting (POV)—Combination Therapy (Pediatrics), Quality #463 we inadvertently omitted the MAP recommendation description in the ''Rationale''.

On page 53973, Table A.7. Uterine Artery Embolization Technique: Documentation of Angiographic Endpoints and Interrogation of Ovarian Arteries, Quality #465, we inadvertently omitted the MAP recommendation description in the ''Rationale''.

On page 53976, Table B.1. Allergy/Immunology in the first column titled ''Indicator'', third row, we inadvertently omitted the high priority symbol.

On page 53977, Table B.1. Allergy/Immunology (continued) in the first column titled ''Indicator'', second row, we inadvertently omitted the high priority symbol.

On page 53978, Table B.1. Allergy/Immunology (continued) in the first column titled ''Indicator'', third row, we inadvertently omitted the CORE measure and the high priority symbols.

On page 53985, Table B.3. Cardiology (continued) in the first column titled ''Indicator'',

a. Third row, we inadvertently omitted the CORE measure and the high priority symbols.

b. Fourth row, we inadvertently omitted the high priority symbol.

On page 53986, Table B.3. Cardiology (continued) in the first column titled

''Indicator'', first row, we inadvertently omitted the high priority symbol.

On page 53987, Table B.3. Cardiology (continued) in the first column titled ''Indicator'', fifth row, we inadvertently omitted the high priority symbol.

On page 53992, Table B.4. Gastroenterology (continued) in the first column titled ''Indicator'', third row, we inadvertently omitted the CORE measure symbol.

On page 53997, Table B.5. Dermatology (continued),

a. First column titled ''Indicator'', third row, we inadvertently omitted the high priority symbol.

b. Fifth column titled ''Data Submission Method'', second row, we inadvertently listed an incorrect claims submission method.

On page 54006, Table B.7. Family Medicine (continued) in the fourth column titled ''CMS E-measure ID'', fifth row, we inadvertently listed an incorrect E-measure ID.

On page 54007, Table B.7. Family Medicine (continued) in the first column titled ''Indicator'', second row, we inadvertently omitted the high priority symbol.

On page 54009, Table B.7. Family Medicine (continued) in the first column titled ''Indicator'', first and second rows, we inadvertently omitted the high priority symbol.

On page 54010, Table B.7. Family Medicine (continued),

a. Second column titled ''NQF#'', third row, due to a typographical error, we included an incorrect NQF#.

b. Ninth column titled ''Measure Steward'', third row, we inadvertently omitted the Centers for Medicare & Medicaid Services (CMS) as a co-steward.

On page 54012, Table B.7. Family Medicine (continued) in the first column titled ''Indicator'', fifth row, we inadvertently omitted the high priority symbol.

On page 54013, Table B.7. Family Medicine (continued) in the first column titled ''Indicator'', first row, we inadvertently omitted the high priority symbol.

On page 54023, Table B.8. Internal Medicine (continued), in the first column titled ''Indicator'', First and second rows, we inadvertently omitted the high priority symbol.

On pages 54024, Table B.8. Internal Medicine (continued),

a. Second column titled ''NQF#'', third row, due to a typographical error, we included an incorrect NQF#.

b. Ninth column titled ''Measure Steward'', third row, we inadvertently omitted the Centers for Medicare & Medicaid Services (CMS) as a co-steward.

On page 54027, Table B.8. Internal Medicine (continued), in the first column titled ''Indicator'', third and fifth rows, we inadvertently omitted the high priority symbol.

On page 54036, Table B.9. Obstetrics/Gynecology (continued), in the first column titled ''Indicator'', sixth row, we inadvertently omitted the high priority symbol.

On page 54037, Table B.9. Obstetrics/Gynecology (continued), in the first column titled ''Indicator'', second and fourth rows, we inadvertently omitted the high priority symbol.

On page 54038, Table B.9. Obstetrics/Gynecology (continued), ninth column, fourth row, we inadvertently listed an incorrect measure steward.

On page 54047, Table B.11. Orthopedic Surgery (continued) in the first column titled ''Indicator'', fifth row, we inadvertently omitted the high priority symbol.

On page 54049, Table B.11. Orthopedic Surgery (continued) in the first column titled ''Indicator'', third row, we inadvertently omitted the substantive change symbol.

On page 54079, Table B.18. Neurology (continued) in the first column titled ''Indicator'',

a. Third and fourth rows, we inadvertently omitted the substantive change symbol.

b. Third row, the measure title and description are inconsistent with the finalized substantive change, which is described in Table E.12.

On page 54082, for Table B.18. Neurology (continued), we inadvertently included duplicate entries for Quality #286.

On page 54086, Table B.19. Mental/Behavioral Health (continued) in the first column titled ''Indicator'',

a. Third row, we inadvertently omitted the substantive change symbol.

b. Third row, the measure title and description are inconsistent with the finalized substantive change, which is described in Table E.12.

On page 54089, Table B.19. Mental/Behavioral Health (continued) in the fourth column titled ''CMS E-Measure ID'', fourth row, we inadvertently listed an incorrect E-measure ID.

On page 54091, Table B.19. Mental/Behavioral Health (continued), we inadvertently included duplicate entries for Quality #286.

On page 54094, Table B.20a. Diagnostic Radiology (continued) in the first column titled ''Indicator'', first row, we inadvertently omitted the high priority symbol.

On page 54098, Table B.20b. Interventional Radiology (continued) in the first column titled ''Indicator'', fifth row, we inadvertently omitted the high priority symbol.

On page 54099, Table B.20b. Interventional Radiology (continued) in the first column titled ''Indicator'', second row, we inadvertently omitted the high priority symbol.

On page 54102, Table B.21. Nephrology (continued) in the first column titled ''Indicator'', second row, we inadvertently omitted the high priority symbol.

On page 54103, Table B.21. Nephrology (continued) in the first column titled ''Indicator'',

a. First and third rows, we inadvertently omitted the high priority symbol.

b. Second row, we inadvertently omitted the CORE measure symbol.

On page 54109, Table B.23. Vascular Surgery (continued) in the first column titled ''Indicator'', third row, we inadvertently omitted the high priority and CORE measure symbols.

On page 54112, Table B.23. Vascular Surgery (continued) in the first column titled ''Indicator'', third row, we inadvertently omitted the high priority symbol.

On page 54113, Table B.23. Vascular Surgery (continued) in the third column titled ''Quality#'', first row, due to a typographical error, the Quality# for the measure title and description was incorrect.

On page 54116, Table B.24. Thoracic Surgery (continued) in the first column titled ''Indicator'', fourth row, we inadvertently omitted the high priority and CORE measure symbols.

On page 54118, Table B.24. Thoracic Surgery (continued) in the first column titled ''Indicator'', first row, we inadvertently omitted the high priority and CORE measure symbols.

On page 54121, Table B.25. Urology (continued) in the first column titled ''Indicator'', first row, we inadvertently omitted the high priority symbol.

On page 54122, Table B.25. Urology (continued) in the first column titled ''Indicator'', fifth row, we inadvertently omitted the high priority symbol.

On page 54123, Table B.25. Urology (continued) in the first column titled ''Indicator'',

a. First, second, and third rows, we inadvertently omitted the high priority symbol.

On page 54124, Table B.26. Oncology in the first column titled ''Indicator'', third row, we inadvertently omitted the high priority symbol.

On page 54130, Table B.27. Hospitalists (continued) in the first column titled ''Indicator'', first row, we inadvertently omitted the high priority symbol.

On page 54134, Table B.28. Rheumatology (continued) in the first column titled ''Indicator'', second row, we inadvertently omitted the high priority symbol.

On page 54136, Table B.29. Infectious Disease (continued) in the first column titled ''Indicator'', second row, we inadvertently omitted the high priority symbol.

On page 54137, Table B.29. Infectious Disease (continued) in the first column titled ''Indicator'', second row, we inadvertently omitted the CORE measure symbol.

On page 54138, Table B.29. Infectious Disease (continued) in the first column titled ''Indicator'', fifth row, we inadvertently omitted the high priority and CORE measure symbols.

On page 54139, Table B.29. Infectious Disease (continued) in the first column titled ''Indicator'', first row, we inadvertently omitted the high priority symbol.

On page 54141, Table B.30. Neurosurgical (continued) in the first column titled ''Indicator'', third row, we inadvertently omitted the high priority symbol.

On page 54142, Table B.30. Neurosurgical (continued) in the first column titled ''Indicator'',

a. Fourth and fifth rows, we inadvertently omitted the high priority symbol.

On page 54145, Table B.31. Podiatry (continued) in the first column titled ''Indicator'', first row, we inadvertently omitted the CORE measure symbol.

On page 54146, Table B.32. Dentistry (continued) in the first column titled ''Indicator'', first row, we inadvertently omitted the high priority symbol.

On page 54163, Table E.1. CAHPS for MIPS Clinician/Group Survey

a. First row titled ''NQF#'', due to a typographical error, we included an incorrect NQF#.

b. Seventh row titled ''Substantive Change'', we inadvertently omitted the SSMs that remain for the measure.

c. Eighth row titled ''Steward'', we inadvertently omitted the Centers for Medicare & Medicaid Services (CMS) as a co-steward.

On page 54204, in Table G: Improvement Activities with Changes for the Quality Payment Program Year 2 and Future Years,

a. Eighteenth row, titled ''Response'', we inadvertently added qualifier language that was incorrect.

b. Nineteenth row, titled ''Rationale'' we inadvertently added qualifier language that was incorrect.

On page 54216, in Table G: Improvement Activities with Changes for the Quality Payment Program Year 2 and Future Years, thirty-ninth row, titled ''Currently Eligible for Advancing Care Information Bonus'', we incorrectly stated that this activity was not eligible for the Advancing Care Information Bonus. IA_PM_13 is eligible for the Advancing Care Information Bonus.

III. Waiver of Proposed Rulemaking, 60-Day Comment Period, and Delay in Effective Date

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

We believe that this correcting document does not constitute a rule that would be subject to the notice and comment or delayed effective date requirements. The document corrects technical errors in the CY 2018 Quality Payment Program final rule, but does not make substantive changes to the policies or payment methodologies that were adopted in the final rule. As a result, this correcting document is intended to ensure that the information in the CY 2018 Quality Payment Program final rule accurately reflects the policies adopted in that document.

In addition, even if this were a rule to which the notice and comment procedures and delayed effective date requirements applied, we find that there is good cause to waive such requirements. Undertaking further notice and comment procedures to incorporate the corrections in this document into the final rule or delaying the effective date would be contrary to the public interest because it is in the public's interest for providers to receive appropriate payments in as timely a manner as possible, and to ensure that the CY 2018 Quality Payment Program final rule accurately reflects our methodologies and policies. Furthermore, such procedures would be unnecessary, as we are not making substantive changes to our methodologies or policies, but rather, we are simply implementing correctly the methodologies and policies that we previously proposed, requested comment on, and subsequently finalized. This correcting document is intended solely to ensure that the CY 2018 Quality Payment Program final rule accurately reflects these methodologies and policies. Therefore, we believe we have good cause to waive the notice and comment and effective date requirements.

IV. Correction of Errors

In FR Doc. 2017–24067 (82 FR 53568), make the following corrections:

A. Correction of Errors in Preamble

1. On page 53577, second column, second full paragraph, line 10, the phrase ''of approximately $13.9 million relative'' is corrected to read ''of approximately $14.2 million relative''.

2. On page 53743, second column, first full paragraph, under the heading ''(iii) Additional Requirement for Full Participation To Measure Improvement for Quality Performance Category'', line 7, the reference ''§ 414.1330'' is corrected to read ''§ 414.1335''.

3. On page 53744, third column, third full paragraph, line 6, the reference ''§ 414.1330'' is corrected to read ''§ 414.1335''.

4. On page 53900, second column, first partial paragraph, line 7, the phrase ''burden cost of approximately $13.9'' is corrected to read ''burden cost of approximately $14.2''.

5. On page 53911, third column, second full paragraph, line 3, the phrase ''approximately $695 million'' is corrected to read ''approximately $694 million''.

6. On page 53925, first column, second full paragraph, line 6, the phrase ''total labor cost of $694,183,802'' is corrected to read ''total labor cost of ''$693,949,289''.

7. On page 53925, third column, first full paragraph, line 3, the phrase ''by 171,264 hours and $13.9 million in'' is

corrected to read ''by 171,264 hours and $14.2 million in''.

8. On page 53925, in Table 74—Annual Recordkeeping And Submission Requirements, sixth column, row 2, the total annual burden cost for QCDR and Registries self-nomination ''439,786'' is corrected to read ''205,273''.

9. On page 53925, in Table 74—Annual Recordkeeping And Submission Requirements, sixth column, row 19, the total annual burden cost ''694,183,802'' is corrected to read ''693,949,289''.

10. On page 53927, first column, first partial paragraph, line 4, the phrase ''costs of $13.9 million in the Quality'' is corrected to read ''costs of $14.2 million in the Quality''.

11. On page 53950, first column, first full paragraph, line 4, the phrase ''will result in approximately $695'' is corrected to read ''will result in approximately $694''.

12. On page 53950, second column, first partial paragraph, line 2, the phrase ''period is and approximately $13.9'' is corrected to read ''period is and approximately $14.2''.

13. On page 53950, Table 81, Additional Costs And Benefits second column, Costs/benefits second row, the dollar value ''$13.9 million'' is corrected to read ''$14.2 million''.

B. Correction of Errors in Appendix

1. On page 53969, in Table A.3. Average Change in Leg Pain following Lumbar Discectomy/Laminotomy, the listed entry is corrected to read as follows:

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A.3. Average Change in Leg Pain following Lumbar Discectomy / Laminotomy

Rationale:	We proposed to include this measure because it is outcomes focused and provides measurements related to the variations in improvement after spine surgery. This measure is useful for clinicians who can conduct comparisons across results. In addition, the MAP has made a recommendation of conditional support, with the conditions of submission to NQF for endorsement and verification that testing supports implementation at the individual clinician level. (https://www.qualityforum.org/map/). Subsequent to the MAP recommendation report, the measure steward confirmed that this measure can be reported and has been tested at the clinician level. However, the measure steward caveats that [clinician level reporting requires at least 30 patients per site/reporting entity, and although future reporting of outcomes by individual clinicians can be supported, potential volume issues and a team based approach to care need to be considered in reporting. Furthermore, while we note that NQF endorsement is preferred, it is not a requirement for measures to be considered under MIPS.

2. On page 53970, in Table A.4. Bone Density Evaluation for Patients with Prostate Cancer and Receiving Androgen Deprivation Therapy, the listed entry is corrected to read as follows:

A.4. Bone Density Evaluation for Patients with Prostate Cancer and Receiving Androgen Deprivation Therapy

Rationale:	We proposed to include this measure as there are no quality measures that currently address patients with prostate cancer and a diagnosis of osteoporosis. This measure will result in better care, reduced fractures, and reduced bone density loss. The MAP has made a recommendation of refine and resubmit prior to rulemaking for this measure. (https://www.qualityforum.org/map/). Subsequent to the MAP recommendation report, the measure steward confirmed that they have met the measure specifications revisions and recommendations for testing as set forth in the MAP report. Furthermore, while we note that NQF endorsement is preferred, it is not a requirement for measures to be considered under MIPS.

3. On page 53971, in Table A.5, Prevention of Post-Operative Vomiting (POV)—Combination Therapy (Pediatrics) the listed entry is corrected to read as follows:

A.5. Prevention of Post-Operative Vomiting (POV) - Combination Therapy (Pediatrics)

Rationale:	We proposed to include this measure because it recognizes the difference in therapy required for the pediatric population with regards to the prevention of post-operative vomiting; furthermore, the American Society of Anesthesiologists have verified that testing supports the implementation of the measure at the individual clinician level. In addition, the MAP has made a recommendation of conditional support, with the conditions of submission to NQF for review and endorsement (https://www.qualityforum.org/map/). In MIPS we currently have a measure that addresses this topic but its population is limited to adults (ages 18 years or older) Q#430: Prevention of Post-Operative Nausea and Vomiting (PONV) Combination Therapy. We believe that this measure helps to address a gap in care for pediatric and adolescent populations. Furthermore, while we note that NQF endorsement is preferred, it is not a requirement for measures to be considered under MIPS.

4. On page 53973, in Table A.7, Uterine Artery Embolization Technique: Documentation of Angiographic Endpoints and Interrogation of Ovarian Arteries, the listed entry is corrected to read as follows:

A.7. Uterine Artery Embolization Technique: Documentation of Angiographic Endpoints and Interrogation of Ovarian Arteries

Rationale:	We proposed to include this measure, as field testing has been completed by the measure steward at the clinician-level and there are currently no applicable uterine artery embolization technique measures in CMS quality programs. The MAP has made a recommendation of refine and resubmit based on a need for testing data at the clinician level, and a preference for the measure to be an outcome measure (https://www.qualityforum.org/map/). We proposed to include this measure because there are no existing performance measures related to uterine fibroid embolization in MIPS. This measure has previously been reported on as a QCDR measure through the measure steward's QCDR in MIPS for the 2017 performance period and uses structured data elements to extract data to report on the measure.

5. On pages 53976, 53977 and 53978, in Table B.1 Allergy/Immunology, the listed entries are corrected to read as follows:

B.1. Allergy/Immunology

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title And Description	Measure Steward
!	0419	130	68v7	Claims, Registry, EHR	Process	Patient Safety	**Documentation of Current Medications in the Medical Record:** Percentage of visits for patients aged 18 years and older for which the eligible professional attests to documenting a list of current medications using all immediate resources available on the date of the encounter. This list must include ALL known prescriptions, over-the-counters, herbals, and vitamin/mineral/dietary (nutritional) supplements AND must contain the medications' name, dosage, frequency and route of administration.	Centers for Medicare & Medicaid Services
* !	0022	238	156v6	Registry, EHR	Process	Patient Safety	**Use of High-Risk Medications in the Elderly:** Percentage of patients 65 years of age and older who were ordered high-risk medications. Two rates are reported. a. Percentage of patients who were ordered at least one high-risk medication. b. Percentage of patients who were ordered at least two of the same high-risk medications.	National Committee for Quality Assurance
! §	2079	340	N/A	Registry	Process	Efficiency and Cost Reduction	**HIV Medical Visit Frequency:** Percentage of patients, regardless of age with a diagnosis of HIV who had at least one medical visit in each 6 month period of the 24 month measurement period, with a minimum of 60 days between medical visits.	Health Resources and Services Administration

6. On pages 53985, 53986, and 53987, in Table B.3 Cardiology (continued), the listed entries are corrected to read as follows:

B.3. Cardiology (continued)

! §	0018	236	165v6	Claims, Registry, EHR, Web Interface	Inter-mediate Outcome	Effective Clinical Care	**Controlling High Blood Pressure:** Percentage of patients 18-85 years of age who had a diagnosis of hypertension and whose blood pressure was adequately controlled (<140/90 mmHg) during the measurement period.	National Committee for Quality Assurance
* !	0022	238	156v6	Registry, EHR	Process	Patient Safety	**Use of High-Risk Medications in the Elderly:** Percentage of patients 65 years of age and older who were ordered high-risk medications. Two rates are reported. a. Percentage of patients who were ordered at least one high-risk medication. b. Percentage of patients who were ordered at least two of the same high-risk medications.	National Committee for Quality Assurance
!	0643	243	N/A	Registry	Process	Communica tion and Care Coordinatio n	**Cardiac Rehabilitation Patient Referral from an Outpatient Setting:** Percentage of patients evaluated in an outpatient setting who within the previous 12 months have experienced an acute myocardial infarction (MI), coronary artery bypass graft (CABG) surgery, a percutaneous coronary intervention (PCI), cardiac valve surgery, or cardiac transplantation, or who have chronic stable angina (CSA) and have not already participated in an early outpatient cardiac rehabilitation/secondary prevention (CR) program for the qualifying event/diagnosis who were referred to a CR program.	American College of Cardiology Foundation
!	N/A	373	665v7	EHR	Intermed iate Outcome	Effective Clinical Care	**Hypertension: Improvement in Blood Pressure:** Percentage of patients aged 18-85 years of age with a diagnosis of hypertension whose blood pressure improved during the measurement period.	Centers for Medicare & Medicaid Services

7. On page 53992, in Table B.4 Gastroenterology (continued), the listed entry is corrected to read as follows:

B.4. Gastroenterology (continued)

§	N/A	275	N/A	Registry	Process	Effective Clinical Care	**Inflammatory Bowel Disease (IBD): Assessment of Hepatitis B Virus (HBV) Status Before Initiating Anti-TNF (Tumor Necrosis Factor) Therapy:** Percentage of patients aged 18 years and older with a diagnosis of inflammatory bowel disease (IBD) who had Hepatitis B Virus (HBV) status assessed and results interpreted within one year prior to receiving a first course of anti-TNF (tumor necrosis factor) therapy.	American Gastro-enterological Association

8. On page 53997, in Table B.5 Dermatology (continued), the listed entries are corrected to read as follows:

B.5. Dermatology (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	N/A	410	N/A	Claims, Registry	Outcome	Person and Caregiver Centered Experience and Outcomes	**Psoriasis: Clinical Response to Oral Systemic or Biologic Medications :** Percentage of psoriasis patients receiving oral systemic or biologic therapy who meet minimal physician- or patient-reported disease activity levels. It is implied that establishment and maintenance of an established minimum level of disease control as measured by physician- and/or patient-reported outcomes will increase patient satisfaction with and adherence to treatment.	American Academy of Dermatology
!	N/A	440	N/A	Registry	Process	Communication and Care Coordination	**Basal Cell Carcinoma (BCC)/Squamous Cell Carcinoma: Biopsy Reporting Time – Pathologist to Clinician:** Percentage of biopsies with a diagnosis of cutaneous Basal Cell Carcinoma (BCC) and Squamous Cell Carcinoma (SCC) (including in situ disease) in which the pathologist communicates results to the clinician within 7 days of biopsy date.	American Academy of Dermatology

9. On page 54006, 54007, 54009, 54010, 54012, and 54013, in Table B.7 Family Medicine (continued) the listed entries are corrected to read as follows:

B.7. Family Medicine (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
§	0062	119	134v6	Registry, EHR	Process	Effective Clinical Care	**Diabetes: Medical Attention for Nephropathy:** The percentage of patients 18-75 years of age with diabetes who had a nephropathy screening test or evidence of nephropathy during the measurement period.	National Committee for Quality Assurance
!	0419	130	68v7	Claims, Registry, EHR	Process	Patient Safety	**Documentation of Current Medications in the Medical Record:** Percentage of visits for patients aged 18 years and older for which the eligible professional attests to documenting a list of current medications using all immediate resources available on the date of the encounter. This list must include ALL known prescriptions, over-the-counters, herbals, and vitamin/mineral/dietary (nutritional) supplements AND must contain the medications' name, dosage, frequency and route of administration.	Centers for Medicare & Medicaid Services
* !	0022	238	156v6	Registry, EHR	Process	Patient Safety	**Use of High-Risk Medications in the Elderly:** Percentage of patients 65 years of age and older who were ordered high-risk medications. Two rates are reported. a. Percentage of patients who were ordered at least one high-risk medication. b. Percentage of patients who were ordered at least two of the same high-risk medications.	National Committee for Quality Assurance
!	0643	243	N/A	Registry	Process	Communication and Care Coordination	**Cardiac Rehabilitation Patient Referral from an Outpatient Setting:** Percentage of patients evaluated in an outpatient setting who within the previous 12 months have experienced an acute myocardial infarction (MI), coronary artery bypass graft (CABG) surgery, a percutaneous coronary intervention (PCI), cardiac valve surgery, or cardiac transplantation, or who have chronic stable angina (CSA) and have not already participated in an early outpatient cardiac rehabilitation/secondary prevention	American College of Cardiology Foundation

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
							(CR) program for the qualifying event/diagnosis who were referred to a CR program.	
* § !	0005	321	N/A	CMS-approved Survey Vendor	Patient Engagement/Experience	Person and Caregiver-Centered Experience and Outcomes	**CAHPS for MIPS Clinician/Group Survey:** Summary Survey Measures may include: • Getting Timely Care, Appointments, and Information; • How well Providers Communicate; • Patient's Rating of Provider; • Access to Specialists; • Health Promotion and Education; • Shared Decision-Making; • Health Status and Functional Status; • Courteous and Helpful Office Staff; • Care Coordination; • Stewardship of Patient Resources.	Agency for Healthcare Research & Quality (AHRQ), Centers for Medicare & Medicaid Services
!	N/A	373	65v7	EHR	Intermediate Outcome	Effective Clinical Care	**Hypertension: Improvement in Blood Pressure:** Percentage of patients aged 18-85 years of age with a diagnosis of hypertension whose blood pressure improved during the measurement period.	Centers for Medicare & Medicaid Services
!	N/A	377	90v7	EHR	Process	Person and Caregiver-Centered Experience and Outcomes	**Functional Status Assessments for Congestive Heart Failure:** Percentage of patients 65 years of age and older with congestive heart failure who completed initial and follow-up patient-reported functional status assessments.	Centers for Medicare & Medicaid Services

10. On pages 54023, 54024, and 54027, in Table B.8 Internal Medicine (continued), the listed entries are corrected to read as follows:

B.8. Internal Medicine (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
* !	0022	238	156v6	EHR, Registry	Process	Patient Safety	**Use of High-Risk Medications in the Elderly:** Percentage of patients 65 years of age and older who were ordered high-risk medications. Two rates are reported. a. Percentage of patients who were ordered at least one high-risk medication. b. Percentage of patients who were ordered at least two of the same high-risk medications.	National Committee for Quality Assurance
!	0643	243	N/A	Registry	Process	Communication and Care Coordination	**Cardiac Rehabilitation Patient Referral from an Outpatient Setting:** Percentage of patients evaluated in an outpatient setting who within the previous 12 months have experienced an acute myocardial infarction (MI), coronary artery bypass graft (CABG) surgery, a percutaneous coronary intervention (PCI), cardiac valve surgery, or cardiac transplantation, or who have chronic stable angina (CSA) and have not already participated in an early outpatient cardiac rehabilitation/secondary prevention (CR) program for the qualifying event/diagnosis who were referred to a CR program.	American College of Cardiology Foundation
* § !	0005	321	N/A	CMS-approved Survey Vendor	Patient Engagement/ Experience	Person and Caregiver-Centered Experience and Outcomes	**CAHPS for MIPS Clinician/Group Survey:** Summary Survey Measures may include: • Getting Timely Care, Appointments, and Information; • How well Providers Communicate; • Patient's Rating of Provider; • Access to Specialists; • Health Promotion and Education; • Shared Decision-Making; • Health Status and Functional Status; • Courteous and Helpful Office Staff; • Care Coordination; • Stewardship of Patient Resources.	Agency for Healthcare Research & Quality (AHRQ), Centers for Medicare & Medicaid Services

!	N/A	373	65v7	EHR	Intermediate Outcome	Effective Clinical Care	**Hypertension: Improvement in Blood Pressure:** Percentage of patients aged 18-85 years of age with a diagnosis of hypertension whose blood pressure improved during the measurement period.	Centers for Medicare & Medicaid Services
!	N/A	377	90v7	EHR	Process	Person and Caregiver-Centered Experience and Outcomes	**Functional Status Assessments for Congestive Heart Failure:** Percentage of patients 65 years of age and older with congestive heart failure who completed initial and follow-up patient-reported functional status assessments.	Centers for Medicare & Medicaid Services

11. On pages 54036, 54037, and 54038, in Table B.9 Obstetrics/Gynecology (continued), the listed entries are corrected to read as follows:

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	2063	422	N/A	Claims, Registry	Process	Patient Safety	**Performing Cystoscopy at the Time of Hysterectomy for Pelvic Organ Prolapse to Detect Lower Urinary Tract Injury:** Percentage of patients who undergo cystoscopy to evaluate for lower urinary tract injury at the time of hysterectomy for pelvic organ prolapse.	American Urogynecological Society
!	N/A	429	N/A	Claims, Registry	Process	Patient Safety	**Pelvic Organ Prolapse: Preoperative Screening for Uterine Malignancy:** Percentage of patients who are screened for uterine malignancy prior to vaginal closure or obliterative surgery for pelvic organ prolapse.	American Urogynecologic Society
!	N/A	432	N/A	Registry	Outcome	Patient Safety	**Proportion of Patients Sustaining a Bladder Injury at the Time of any Pelvic Organ Prolapse Repair:** Percentage of patients undergoing any surgery to repair pelvic organ prolapse who sustains an injury to the bladder recognized either during or within 1 month after surgery.	American Urogynecologic Society
§ !	0567	448	N/A	Registry	Process	Patient Safety	**Appropriate Work Up Prior to Endometrial Ablation:** Percentage of women, aged 18 years and older, who undergo endometrial sampling or hysteroscopy with biopsy and results documented before undergoing an endometrial ablation.	Centers for Medicare & Medicaid Services

12. On pages 54047 and 54049, in Table B.11 Orthopedic Surgery (continued), the listed entries are corrected to read as follows:

B.11. Orthopedic Surgery (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	0101	318	139v6	EHR, Web Interface	Process	Patient Safety	**Falls: Screening for Future Fall Risk:** Percentage of patients 65 years of age and older who were screened for future fall risk during the measurement period.	National Committee for Quality Assurance
* !	N/A	376	56v6	EHR	Process	Person and Caregiver-Centered Experience and Outcomes	**Functional Status Assessment for Total Hip Replacement:** Percentage of patients 18 years of age and older with who received an elective primary total hip arthroplasty (THA) who completed baseline and follow-up patient-reported and completed a functional status assessment within 90 days prior to the surgery and in the 270-365 days after the surgery.	Centers for Medicare & Medicaid Services

13. On page 54079, in Table B.18 Neurology (continued), the listed entries are corrected to read as follows:

B.18. Neurology (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
*	N/A	283	N/A	Registry	Process	Effective Clinical Care	**Dementia: Associated Behavioral and Psychiatric Symptoms Screening and Management:** Percentage of patients with dementia for whom there was a documented symptoms screening for behavioral and psychiatric symptoms, including depression, AND for whom, if symptoms screening was positive, there was also documentation of recommendations for symptoms management in the last 12 months.	American Psychiatric Association and American Academy of Neurology
* !	N/A	286	N/A	Registry	Process	Patient Safety	**Safety Concern Screening and Follow-Up for Patients with Dementia:** Percentage of patients with dementia or their caregiver(s) for whom there was a documented safety screening * in two domains of risk: dangerousness to self or others and environmental risks; and if screening was positive in the last 12 months, there was documentation of mitigation recommendations, including but not limited to referral to other resources. **Note:** The measure title description have been updated due to inconsistencies between the measure tables as provided in the proposed rule.	American Psychiatric Association and American Academy of Neurology

14. On page 54082, in Table B.18 Neurology (continued), the third row (including the Quality #286) is removed.

15. On page 54086, 54089, and 54091, in Table B.19 Mental/Behavioral Health (continued), the listed entries are corrected to read as follows:

B.19. Mental/Behavioral Health (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
*	N/A	283	N/A	Registry	Process	Effective Clinical Care	**Dementia: Associated Behavioral and Psychiatric Symptoms Screening and Management:** Percentage of patients with dementia for whom there was a documented symptoms screening for behavioral and psychiatric symptoms, including depression, AND for whom, if symptoms screening was positive, there was also documentation of recommendations for symptoms management in the last 12 months.	American Psychiatric Association and American Academy of Neurology
* !	N/A	286	N/A	Registry	Process	Patient Safety	**Safety Concern Screening and Follow-Up for Patients with Dementia:** Percentage of patients with dementia or their caregiver(s) for whom there was a documented safety screening * in two domains of risk: dangerousness to self or others and environmental risks; and if screening was positive in the last 12 months, there was documentation of mitigation recommendations, including but not limited to referral to other resources. **Note:** This measure title description have been updated since the NPRM due to inconsistencies between the measure tables.	American Psychiatric Association and American Academy of Neurology
!	1365	382	177v6	EHR	Process	Patient Safety	**Child and Adolescent Major Depressive Disorder (MDD): Suicide Risk Assessment:** Percentage of patient visits for those patients aged 6 through 17 years with a diagnosis of major depressive disorder with an assessment for suicide risk.	Physician Consortium for Performance Improvement Foundation (PCPI®)

16. On page 54091, in Table B.19 Mental/Behavioral Health (continued), the third row (including the Quality #286) is removed.

17. On page 54094, in Table B.20a Diagnostic Radiology (continued), the listed entry is corrected to read as follows:

B.20a. Diagnostic Radiology (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	0509	225	N/A	Registry, Claims	Structure	Communication and Care Coordination	**Radiology: Reminder System for Screening Mammograms:** Percentage of patients undergoing a screening mammogram whose information is entered into a reminder system with a target due date for the next mammogram	American College of Radiology

18. On page 54098 and 54099, in Table B.20b Interventional Radiology, the listed entries are corrected to read as follows:

B.20b. Interventional Radiology

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	N/A	409	N/A	Registry	Outcome	Effective Clinical Care	**Clinical Outcome Post Endovascular Stroke Treatment:** Percentage of patients with a mRs score of 0 to 2 at 90 days following endovascular stroke intervention	Society of Interventional Radiology
!	N/A	413	N/A	Registry	Intermediate Outcome	Effective Clinical Care	**Door to Puncture Time for Endovascular Stroke Treatment:** Percentage of patients undergoing endovascular stroke treatment who have a door to puncture time of less than two hours	Society of Interventional Radiology
!	N/A	437	N/A	Claims, Registry	Outcome	Patient Safety	**Rate of Surgical Conversion from Lower Extremity Endovascular Revascularization Procedure:** Inpatients assigned to endovascular treatment for obstructive arterial disease, the percent of patients who undergo unplanned major amputation or surgical bypass within 48 hours of the index procedure.	Society of Interventional Radiology

19. On pages 54102 and 54103, in Table B.21 Nephrology (continued), the listed entries are corrected to read as follows:

B.21. Nephrology (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	0101	318	139v6	EHR, Web Interface	Process	Patient Safety	**Falls: Screening for Future Fall Risk:** Percentage of patients 65 years of age and older who were screened for future fall risk during the measurement period.	National Committee for Quality Assurance
!	N/A	330	N/A	Registry	Outcome	Patient Safety	**Adult Kidney Disease: Catheter Use for Greater Than or Equal to 90 Days:** Percentage of patients aged 18 years and older with a diagnosis of End Stage Renal Disease (ESRD) receiving maintenance hemodialysis for greater than or equal to 90 days whose mode of vascular access is a catheter	Renal Physicians Association
§	N/A	400	N/A	Registry	Process	Effective Clinical Care	**One-Time Screening for Hepatitis C Virus (HCV) for Patients at Risk:** Percentage of patients aged 18 years and older with one or more of the following: a history of injection drug use, receipt of a blood transfusion prior to 1992, receiving maintenance hemodialysis, OR birthdate in the years 1945-1965 who received one-time screening for hepatitis C virus (HCV) infection	Physician Consortium for Performance Improvement
!	N/A	403	N/A	Registry	Process	Person and Caregiver-Centered Experience and Outcomes	**Adult Kidney Disease: Referral to Hospice:** Percentage of patients aged 18 years and older with a diagnosis of ESRD who withdraw from hemodialysis or peritoneal dialysis who are referred to hospice care	Renal Physicians Association

20. On pages 54109, 54112, and 54113, in Table B.23 Vascular Surgery (continued), the listed entries are corrected to read as follows:

B.23. Vascular Surgery (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
! §	0018	236	165v6	Claims, Registry, EHR, Web Interface	Interme-diate Outcome	Effective Clinical Care	**Controlling High Blood Pressure:** Percentage of patients 18-85 years of age who had a diagnosis of hypertension and whose blood pressure was adequately controlled (<140/90 mmHg) during the measurement period	National Committee for Quality Assurance
!	1523	417	N/A	Registry	Outcome	Patient Safety	**Rate of Open Repair of Small or Moderate Abdominal Aortic Aneurysms (AAA) Where Patients Are Discharged Alive:** Percentage of patients undergoing open repair of small or moderate abdominal aortic aneurysms (AAA) who are discharged alive	Society for Vascular Surgeons
!	N/A	441	N/A	Registry	Intermedi ate Outcome	Effective Clinical Care	**Ischemic Vascular Disease All or None Outcome Measure (Optimal Control):** The IVD All-or-None Measure is one outcome measure (optimal control). The measure contains four goals. All four goals within a measure must be reached in order to meet that measure. The numerator for the all-or-none measure should be collected from the organization's total IVD denominator. All-or-None Outcome Measure (Optimal Control) Using the IVD denominator optimal results include: Most recent blood pressure (BP) measurement is less than 140/90 mm Hg And Most recent tobacco status is Tobacco Free And Daily Aspirin or Other Antiplatelet Unless Contraindicated And Statin Use.	Wisconsin Collaborative for Healthcare Quality (WCHQ)

21. On pages 54116 and 54118, in Table B.24 Thoracic Surgery (continued), the listed entries are corrected to read as follows:

B.24.Thoracic Surgery (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!, §	0018	236	165v6	Claims, Registry, EHR, Web Interface	Intermediate Outcome	Effective Clinical Care	**Controlling High Blood Pressure:** Percentage of patients 18-85 years of age who had a diagnosis of hypertension and whose blood pressure was adequately controlled (<140/90 mmHg) during the measurement period	National Committee for Quality Assurance
!, §	0119	445	N/A	Registry	Outcome	Effective Clinical Care	**Risk-Adjusted Operative Mortality for Coronary Artery Bypass Graft (CABG):** Percent of patients aged 18 years and older undergoing isolated CABG who die, including both all deaths occurring during the hospitalization in which the CABG was performed, even if after 30 days, and those deaths occurring after discharge from the hospital, but within 30 days of the procedure	Society of Thoracic Surgeons

22. On page 54121, 54122, and 54123, in Table B.25 Urology (continued), the listed entries are corrected to read as follows:

B.25. Urology (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	0419	130	68v7	Claims, Registry, EHR	Process	Patient Safety	**Documentation of Current Medications in the Medical Record:** Percentage of visits for patients aged 18 years and older for which the eligible professional attests to documenting a list of current medications using all immediate resources available on the date of the encounter. This list must include ALL known prescriptions, over-the-counters, herbals, and vitamin/mineral/dietary (nutritional) supplements AND must contain the medications' name, dosage, frequency and route of administration.	Centers for Medicare & Medicaid Services
!	N/A	429	N/A	Claims, Registry	Process	Patient Safety	**Pelvic Organ Prolapse: Preoperative Screening for Uterine Malignancy:** Percentage of patients who are screened for uterine malignancy prior to vaginal closure or obliterative surgery for pelvic organ prolapse.	American Urogynecologic Society
!	N/A	432	N/A	Registry	Outcome	Patient Safety	**Proportion of Patients Sustaining a Bladder Injury at the Time of any Pelvic Organ Prolapse Repair:** Percentage of patients undergoing any surgery to repair pelvic organ prolapse who sustains an injury to the bladder recognized either during or within 1 month after surgery	American Urogynecologic Society
!	N/A	433	N/A	Registry	Outcome	Patient Safety	**Proportion of Patients Sustaining a Bowel Injury at the time of any Pelvic Organ Prolapse Repair:** Percentage of patients undergoing surgical repair of pelvic organ prolapse that is complicated by a bowel injury at the time of index surgery that is recognized intraoperatively or within 1 month after surgery	American Urogynecologic Society
!	N/A	434	N/A	Registry	Outcome	Patient Safety	**Proportion of Patients Sustaining a Ureter Injury at the Time of any Pelvic Organ Prolapse Repair:** Percentage of patients undergoing pelvic organ prolapse repairs who sustain an injury to the ureter recognized either during or within 1 month after surgery	American Urogynecologic Society

23. On page 54124, in Table B.26 Oncology, the listed entry is corrected to read as follows:

B.26. Oncology

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	0419	130	68v7	Claims, Registry, EHR	Process	Patient Safety	**Documentation of Current Medications in the Medical Record:** Percentage of visits for patients aged 18 years and older for which the eligible professional attests to documenting a list of current medications using all immediate resources available on the date of the encounter. This list must include ALL known prescriptions, over-the-counters, herbals, and vitamin/mineral/dietary (nutritional) supplements AND must contain the medications' name, dosage, frequency and route of administration.	Centers for Medicare & Medicaid Services

24. On page 54130, in Table B.27 Hospitalists (continued), the listed entry is corrected to read as follows:

B.27. Hospitalists (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	0419	130	68v7	Claims, Registry, EHR	Process	Patient Safety	**Documentation of Current Medications in the Medical Record:** Percentage of visits for patients aged 18 years and older for which the eligible professional attests to documenting a list of current medications using all immediate resources available on the date of the encounter. This list must include ALL known prescriptions, over-the-counters, herbals, and vitamin/mineral/dietary (nutritional) supplements AND must contain the medications' name, dosage, frequency and route of administration.	Centers for Medicare & Medicaid Services

25. On page 54134, Table B.28 Rheumatology (continued), the listed entry is corrected to read as follows:

B.28. Rheumatology (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
* !	0022	238	156v6	Registry, EHR	Process	Patient Safety	**Use of High-Risk Medications in the Elderly:** Percentage of patients 65 years of age and older who were ordered high-risk medications. Two rates are reported. a. Percentage of patients who were ordered at least one high-risk medication. b. Percentage of patients who were ordered at least two of the same high-risk medications.	National Committee for Quality Assurance

26. On pages 54136, 54137, 54138, and 54139, in Table B.29. Infectious Disease (continued), the listed entries are corrected to read as follows:

B.29. Infectious Disease (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	0419	130	68v7	Claims, Registry, EHR	Process	Patient Safety	**Documentation of Current Medications in the Medical Record:** Percentage of visits for patients aged 18 years and older for which the eligible professional attests to documenting a list of current medications using all immediate resources available on the date of the encounter. This list must include ALL known prescriptions, over-the-counters, herbals, and vitamin/mineral/dietary (nutritional) supplements AND must contain the medications' name, dosage, frequency and route of administration.	Centers for Medicare & Medicaid Services
§	N/A	275	N/A	Registry	Process	Effective Clinical Care	**Inflammatory Bowel Disease (IBD): Assessment of Hepatitis B Virus (HBV) Status Before Initiating Anti-TNF (Tumor Necrosis Factor) Therapy:** Percentage of patients aged 18 years and older with a diagnosis of inflammatory bowel disease (IBD) who had Hepatitis B Virus (HBV) status assessed and results interpreted within one year prior to receiving a first course of anti-TNF (tumor necrosis factor) therapy.	American Gastro-enterological Association
! §	2079	340	N/A	Registry	Process	Efficiency and Cost Reduction	**HIV Medical Visit Frequency:** Percentage of patients, regardless of age with a diagnosis of HIV who had at least one medical visit in each 6 month period of the 24 month measurement period, with a minimum of 60 days between medical visits	Health Resources and Services Administration
!	N/A	390	N/A	Registry	Process	Person and Caregiver-Centered Experience and Outcomes	**Hepatitis C: Discussion and Shared Decision Making Surrounding Treatment Options:** Percentage of patients aged 18 years and older with a diagnosis of hepatitis C with whom a physician or other qualified healthcare professional reviewed the range of treatment options appropriate to their genotype and demonstrated a shared decision making approach with the patient. To meet the measure, there must be documentation in the patient record of a discussion between the physician or other qualified healthcare professional and the patient that includes all of the following: treatment choices appropriate to genotype, risks and benefits, evidence of effectiveness, and patient preferences toward treatment	American Gastroenterological Association

27. On pages 54141 and 54142, in Table B.30 Neurosurgical, the listed entries are corrected to read as follows:

B.30. Neurosurgical

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	0419	130	68v7	Claims, Registry, EHR	Process	Patient Safety	**Documentation of Current Medications in the Medical Record:** Percentage of visits for patients aged 18 years and older for which the eligible professional attests to documenting a list of current medications using all immediate resources available on the date of the encounter. This list must include ALL known prescriptions, over-the-counters, herbals, and vitamin/mineral/dietary (nutritional) supplements AND must contain the medications' name, dosage, frequency and route of administration.	Centers for Medicare & Medicaid Services
!	N/A	409	N/A	Registry	Outcome	Effective Clinical Care	**Clinical Outcome Post Endovascular Stroke Treatment:** Percentage of patients with a mRs score of 0 to 2 at 90 days following endovascular stroke intervention	Society of Interventional Radiology
!	N/A	413	N/A	Registry	Intermediate Outcome	Effective Clinical Care	**Door to Puncture Time for Endovascular Stroke Treatment:** Percentage of patients undergoing endovascular stroke treatment who have a door to puncture time of less than two hours	Society of Interventional Radiology

28. On page 54145, in Table B.31 Podiatry (continued), the listed entry is corrected to read as follows:

B.31. Podiatry (continued)

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
* §	0028	226	138v6	Claims, Registry, EHR, Web Interface	Process	Community/ Population Health	**Preventive Care and Screening: Tobacco Use: Screening and Cessation Intervention:** a. Percentage of patients aged 18 years and older who were screened for tobacco use one or more times within 24 months b. Percentage of patients aged 18 years and older who were screened for tobacco use and identified as a tobacco user who received tobacco cessation intervention c. Percentage of patients aged 18 years and older who were screened for tobacco use one or more times within 24 months AND who received cessation counseling intervention if identified as a tobacco user.	Physician Consortium for Performance Improvement Foundation (PCPI®)

29. On page 54146, in Table B.32 Dentistry, the listed entry is corrected to read as follows:

B.32. Dentistry

Indicator	NQF #	Quality #	CMS E-Measure ID	Data Submission Method	Measure Type	National Quality Strategy Domain	Measure Title and Description	Measure Steward
!	N/A	378	75v6	EHR	Outcome	Community/ Population Health	**Children Who Have Dental Decay or Cavities:** Percentage of children, age 0-20 years, who have had tooth decay or cavities during the measurement period	Centers for Medicare & Medicaid Services

30. On page 54163, in Table E.1, CAHPS for MIPS Clinician/Group Survey, the listed entries are corrected to read as follows:

E.1. CAHPS for MIPS Clinician/Group Survey

NQF #:	0005
Substantive Change:	The survey change would eliminate 2 SSMs (Helping You to Take Medication as Directed and Between Visit Communication). The remaining SSMs include: ● Getting Timely Care, Appointments, and Information; ● How well Providers Communicate; ● Patient's Rating of Provider; ● Access to Specialists; ● Health Promotion and Education; ● Shared Decision-Making; ● Health Status and Functional Status; ● Courteous and Helpful Office Staff; ● Care Coordination; ● Stewardship of Patient Resources.
Steward:	Agency for Healthcare Research & Quality (AHRQ) and Centers for Medicare & Medicaid Services

31. On page 54204, in Table G Improvement Activities with Changes for the Quality Payment Program Year 2 and Future Years, the following entries are corrected to read as follows:

TABLE G: Improvement Activities with Changes for the Quality Payment Program Year 2 and Future Years

Response:	We appreciate the comments of support for this improvement activity. We intended that this activity be high-weighted for the transition year of MIPS only (81 FR 77008), and proposed to change the weight of this improvement activity from high to medium for MIPS Year 2 and future years due to the Transforming Clinical Practice Initiative (TCPI) having a designation as an APM. As an APM, TCPI participants will earn a minimum of one-half of the highest potential improvement activity performance category score. After consideration of public comments, we are finalizing updates to this improvement activity as proposed.
Rationale:	In accordance with section 1848(q)(5)(C)(ii) of the Act, MIPS eligible clinicians that are participating in APMs will earn a minimum of one-half of the highest potential improvement activity performance category score. This assignment is based on the extent to which the requirements of the specific model meet the list of activities in the Inventory. In addition, we anticipate that most MIPS eligible clinicians that are fully active TCPI participants will participate in additional practice improvement activities and will be able to select additional improvement activities to achieve the improvement activities highest score.

32. On page 54216, in Table G Improvement Activities with Changes for the Quality Payment Program Year 2 and Future Years, the following entries are corrected to read as follows:

TABLE G: Improvement Activities with Changes for the Quality Payment Program Year 2 and Future Years

Activity ID:	IA_PM_13
Eligible for Advancing Care Information Bonus:	Yes

BILLING CODE 4120–01–C

List of Subjects in 42 CFR Part 414

Administrative practice and procedure, Biologics, Drugs, Health facilities, Health professions, Diseases, Medicare, Reporting and recordkeeping requirements.

Accordingly, 42 CFR chapter IV is corrected by making the following correcting amendments:

PART 414—PAYMENT FOR PART B MEDICAL AND OTHER HEALTH SERVICES

■ 1. The authority citation for part 414 continues to read as follows:

Authority: Secs. 1102, 1871, and 1881(b)(l) of the Social Security Act (42 U.S.C. 1302, 1395hh, and 1395rr(b)(l)).

■ 2. Section 414.1370 is amended by revising paragraphs (g)(1)(ii)(B) and (h)(5)(i)(B) to read as follows:

§ 414.1370 APM scoring standard under MIPS.

* * * * *

(g) * * *

(1) * * *

(ii) * * *

(B) *Quality Improvement Score.* Beginning in 2018, for an APM Entity for which CMS calculated a total quality performance category score for the previous MIPS performance period, CMS calculates a quality improvement score for the APM Entity group, as specified in § 414.1380(b)(1)(xvi).

* * * * *

(h) * * *

(5) * * *

(i) * * *

(B) Beginning in 2018, the advancing care information performance category is reweighted to 75 percent and the improvement activities performance category is reweighted to 25 percent.

* * * * *

§ 414.1380 [Amended]

■ 3. Section 414.1380 is amended in paragraph (b)(1)(xvi)(F) by removing the reference ''§§ 414.1330'' and adding in its place the reference ''§§ 414.1335''.

■ 4. Section 414.1420 is amended by revising paragraph (d)(3)(i) to read as follows:

§ 414.1420 Other payer advanced APM criteria.

* * * * *

(d) * * *

(3) * * *

(i) For the 2019 and 2020 QP Performance Periods, 8 percent of the total combined revenues from the payer to providers and other entities under the payment arrangement if financial risk is expressly defined in terms of revenue; or, 3 percent of the expected expenditures for which an APM Entity is responsible under the payment arrangement; or

* * * * *

Dated: May 16. 2018.

Ann C. Agnew,

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

[FR Doc. 2018–10923 Filed 5–21–18; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–8531]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the *Federal Register* on a subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at *https://www.fema.gov/national-flood-insurance-program-community-status-book.*

DATES: The effective date of each community's scheduled suspension is the third date (''Susp.'') listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 212–3966.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National

Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) does not apply.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, Section 1315, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

■ 1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.;* Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

§ 64.6 [Amended]

■ 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Region V				
Illinois: Mason County, Unincorporated Areas.	170463	January 19, 1977, Emerg; February 1, 1984, Reg; June 6, 2018, Susp.	June 6, 2018	June 6, 2018.
Region VIII				
North Dakota: Harvey, City of, Wells County	380231	July 31, 1975, Emerg; August 5, 1986, Reg; June 6, 2018, Susp.	June 6, 2018	June 6, 2018.

-do- = Ditto.
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: May 14, 2018.

Eric Letvin,

Deputy Assistant Administrator for Mitigation, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2018–10844 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–12–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 51

[WC Docket No. 17–84; FCC 17–154]

Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date; correction.

SUMMARY: The Federal Communications Commission (Commission) published a document in the **Federal Register** on May 14, 2018, announcing that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's discontinuance rules. The document incorrectly referred to the Commission's discontinuance rules rather than its network change disclosure rules.

DATES: The correction is effective May 22, 2018.

FOR FURTHER INFORMATION CONTACT: Michele Levy Berlove, Attorney Advisor, Wireline Competition Bureau, at (202) 418–1477, or by email at *Michele.Berlove@fcc.gov.*

For additional information concerning the Paperwork Reduction Act information collection requirements, contact Nicole Ongele at (202) 418–2991 or *nicole.ongele@fcc.gov.*

SUPPLEMENTARY INFORMATION:

Summary: In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's network change disclosure rules. This document is consistent with the Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, FCC 17–154, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules.

Correction

In the **Federal Register** of May 14, 2018, in FR doc. 2018–09971, on page 22208, in the second column, correct the ''Summary'' caption to read:

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2018–10810 Filed 5–21–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[WC Docket No. 10–90, WT Docket No. 10–208; DA 18–427]

Connect America Fund; Universal Service Reform—Mobility Fund

AGENCY: Federal Communications Commission.

ACTION: Final action; requirements and procedures.

SUMMARY: In this document, the Wireless Telecommunications Bureau and Wireline Competition Bureau (the

Bureaus) reconsider certain aspects of the Mobility Fund Phase II (MF–II) challenge process procedures on their own motion and modify certain parameters for speed test measurements needed to file a successful challenge to an area that is initially deemed ineligible for MF–II support.

DATES: Effective June 21, 2018.

ADDRESSES: Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Wireless Telecommunications Bureau, Auctions and Spectrum Access Division, Jonathan McCormack, at (202) 418–0660.

SUPPLEMENTARY INFORMATION: This is a summary of the Bureaus' Order on Reconsideration (*MF–II Challenge Process Order on Reconsideration*), WC Docket No. 10–90, WT Docket No. 10–208, DA 18–427, adopted on April 30, 2018 and released on April 30, 2018. The complete text of this document is available for public inspection and copying from 8:00 a.m. to 4:30 p.m. Eastern Time (ET) Monday through Thursday or from 8:00 a.m. to 11:30 a.m. ET on Fridays in the FCC Reference Information Center, 445 12th Street SW, Room CY–A257, Washington, DC 20554. The complete text is also available on the Commission's website at *https://apps.fcc.gov/edocs_public/attachmatch/DA-18-427A1.docx.* Alternative formats are available to persons with disabilities by sending an email to *FCC504@fcc.gov* or by calling the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act of 1980, the Commission has prepared a Final Regulatory Flexibility Certification (Certification) certifying that the requirements of the *MF–II Challenge Process Order on Reconsideration* will not have a significant economic impact on a substantial number of small entities. The Certification is set forth in Section IV of the *MF–II Challenge Process Order on Reconsideration,* and is summarized below. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, will send a copy of the *MF–II Challenge Process Order on Reconsideration,* including the Certification, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).

Paperwork Reduction Act

The *MF–II Challenge Process Order on Reconsideration* does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13.

Congressional Review Act

The Commission will send a copy of the *MF–II Challenge Process Order on Reconsideration* in a report to Congress and the Government Accountability Office pursuant to the Congressional Review Act (CRA), *see* 5 U.S.C. 801(a)(1)(A).

I. Introduction

1. On February 27, 2018, the Rural Broadband Auctions Task Force, in conjunction with the Wireline Competition Bureau and the Wireless Telecommunications Bureau (the Bureaus), released the *MF–II Challenge Process Procedures Public Notice,* 83 FR 13417, March 29, 2018, establishing the procedures to be used in the MF–II challenge process. The Bureaus reconsider certain aspects of those procedures on their own motion and increase the maximum distance between speed test measurements to 800 meters (approximately one-half of one mile) and the associated buffer radius to 400 meters (approximately one-quarter of one mile).

II. Background

2. In the *MF–II Challenge Process Procedures Public Notice,* the Bureaus determined, consistent with the Commission's decision in the *MF–II Challenge Process Order,* 82 FR 42473, September 8, 2017, that speed test measurements submitted to support and/or respond to a challenge to an area that is initially deemed ineligible for MF–II support must be no more than one-half of one kilometer (500 meters) apart from one another. The Bureaus also decided to assess challenges using a uniform grid with cells of one square kilometer and a ''buffer'' with a radius equal to one-half of the maximum distance parameter, *i.e.,* one-quarter of one kilometer (250 meters). Subsequent to the release of the *MF–II Challenge Process Procedures Public Notice,* RWA submitted detailed data regarding the burden a challenger would experience as a result of these decisions.

III. Discussion

3. Under Section 1.113(a) of the Commission's rules, 47 CFR 1.113(a), the Bureaus may modify or set aside any action taken pursuant to their delegated authority on their own motion within 30 days of the publication of the action in the **Federal Register**. In this case, the *MF–II Challenge Process Procedures Public Notice* was published in the **Federal Register** on March 29, 2018, thus allowing the Bureaus until April 30, 2018 to reconsider those procedures. Based on new evidence in the record, the Bureaus now modify the requirement that speed test measurements must be taken no further than one-half of one kilometer apart from one another, which resulted in a buffer radius of one-quarter of one kilometer.

4. In the *MF–II Challenge Process Procedures Public Notice,* the Bureaus stated that they were not persuaded by the evidence in the record that adopting their proposal to use a one square kilometer grid cell and a buffer radius of one-quarter of one kilometer to assess challenges would create an ''insurmountable burden.'' Upon consideration of new evidence in the record, which was unavailable at the time of our prior decision, the Bureaus are now persuaded that applying a buffer radius of one-quarter of one kilometer may be unduly burdensome to some challengers. Since the Commission determined in the *MF–II Challenge Process Order* that the radius of the buffer will equal one-half of the maximum distance parameter, the Bureaus will require that speed test measurements be taken no further than 800 meters (eight-tenths of one kilometer) apart from one another, resulting in an associated buffer radius of 400 meters (four-tenths of one kilometer). These modified parameters will reduce the number of speed test measurements needed to file a successful challenge.

V. Procedural Matters

A. Congressional Review Act

5. The Commission will send a copy of the *MF–II Challenge Process Order on Reconsideration* to Congress and the Government Accountability Office, pursuant to the Congressional Review Act.

B. Paperwork Reduction Act Analysis

6. This document does not contain new or modified information collection requirements subject to the PRA. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198.

C. Final Regulatory Flexibility Certification

6. The Regulatory Flexibility Act of 1980, as amended (RFA), requires that a regulatory flexibility analysis be

prepared for a notice-and-comment rulemaking proceeding, unless the agency certifies that ''the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.'' The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. A ''small business concern'' is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.

7. As required by the RFA, the Commission prepared Initial Regulatory Flexibility Analyses (IRFAs) in connection with the *USF/ICC Transformation FNPRM,* 76 FR 78383, December 16, 2011, the *2014 CAF FNPRM,* 79 FR 39195, July 9, 2014, and the *MF–II FNPRM,* 82 FR 13413, March 13, 2017 (collectively, *MF–II FNPRMs*). A Supplemental Initial Regulatory Flexibility Analysis (Supplemental IRFA) was also filed in the *MF–II Challenge Process Comment Public Notice,* 82 FR 51180, November 3, 2017, in this proceeding. The Commission sought written public comment on the proposals in the *MF–II FNPRMs* and in the *MF–II Challenge Process Comment Public Notice,* including comments on the IRFAs and Supplemental IRFA. The Commission received three comments in response to the *MF–II FNPRM* IRFA. Those comments were addressed in the *MF–II Challenge Process Order* Final Regulatory Flexibility Analysis. No comments were filed addressing the other IRFAs or the Supplemental IRFA. The Commission included Final Regulatory Flexibility Analyses in connection with the *2014 CAF Order,* 79 FR 39163, July 9, 2014, the *MF–II Order,* 82 FR 15422, March 28, 2017, and the *MF–II Challenge Process Order,* and a Supplemental Final Regulatory Flexibility Analysis in connection with the *MF–II Challenge Process Procedures Public Notice.*

8. The *MF–II Challenge Process Order on Reconsideration* modifies the Bureaus' decision in the *MF–II Challenge Process Procedures Public Notice* that speed test measurements submitted to support and/or respond to a challenge to an area that is initially deemed ineligible for MF–II support must be no more than one-half of one kilometer (500 meters) apart from one another. The *MF–II Challenge Process Order on Reconsideration* increases the maximum distance parameter to 800 meters (approximately one-half of one mile) and, correspondingly, increases the associated buffer radius used to assess challenges to 400 meters (approximately one-quarter of one mile). By reducing the number of speed test measurements needed to submit a successful challenge, the Bureaus expect that these modified parameters will reduce the burden on potential challengers. Therefore, the Bureaus certify that the requirements of the *MF–II Challenge Process Order on Reconsideration* will not have a significant economic impact on a substantial number of small entities.

9. The Commission will send a copy of the *MF–II Challenge Process Order on Reconsideration,* including a copy of this Final Regulatory Flexibility Certification, in a report to Congress pursuant to the Congressional Review Act. In addition, the *MF–II Challenge Process Order on Reconsideration* and this final certification will be sent to the Chief Counsel for Advocacy of the SBA, and will be published in the **Federal Register**.

VI. Ordering Clauses

10. Accordingly, *it is ordered*, pursuant to the authority contained in Sections 4(i), 254, 303(r), and 332 of the Communications Act of 1934, as amended, and Section 706 of the Telecommunications Act of 1996, 47 U.S.C. 154(i), 254, 303(r), 332, 1302, and Section 1.113(a) of the Commission's rules, 47 CFR 1.113(a), that the *MF–II Challenge Process Order on Reconsideration* is *adopted*.

- Pursuant to Section 1.103 of the Commission's rules, 47 CFR 1.103, the *MF–II Challenge Process Order on Reconsideration* shall become effective 30 days after the date of publication in the **Federal Register**.
- The Commission shall send a copy of the *MF–II Challenge Process Order on Reconsideration* to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).
- The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, shall send a copy of the *MF–II Challenge Process Order on Reconsideration,* including the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

Federal Communications Commission.

Gary Michaels,

Deputy Chief, Auctions and Spectrum Access Division, WTB.

[FR Doc. 2018–10854 Filed 5–21–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 74

[GN Docket No. 14–166, ET Docket No. 14–165, GN Docket No. 12–268, WT Docket Nos. 08–166, 08–167, and ET Docket No. 10–24: FCC 17–95]

Promoting Spectrum Access for Wireless Microphone Operations

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

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

DATES: The amendments to 47 CFR 74.803(c) and (d) published at 82 FR 41549, September 1, 2017, are effective May 22, 2018.

FOR FURTHER INFORMATION CONTACT: Paul Murray, Office of Engineering and Technology Bureau, at (202) 418–0688, or email: *Paul.Murray@fcc.gov.*

For additional information concerning the Paperwork Reduction Act information collection requirements, contact Nicole Ongele at (202) 418–2991 or *nicole.ongele@fcc.gov.*

SUPPLEMENTARY INFORMATION: This document announces that, on May 1, 2018, OMB approved, for a period of three years, the information collection requirements relating to the consumer disclosure and labeling rules contained in the Commission's Wireless Microphones Order on Reconsideration and Further Notice of Proposed Rulemaking, FCC 17–95 (82 FR 41549, September 1, 2017). The OMB Control Number is 3060–1253. The Commission publishes this document as an announcement of the effective date of the specific § 74.803(c) and (d) rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1–A620, 445 12th Street SW, Washington, DC 20554.

Please include the OMB Control Number, 3060–1253, in your correspondence. The Commission will also accept your comments via email at *PRA@fcc.gov.*

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on May 1, 2018, for the information collection requirements contained in the modifications to the Commission's rule in 47 CFR part 74. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1253.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 10413, October 1, 1995, and 44 U.S.C. 3507.

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

OMB Control Number: 3060–1253.

OMB Approval Date: May 1, 2018.

OMB Expiration Date: May 31, 2021.

Title: Sections 74.803(c) and (d), Wireless Microphones.

Form Number: N/A.

Respondents: Business or other for-profit, and Not-for-profit institutions.

Number of Respondents and Responses: 215 respondents; 2,365 responses.

Estimated Time per Response: 22 hours.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this information collection is contained in sections 1, 4(i), 4(j), 7(a) 301, 302(a), 303(f), 307(e), and 332 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 157(a), 301, 302(a), 303(f), 307(e), and 332.

Total Annual Burden: 2,490 hours.

Total Annual Cost: $166,563.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: No information is requested that would require assurance of confidentiality.

Needs and Uses: On July 14, 2017 the Federal Communications Commission released an Order on Reconsideration and Further Notice of Proposed Rulemaking, *Promoting Spectrum Access for Wireless Microphone Operations; Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37; Amendment of Part 74 of the Commission's Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698–806 MHz Band; Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary Stations, Including Wireless Microphones, and the Digital Television Transition; Amendment of Parts 15, 74 and 90 of the Commission's Rules Regarding Low Power Auxiliary Stations, Including Wireless Microphones,* Order on Reconsideration and Further Notice of Proposed Rulemaking, GN Docket No. 14–166, ET Docket No. 14–165, GN Docket No. 12–268, WT Docket Nos. 08–166, 08–167, and ET Docket No. 10–24, in which the Commission permits certain qualifying professional theaters, music, and performing arts organizations to obtain a part 74 license that would allow them as licensees to obtain such interference protection in the TV bands and, when needed, also to operate in other spectrum bands available for licensed wireless microphone operations under part 74. In addition, with respect to licensed wireless microphone operations in other frequency bands, revisions to the channelization plan for licensed wireless microphone operations in the 169–172 MHz band, generally affirm but provide clarifications regarding the 30-megahertz limit placed on licensed wireless microphone users' access to spectrum in the 1435–1525 MHz band, and clarify coordination requirements and operational limitations for licensed wireless microphone operations in the 941.5–944 MHz band. With these various revisions and clarifications, the Commission finalized the technical rules for wireless microphone operations and, the Commission promotes our goal of accommodating wireless microphone users' needs through access to spectrum resources following the incentive auction and reconfiguration of the TV bands.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2018–10811 Filed 5–21–18; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 83, No. 99
Tuesday, May 22, 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.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0145]

RIN 1625–AA00

Safety Zone; Fourth of July Fireworks Patriots Point, Charleston, SC

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a temporary safety zone for certain navigable waters of Cooper River at Patriot's Point in Charleston, SC. This action is necessary to provide for the safety of the general public, spectators, vessels, and the marine environment from potential hazards during a fireworks display. This proposed rulemaking would prohibit persons and vessels from entering, transiting through, anchoring in, or remaining within the safety zone unless authorized by the Captain of the Port Charleston (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 June 21, 2018.

ADDRESSES: You may submit comments identified by docket number USCG–2018–0145 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 Lieutenant Justin Heck, Sector Charleston Office of Waterways Management, Coast Guard; telephone (843) 740–3184, email *Justin.C.Heck@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
Pub. L. Public Law
§ Section
U.S.C. United States Code
COTP Captain of the Port

II. Background, Purpose, and Legal Basis

On February 9, 2018, the Patriots Point Naval and Maritime Museum notified the Coast Guard that it will be conducting a fireworks display from 8:30 p.m. to 9:30 p.m. on July 4, 2018. The fireworks are to be launched from a barge along the bank of the Cooper River at Patriots Point in Charleston, SC. Hazards from firework displays include accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. The Captain of the Port Charleston (COTP) has determined that potential hazards associated with the fireworks to be used in this display would be a safety concern for anyone within a 500-yard radius of the barge.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters within a 500-yard radius of the fireworks barge before, during, and after the scheduled event. The Coast Guard proposes this rulemaking under authority in 33 U.S.C. 1231.

III. Discussion of Proposed Rule

The COTP proposes to establish a safety zone from 8:15 p.m. to 9:45 p.m. on July 4, 2018. The safety zone would cover all navigable waters within 500-yards of the fireworks barge located at Patriots Point on the Cooper River in Charleston, SC. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after the scheduled 8:30 p.m. to 9:30 p.m. fireworks display. No vessel or person would be permitted to enter, transit through, anchor in, or remain within the safety zone without obtaining permission from the COTP or a designated representative. The Coast Guard would provide notice of the safety zone by local notice to mariners, broadcast notice to mariners, and on-scene designated representatives. 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 the size, location, duration, and time-of-day of the safety zone. The safety zone will only be enforced for a total of an hour and a half, and although persons and vessels may not enter, transit through, anchor in, or remain within the safety zone without authorization from the Captain of the Port Charleston or a designated representative, vessel traffic would be able to safely operate in the surrounding area during the enforcement period and the rule would allow vessels to seek permission to enter the zone. Moreover, the Coast Guard would provide advance notification of the safety zone to the local maritime community by local notice to mariners and broadcast notice to mariners via VHF–FM marine channel 16.

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.

We have considered the impact of this proposed rule on small entities. This rule may affect the following entities, some of which may be small entities: The owner or operators of vessels intending to enter, transit through, anchor in, or remain within the regulated area during the enforcement period. For the reasons stated in section IV.A. above, this proposed rule would not have a significant economic impact on a substantial number of small entities.

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves a safety zone lasting an hour and a half that would prohibit entry within 500 yards of a barge from which fireworks would be launched. Normally such actions are categorically excluded from further review under paragraph L 60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A preliminary Record of Environmental Consideration 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, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 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 a temporary § 165.T07–0145 to read as follows:

§ 165.T07–0145 Safety Zone; Fourth of July Fireworks Patriots Point, Charleston, SC.

(a) *Location.* This rule establishes a safety zone on all waters within a 500-yard radius of the barge, from which fireworks will be launched along the bank of the Cooper River at Patriots Point in Charleston, SC.

(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 Charleston 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 Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the Captain of the Port Charleston by telephone at 843–740–7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by local notice to mariners, broadcast notice to mariners, and on-scene designated representatives.

(d) *Enforcement Period.* This rule will be enforced on July 4, 2018 from 8:15 p.m. until 9:45 p.m.

Dated: May 16, 2018.

J.W. Reed,

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

[FR Doc. 2018–10930 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0203]

RIN 1625–AA00

Safety Zone; Marshwalk Group Independence Day Fireworks, Murrells Inlet, SC

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a temporary safety zone for certain waters of Murrells Inlet, SC. This action is necessary to provide for the safety of the general public, spectators, vessels, and the marine environment from potential hazards during a fireworks display. This proposed rulemaking would prohibit persons and vessels from entering, transiting through, anchoring in, or remaining within the safety zone unless authorized by the Captain of the Port Charleston (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 June 21, 2018.

ADDRESSES: You may submit comments identified by docket number USCG–2018–0145 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 Lieutenant Justin Heck, Sector Charleston Office of Waterways Management, Coast Guard; telephone (843) 740–3184, email *Justin.C.Heck@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
Pub. L. Public Law
§ Section
U.S.C. United States Code
COTP Captain of the Port

II. Background, Purpose, and Legal Basis

On March 3, 2018, the Marsh Walk Group notified the Coast Guard that it would be conducting a fireworks display from 9 p.m. to 10 p.m. on July 4, 2018. The fireworks are to be launched from the end of the Veterans Fishing Pier in Murrells Inlet, SC. Hazards from firework displays include accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. The Captain of the Port Charleston (COTP) has determined that potential hazards associated with the fireworks to be used in this display would be a safety concern for anyone within a 500-yard radius of the pier.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters within a 500-yard radius of the pier before, during, and after the scheduled event. The Coast Guard proposes this rulemaking under authority in 33 U.S.C. 1231.

III. Discussion of Proposed Rule

The COTP proposes to establish a safety zone from 8:45 p.m. to 10:15 p.m. on July 4, 2018. The safety zone would cover all navigable waters within 500-yards of the Veterans Fishing Pier located at Murrells Inlet, SC. The duration of the zone is intended to ensure the safety of life on these navigable waters before, during, and after the scheduled 9 p.m. to 10 p.m. fireworks display. No person or vessel would be permitted to enter, transit through, anchor in, or remain within the safety zone without obtaining permission from the COTP or a designated representative. The Coast Guard would provide notice of the safety zone by local notice to mariners, broadcast notice to mariners, and on-scene designated representatives. 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 the size, location, duration, and time-of-day of the safety zone. The safety zone will only be enforced for a total of an hour and a half, and although persons and vessels may not enter, transit through, anchor in, or remain within the safety zone without authorization from the COTP or a designated representative, vessel traffic would be able to safely operate in the surrounding area during the enforcement period and the rule would allow vessels to seek permission to enter the zone. Moreover, the Coast Guard would provide advance notification of the safety zone to the local maritime community by local notice to mariners and broadcast notice to mariners via VHF–FM marine channel 16.

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.

We have considered the impact of this proposed rule on small entities. This rule may affect the following entities, some of which may be small entities: The owner or operators of vessels intending to enter, transit through, anchor in, or remain within the regulated area during the enforcement period. For the reasons stated in section IV.A. above, this proposed rule would not have a significant economic impact on a substantial number of small entities.

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves a safety zone lasting an hour and a half that would prohibit entry within 500-yards of a pier from which fireworks are being launched. Normally such actions are categorically excluded from further review under paragraph L 60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A preliminary Record of Environmental Consideration 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, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 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 a temporary § 165.T07–0203 to read as follows:

§ 165.T07–0203 Safety Zone; Marshwalk Group Independence Day Fireworks, Murrells Inlet, SC.

(a) *Location.* The following is a safety zone: Certain waters of the Atlantic Ocean at Murrells Inlet, South Carolina within a 500-yard radius of Veterans Fishing Pier.

(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 Charleston 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 Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the Captain of the Port Charleston by telephone at 843–740–7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by local notice to mariners, broadcast notice to mariners, and on-scene designated representatives.

(d) *Enforcement Period.* This rule will be enforced on July 4, 2018 from 8:45 p.m. until 10.15 p.m.

Dated: May 16, 2018.

J.W. Reed,

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

[FR Doc. 2018–10931 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2017–1081]

RIN 1625–AA87

Security Zones; Dignitary Arrival/Departure and United Nations Meetings, New York, NY

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to modify the Marine Air Terminal, LaGuardia Airport Security Zone. The modification of the security zone would expand the existing security zone boundary north along the Rikers Island Bridge to the intersecting point on the southern tip of Rikers Island then east to the western end of LaGuardia Airport. This expanded security zone is necessary to protect the port, waterfront facilities, and waters of the United States from terrorism, sabotage, or other subversive acts and incidents of a similar nature during visits to New York City by various dignitaries. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before July 23, 2018.

ADDRESSES: You may submit comments identified by docket number USCG–2017–1081 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 MST1 Kristina Pundt, Sector New York Waterways Division, U.S. Coast Guard; telephone 718–354–4352, email *Kristina.H.Pundt@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background, Purpose, and Legal Basis

On September 29, 2014, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) with a request for comments entitled, ''Security Zones; Dignitary Arrival/Departure and United Nations Meetings, New York, NY'' in the **Federal Register** (79 FR 58298). This NPRM proposed to disestablish three regulated navigation areas (RNAs) and replace each with a security zone. No comments nor requests for a public meeting were received. On December 30, 2014 the Coast Guard published a Final Rule titled, ''Security Zones; Dignitary Arrival/Departure and United Nations Meetings, New York, NY'' in the **Federal Register** (79 FR 78308). This final rule disestablished the RNAs and replaced each with a security zone. One of the security zones established was the Marine Air Terminal, LaGuardia Airport security zone.

The purpose of this rulemaking is to modify the existing Marine Air Terminal, LaGuardia Airport security zone. Due to location adjustments of security staging areas, the Coast Guard has determined that modification of the existing security zone is necessary to safeguard the port, waterfront facilities, and waters of the United States from terrorism, sabotage, or other subversive acts and incidents of a similar nature during visits by various dignitaries to New York City.

The Coast Guard proposes this rulemaking under the authority in 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; and Department of Homeland Security Delegation No. 0170.1.

III. Discussion of Proposed Rule

The Coast Guard proposes to amend 33 CFR 165.164 by modifying the

existing Marine Air Terminal, LaGuardia Airport security zone. The modification of the security zone would expand the existing security zone boundary north along the Rikers Island Bridge to the intersecting point on the southern tip of Rikers Island then east to the western end of LaGuardia Airport. Due to location adjustments of security staging areas, the Coast Guard has determined that the existing security zone does not provide an adequate level of security. The proposed modification will allow enforcement of a security zone that will minimize threat exposure. 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 the limited size and enforcement of the proposed security zone. Although expanding upon the current security zone, the proposed modification only encompasses a small designated area of Bowery Bay. Additionally, the proposed security zone will only be enforced during the infrequent visits of domestic and foreign dignitaries for as limited duration as necessary to safeguard against destruction, loss, or injury from sabotage or other subversive acts, accidents, or other causes of a similar nature. Moreover, the Coast Guard will issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 prior to periods of enforcement. Lastly, the rule would continue to allow vessels to seek permission to transit 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 security 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 rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this proposed rule under Department of Homeland Security 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 made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves the modification of a security zone that would prohibit entry into Bowery Bay for a limited duration and for a limited number of instances each year. Normally such actions are categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A draft Record of Environmental Consideration 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, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 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. In § 165.164, revise paragraph (a)(3) to read as follows:

(a) * * *

(3) Marine Air Terminal, LaGuardia Airport Security Zone: All waters of Bowery Bay, Queens, New York, inside of a line drawn from the start of the Rikers Island Bridge in Queens at approximate position 40°46′37″ N, 073°53′30″ W to the intersecting point on the southern side of Rikers Island at approximate position 40°47′12″ N, 073°53′06″ W, then a line drawn east to the western end of LaGuardia Airport at approximate position 40°47′00″ N, 073°52′44″ W, then a line drawn south following the shoreline back to the point of origin at 40°46′37″ N, 073°53′30″ W (NAD 1983).

Dated: May 7, 2018.

M.H. Day,

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

[FR Doc. 2018–10899 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 13

[NPS–AKRO–25579; PPAKAKROZ5, PPMPRLE1Y.L00000]

RIN 1024–AE38

Alaska; Hunting and Trapping in National Preserves

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The National Park Service proposes to amend its regulations for sport hunting and trapping in national preserves in Alaska. This proposed rule would remove a regulatory provision issued by the National Park Service in 2015 that prohibited certain sport hunting practices that are otherwise permitted by the State of Alaska. These proposed changes are consistent with Secretary of the Interior Orders 3347 and 3356.

DATES: Comments on the proposed rule must be received by 11:59 p.m. EST on July 23, 2018.

ADDRESSES: You may submit comments, identified by Regulation Identifier Number (RIN) 1024–AE38, by either of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail or hand deliver to:* National Park Service, Regional Director, Alaska Regional Office, 240 West 5th Ave., Anchorage, AK 99501.
- *Instructions:* Comments will not be accepted by fax, email, or in any way other than those specified above. All submissions received must include the words ''National Park Service'' or ''NPS'' and must include the docket number or RIN (1024–AE38) for this rulemaking. 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: Herbert C. Frost, Regional Director, Alaska Regional Office, 240 West 5th Ave., Anchorage, AK 99501. Phone (907) 644–3510. Email: *AKR_Regulations@nps.gov.*

SUPPLEMENTARY INFORMATION:

Background

On October 23, 2015, the National Park Service (NPS) published a final rule (Final Rule) to amend its regulations for sport hunting and trapping in national preserves in Alaska (80 FR 64325). The Final Rule codified prohibitions on certain types of harvest practices that are otherwise permitted by the State of Alaska. The practices are: Taking any black bear, including cubs and sows with cubs, with artificial light at den sites; harvesting brown bears over bait; taking wolves and coyotes (including pups) during the denning season (between May 1 and August 9); taking swimming caribou; taking caribou from motorboats under power; taking black bears over bait; and using dogs to hunt black bears. This rule is inconsistent with State of Alaska's hunting regulations found at 5 AAC Part 85.

Since the publication of the Final Rule, the Secretary of the Interior issued two Secretarial Orders regarding how the Department of the Interior should manage recreational hunting and trapping in the lands and waters it administers, and directing greater collaboration with state, tribe, and territorial partners in doing so.

On March 2, 2017, Secretary Zinke signed Secretarial Order 3347, Conservation Stewardship and Outdoor Recreation. Part of the stated purpose of Secretarial Order 3347 is to increase outdoor recreation and improve the management of game species and their habitat. Secretarial Order 3347 directs the Department of the Interior to identify specific actions to (1) expand access significantly for recreational hunting and fishing on public lands; and (2) improve recreational hunting

and fishing cooperation, consultation, and communication with state wildlife managers.

On September 15, 2017, Secretary Zinke signed Secretarial Order 3356, Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with State, Tribes, and Territories. Part of the stated purpose of Secretarial Order 3356 is to increase outdoor recreation opportunities for all Americans in greater collaboration with state partners, including opportunities to hunt. Secretarial Order 3356 directs the NPS to (1) identify whether hunting opportunities on Department lands could be expanded; (2) work cooperatively with state wildlife agencies to enhance their access to Department lands for wildlife management actions; (3) work cooperatively with state wildlife agencies to ensure that hunting regulations for Department lands and waters complement the regulations on the surrounding lands and waters; and (4) work in close coordination and cooperation with the appropriate state wildlife agency to begin the necessary process to modify regulations in order to advance shared wildlife conservation goals/objectives that align predator management programs, seasons, and methods of take permitted on all Department-managed lands and waters with corresponding programs, seasons, and methods established by state wildlife management agencies.

The purpose of this proposed rule is to align sport hunting regulations in national preserves in Alaska with State of Alaska regulations and to enhance consistency with harvest regulations on surrounding non-federal lands and waters in furtherance of Secretarial Orders 3347 and 3356. The proposed rule would apply the State of Alaska's hunting regulations to national preserve lands, with limited exceptions found elsewhere in NPS regulations. See, *e.g.,* 36 CFR 13.42(d).

The 2015 Final Rule prohibits the hunting practices otherwise permitted by the State of Alaska because NPS found those practices: (1) To have intent or potential to alter or manipulate natural predator-prey dynamics, and associated natural ecological processes for the purpose of increasing harvest of ungulates by man; (2) to adversely impact public safety; or (3) to be inconsistent with federal law authorizing sport hunting in national preserves in Alaska. However, states have primary jurisdiction to manage wildlife throughout their state. In addition, NPS has broad discretion in managing wildlife on national preserves under applicable laws, policies, and regulations.

Taking into account the Secretarial Orders described above, NPS has reconsidered its earlier conclusions and determined that these previously prohibited practices can be allowed consistent with the goal of aligning its rules with those of the State. Allowing these practices is consistent with NPS Management Policy 4.4.3 which provides that NPS does not allow activities to reduce the numbers of native species for the purpose of increasing the numbers of harvested species. The discussion in the 2015 rule of an action's ''intent or potential'' to manipulate predator dynamics goes beyond the plain language of section 4.4.3 of Management Policies. Additionally, the State of Alaska disputes that the hunting methods and seasons (allowed by the state but prohibited by current NPS regulations) are intended to function as a predator control program. Rather, the State asserts the hunting regulations are intended to provide opportunity for harvests of wolves, coyotes, bears, and other species as requested by the public. The State also maintains that any effects to the natural abundances, diversities, distributions, densities, age-class distributions, populations, habitats, genetics, and behaviors of wildlife from implementing its regulations are likely negligible. As noted below, NPS will prepare an environmental assessment for this regulation to determine whether it will have any significant impacts on wildlife or other resources.

With respect to the practices that NPS previously determined to be inconsistent with federal law authorizing harvest for sport purposes in national preserves in Alaska, no applicable federal law or regulation defines ''sport hunting.'' With regard to NPS's statement in the 2015 rule that baiting poses an increased public safety risk, the State of Alaska's position is that baiting does not cause bears to become food-conditioned, and therefore a greater safety concern.

Proposed Rule

For the above stated reasons, the NPS proposes to remove paragraphs (f) and (g) of 36 CFR 13.42. Paragraph (f) states that State of Alaska management actions or laws or regulations that authorize taking of wildlife are not adopted in park areas if they are related to predator reduction efforts, which is defined as efforts with the intent or potential to alter or manipulate natural predator-prey dynamics and associated natural ecological processes, in order to increase harvest of ungulates by humans. Paragraph (g) sets forth a table of prohibited methods of taking wildlife for sport purposes in national preserves in Alaska. Most of these prohibited methods are also prohibited by the State of Alaska. Some of them, however, conflict with authorizations by the State of Alaska as explained above. The NPS believes that removing paragraphs (f) and (g) would implement the directive announced in Secretarial Orders 3347 and 3356 by increasing hunting opportunities in national preserves and promoting consistency between federal regulations and state wildlife harvest regulations. In addition, the proposed rule would remove the definitions of ''Big game'', ''Cub bear'', ''Fur animal'', and ''Furbearer'' from section 13.1 because those terms are only used in paragraphs (f) and (g).

Compliance With Other Laws, Executive Orders and Department Policy

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget will review all significant rules. The Office of Information and Regulatory Affairs has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of Executive Order 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. Executive Order 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. The NPS has developed this rule in a manner consistent with these requirements.

Reducing Regulation and Controlling Regulatory Costs (Executive Order 13771)

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

Regulatory Flexibility Act

This rule will not have a significant economic effect on a substantial number of small entities under the Regulatory

Flexibility Act (5 U.S.C. 601 *et seq.*). This certification is based on the cost-benefit and regulatory flexibility analyses found in the report entitled ''Cost-Benefit and Regulatory Flexibility Analyses: Proposed Revisions to Sport Hunting and Trapping Regulations in National Preserves in Alaska'' which can be viewed online at *http://parkplanning.nps.gov/akro.*

Small Business Regulatory Enforcement Fairness Act

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

(a) Does not have an annual effect on the economy of $100 million or more.

(b) Will not cause a major increase in costs or prices for consumers, individual industries, federal, state, or local government agencies, or geographic regions.

(c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act (2 U.S.C. 1531 et seq.)

This rule does not impose an unfunded mandate on state, local, or tribal governments or the private sector of more than $100 million per year. The rule does not have a significant or unique effect on state, local or tribal governments or the private sector. It addresses public use of national park lands, and imposes no requirements on other agencies or governments. A statement containing the information required by the Unfunded Mandates Reform Act is not required.

Takings (Executive Order 12630)

This rule does not effect a taking of private property or otherwise have takings implications under Executive Order 12630. A takings implication assessment is not required.

Federalism (Executive Order 13132)

Under the criteria in section 1 of Executive Order 13132, the rule does not have sufficient federalism implications to warrant the preparation of a Federalism summary impact statement. This proposed rule only affects use of federally-administered lands and waters. It has no outside effects on other areas. A Federalism summary impact statement is not required.

Civil Justice Reform (Executive Order 12988)

This rule complies with the requirements of Executive Order 12988. This rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

Consultation With Indian Tribes (Executive Order 13175 and Department Policy)

The Department of the Interior strives to strengthen its government-to government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and tribal sovereignty. We have evaluated this rule under the criteria in Executive Order 13175 and under the Department's tribal consultation and Alaska Native Claims Settlement Act (ANCSA) Native Corporation policies and have determined that the rule may have substantial direct effect on federally recognized Indian tribes. The NPS has invited Alaska native tribes and corporations to consult on the proposed rule and has consulted with those tribes and corporations that have requested consultation.

Paperwork Reduction Act

This rule does not contain information collection requirements, and a submission to the Office of Management and Budget under the Paperwork Reduction Act is not required. The NPS may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

National Environmental Policy Act

NPS will prepare an environmental assessment to determine whether this rule will have a significant impact on the quality of the human environment under the National Environmental Policy Act of 1969 (NEPA).

Effects on the Energy Supply (Executive Order 13211)

This rule is not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects in not required.

Clarity of This Rule

The NPS is required by Executive Orders 12866 (section 1(b)(12)) and 12988 (section 3(b)(1)(B)), and 13563 (section 1(a)), and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule the NPS publishes must:

(a) Be logically organized;

(b) Use the active voice to address readers directly;

(c) Use common, everyday words and clear language rather than jargon;

(d) Be divided into short sections and sentences; and

(e) Use lists and tables wherever possible.

If you feel that the NPS has not met these requirements, send the NPS comments by one of the methods listed in the **ADDRESSES** section. To better help the NPS revise the rule, your comments should be as specific as possible. For example, you should identify the numbers of the sections or paragraphs that you find unclear, which sections or sentences are too long, the sections where you feel lists or tables would be useful, etc.

Public Participation

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments regarding this proposed rule by one of the methods listed in the **ADDRESSES** section of this document.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask the NPS in your comment to withhold your personal identifying information from public review, the NPS cannot guarantee that it will be able to do so.

List of Subjects in 36 CFR Part 13

Alaska, National Parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, the National Park Service proposes to amend 36 CFR part 13 as set forth below:

PART 13—NATIONAL PARK SYSTEM UNITS IN ALASKA

■ 1. The authority citation for part 13 continues to read as follows:

Authority: 16 U.S.C. 3124; 54 U.S.C. 100101, 100751, 320102; Sec. 13.1204 also issued under Sec. 1035, Pub. L. 104–333, 110 Stat. 4240.

§ 13.1 [Amended]

■ 2. In § 13.1 remove the definitions of ''Big game'', ''Cub bear'', ''Fur animal'', and ''Furbearer''.

§ 13.42 [Amended]

■ 3. In § 13.42, remove and reserve paragraphs (f) and (g).

David L. Bernhardt,

Deputy Secretary.

[FR Doc. 2018–10735 Filed 5–21–18; 8:45 am]

BILLING CODE 4310–EJ–P

Notices

Federal Register
Vol. 83, No. 99
Tuesday, May 22, 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

Notice of Request for Submission for Review of a Currently Approved Information Collection

AGENCY: National Finance Center (NFC), USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 this notice announces the USDA, NFC's intention to request a review of a currently approved information collection for the Direct Premium Remittance System (DPRS) Form DPRS–2809.

DATES: Comments on this notice must be received by July 23, 2018 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: A copy of this Information Collection Request, with applicable supporting documentation, may be obtained by contacting Adrianne F. Riviere, Chief, Government Insurance Services Branch, USDA, NFC, DPRS Billing Unit, P.O. Box 61760, New Orleans, Louisiana 70161, Telephone: 504–426–7460, Fax: 303–205–3172, or email to *nfc.dprs@nfc.usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: DPRS–2809.

Office of Management and Budget (OMB) Number: 0505–0024.

Expiration Date of Approval: April 30, 2018.

Type of Request: Extension/Revision of a currently approved information collection.

Abstract: Form DPRS–2809, is for spouse equity/temporary continuation of coverage (TCC) enrollees and direct pay annuitants who are eligible to elect, cancel, or change health benefits enrollment during the open season each year.

Estimated Time per Respondent: Public reporting burden for this collection of information is estimated to average 45 minutes per response.

Respondents: Individuals who are under the Spouse Equity Act, TCC and direct pay annuitants who are eligible to make Federal Employees Health Benefits plan changes during open season.

Estimated Number of Respondents: 25,000.

Estimated Number of Responses per Respondent: 1 (one).

Estimated Total Annual Burden on Respondents: 18,750.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Interested persons are invited to submit written comments on the proposed information collection. Comments may be sent to DPRS via email to *nfc.dprs@nfc.usda.gov.* All comments received will be available for public inspection during regular business hours at the same address. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: May 3, 2018.

Calvin W. Turner Jr.,

Director.

[FR Doc. 2018–10863 Filed 5–21–18; 8:45 am]

BILLING CODE 3410–KS–P

DEPARTMENT OF AGRICULTURE

Rural Business-Cooperative Service

Notice of Solicitation of Applications (NOSA) Inviting Applications for the Rural Economic Development Loan and Grant Programs for Fiscal Year 2018

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Notice.

SUMMARY: This notice is to invite applications for loans and grants under the Rural Economic Development Loan and Grant (REDLG) Programs for fiscal year (FY) 2018, subject to the availability of funding. This notice is being issued in order to allow applicants sufficient time to leverage financing, prepare and submit their applications, and give the Agency time to process applications within FY 2018. Successful applications will be selected by the Agency for funding and subsequently awarded to the extent that funding may ultimately be made available through appropriations. An announcement on the website at *http://www.rd.usda.gov/newsroom/notices-solicitation-applications-nosas* will identify the amount received in the appropriations.

All applicants are responsible for any expenses incurred in developing their applications.

DATES: See under **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: Submit applications in paper format to the USDA Rural Development State Office for the State where the Project is located. A list of the USDA Rural Development State Office contacts can be found at: *http://www.rd.usda.gov/contact-us/state-offices.*

FOR FURTHER INFORMATION CONTACT: Cindy Mason at (202) 690–1433, *cindy.mason@wdc.usda.gov,* and Sami Zarour at (202) 720–9549, *sami.zarour@wdc.usda.gov,* Specialty Programs Division, Business Programs, Rural Business-Cooperative Service, U.S. Department of Agriculture, 1400 Independence Avenue SW, MS 3226, Room 4204–South, Washington, DC 20250–3226, or call 202–720–1400. For further information on this notice, please contact the USDA Rural Development State Office in the State in which the applicant's headquarters is located.

SUPPLEMENTARY INFORMATION: The Agency encourages applications that will support recommendations made in the Rural Prosperity Task Force report to help improve life in rural America. (*www.usda.gov/ruralprosperity*). Applicants are encouraged to consider projects that provide measurable results in helping rural communities build robust and sustainable economies through strategic investments in infrastructure, partnerships and innovation. Key strategies include:

- Achieving e-Connectivity for Rural America
- Developing the Rural Economy
- Harnessing Technological Innovation
- Supporting a Rural Workforce
- Improving Quality of Life

Overview

Solicitation Opportunity Type: Rural Economic Development Loans and Grants.

Announcement Type: Initial Solicitation Announcement.

Catalog of Federal Domestic Assistance Number: 10.854.

Dates: The deadline for completed applications to be received in the USDA Rural Development State Office no later than 4:30 p.m. (local time) are: Fourth Quarter, June 30, 2018.

A. Program Description

1. *Purpose of the Program.* The purpose of the program is to promote rural economic development and job creation projects.

2. *Statutory Authority.* These Programs are authorized under 7 U.S.C. 940c and 7 CFR part 4280, subpart A. Assistance provided to Rural areas, as defined, under this program may include business startup costs, business expansion, business incubators, Technical assistance feasibility studies, Advanced telecommunications services and computer networks for medical, educational, and job training services, and Community Facilities Projects for economic development.

Awards under the REDLG Programs will be made on a competitive basis using specific selection criteria contained in 7 CFR part 4280, subpart A. Information required to be in the application package includes Standard Form (SF) 424, ''Application for Federal Assistance;'' a Resolution of the Board of Directors; AD–1047, ''Debarment/Suspension Certification;'' AD–1049 ''Certification Regarding Drug-Free Workplace Requirements;'' SF LLL, Restrictions on Lobbying; RD 400–1, ''Equal Opportunity Agreement;'' RD 400–4, ''Assurance Agreement;'' Assurance Statement for the Uniform Act; Seismic Certification (if construction); paperwork required in accordance with 7 CFR part 1970, ''Environmental Policies and Procedures.'' If the proposal involves new construction; large increases in employment; hazardous waste; a change in use, size, capacity, purpose, or location from an original facility; or is publicly controversial, the following is required: Environmental documentation in accordance with 7 CFR part 1970;'' RUS Form 7, ''Financial and Statistical Report;'' and RUS Form 7a, ''Investments, Loan Guarantees, and Loans,'' or similar information; and written narrative of Project description. Applications will be tentatively scored by the State Offices and submitted to the National Office for review.

3. *Definition of Terms.* The definitions applicable to this notice are published at 7 CFR 4280.3.

4. *Application Awards.* The Agency will review, evaluate, and score applications received in response to this notice based on the provisions found in 7 CFR part 4280, subpart A, and as indicated in this notice. However, the Agency advises all interested parties that the applicant bears the burden in preparing and submitting an application in response to this notice whether or not funding is appropriated for these Programs in FY 2018.

B. Federal Award Information

Type of Awards: Loans and Grants.

Fiscal Year Funds: FY 2018.

Available Funds: Anyone interested in submitting an application for funding under these Programs are encouraged to consult the Rural Development Web Newsroom website at *http://www.rd.usda.gov/newsroom/notices-solicitation-applications-nosas* for funding information.

Maximum Award: The Agency anticipates the following maximum amounts per award: Loans—$2,000,000; Grants—$300,000.

Award Dates: Fourth Quarter, August 31, 2018.

Performance Period: October 1, 2018, through September 30, 2019.

Renewal or Supplemental Awards: None.

C. Eligibility Information

1. Eligible Applicants

Loans and grants may be made to any entity that is identified by USDA Rural Development as an eligible borrower under the Rural Electrification Act of 1936, as amended (Act). In accordance with 7 CFR 4280.13, applicants that are not delinquent on any Federal debt or otherwise disqualified from participation in these Programs are eligible to apply. An applicant must be eligible under 7 U.S.C. 940c. Notwithstanding any other provision of law, any former Rural Utilities Service borrower that has repaid or prepaid an insured, direct, or guaranteed loan under the Act, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act. All other restrictions in this notice will apply.

The Agency requires the following information to make an eligibility determination. These applications must include, but are not limited to, the following:

(a) An original and one copy of SF 424, ''Application for Federal Assistance (for non-construction);''

(b) Copies of applicant's organizational documents showing the applicant's legal existence and authority to perform the activities under the Grant;

(c) A proposed scope of work, including a description of the proposed Project, details of the proposed activities to be accomplished and timeframes for completion of each task, the number of months duration of the Project, and the estimated time it will take from grant approval to beginning of Project implementation;

(d) A written narrative that includes, at a minimum, the following items:

(i) An explanation of why the Project is needed, the benefits of the proposed Project, and how the Project meets the Grant eligible purposes;

(ii) Area to be served, identifying each governmental unit, *i.e.,* tribe, town, county, etc., to be affected by the Project;

(iii) Description of how the Project will coordinate economic development activities with other economic development activities within the Project area;

(iv) Businesses to be assisted, if appropriate, and economic development to be accomplished;

(v) An explanation of how the proposed Project will result in newly created, increased, or supported jobs in the area and the number of projected new and supported jobs within the next 3 years;

(vi) A description of the applicant's demonstrated capability and experience in providing the proposed Project assistance, including experience of key staff members and persons who will be providing the proposed Project activities and managing the Project;

(vii) The method and rationale used to select the areas and businesses that will receive the service;

(viii) A brief description of how the work will be performed, including whether organizational staff or consultants or contractors will be used; and

(ix) Other information the Agency may request to assist it in making a grant award determination.

(e) The last 3 years of financial information to show the applicant's financial capacity to carry out the proposed work. If the applicant is less than 3 years old, at a minimum, the information should include all balance sheet(s), income statement(s), and cash flow statement(s). A current audited report is required if available;

(f) Documentation regarding the availability and amount of other funds to be used in conjunction with the funds from REDLG; and

(g) A budget which includes salaries, fringe benefits, consultant costs, indirect costs, and other appropriate direct costs for the Project.

2. Cost Sharing or Matching

For loans, either the Ultimate Recipient or the Intermediary must provide supplemental funds for the Project equal to at least 20 percent of the loan to the Intermediary. For grants, the Intermediary must establish a Revolving Loan Fund (or Fund) and contribute an amount equal to at least 20 percent of the Grant. The supplemental contribution must come from Intermediary's funds which may not be from other Federal Grants, unless permitted by law.

3. Other

Applications will only be accepted for projects that promote rural economic development and job creation.

There are no ''responsiveness'' or ''threshold'' eligibility criteria for these loans and grants. There is no limit on the number of applications an applicant may submit under this announcement. In addition to the forms listed under the program description, Form AD 3030 ''Representations Regulation Felony Conviction and Tax Delinquent Status for Corporate Applicants,'' must be completed in the affirmative.

None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

4. Completeness Eligibility

Applications will not be considered for funding if they do not provide sufficient information to determine eligibility or are missing required elements.

D. Application and Submission Information

1. Address To Request Application Package

For further information, entities wishing to apply for assistance should contact the USDA Rural Development State Office provided in the **ADDRESSES** section of this notice to obtain copies of the application package.

Prior to official submission of grant applications, applicants may request technical assistance or other application guidance from the Agency, as long as such requests are made by June 15, 2018. Technical assistance is not meant to be an analysis or assessment of the quality of the materials submitted, a substitute for agency review of completed applications, nor a determination of eligibility, if such determination requires in-depth analysis. The Agency will not solicit or consider scoring or eligibility information that is submitted after the application deadline. The Agency reserves the right to contact applicants to seek clarification information on materials contained in the submitted application.

Applications must be submitted in paper format. Applications submitted to a Rural Development State Office must be received by the closing date and local time deadline.

All applicants must have a Dun and Bradstreet Data Universal Numbering System (DUNS) number which can be obtained at no cost via a toll-free request line at (866) 705–5711 or at *http://fedgov.dnb.com/webform.* Each applicant (unless the applicant is an individual or Federal awarding agency that is excepted from the requirements under 2 CFR 25.110(b) or (c) or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to: (i) Be registered in the System for Award Management (SAM) before submitting its application; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. The Federal awarding agency may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Please note that applicants must locate the downloadable application package for this program by the Catalog of Federal Domestic Assistance Number or FedGrants Funding Opportunity Number, which can be found at *http://www.grants.gov.*

2. Content and Form of Application Submission

An application must contain all of the required elements. Each selection priority criterion outlined in 7 CFR 4280.42(b) must be addressed in the application. Failure to address any of the criterion will result in a zero-point score for that criterion and will impact the overall evaluation of the application. Copies of 7 CFR part 4280, subpart A, will be provided to any interested applicant making a request to a Rural Development State Office. An original copy of the application must be filed with the Rural Development State Office for the State where the Intermediary is located.

The applicant documentation and forms needed for a complete application are located in the *Program Description*

section of this notice, and 7 CFR part 4280, subpart A. There are no specific formats required per this notice, and applicants may request forms and addresses from the **ADDRESSES** section of this notice.

(a) There are no specific limitations on the number of pages or other formatting requirements other than those described in the *Program Description* section.

(b) There are no specific limitations on the number of pages, font size and type face, margins, paper size, number of copies, and the sequence or assembly requirements.

(c) The component pieces of this application should contain original signatures on the original application.

3. Submission Dates and Times

(a) Application Deadline Dates: No later than 4:30 p.m. (local time) on: Fourth Quarter, June 30, 2018.

Explanation of Dates: Applications must be in the USDA Rural Development State Office by the dates and times as indicated above. If the due date falls on a Saturday, Sunday, or Federal holiday, the application is due the next business day.

(b) The deadline date means that the completed application package must be received in the USDA Rural Development State Office by the deadline date and time established above. All application documents identified in this notice are required.

(c) If completed applications are not received by the deadline established above, the application will neither be reviewed nor considered under any circumstances.

(d) The Agency will determine the application receipt date based on the actual date postmarked.

(e) If the grantee has a previously approved indirect cost rate, it is permissible, otherwise, the applicant may elect to charge the 10 percent indirect cost permitted under 2 CFR 200.414(f). Due to the time required to evaluate Indirect Cost Rates, it is likely that all funds will be awarded by the time the Indirect Cost Rate is determined. No foreign travel is permitted. Pre-Federal award costs will only be permitted with prior written approval by the Agency.

(f) Applicants must submit applications in hard copy format as previously indicated in the *Application and Submission Information* section of this notice. If the applicant wishes to hand deliver its application, the addresses for these deliveries can be located in the **ADDRESSES** section of this notice.

(g) If you require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720–2600 (voice and TDD).

E. Application Review Information

1. Criteria

All eligible and complete applications will be evaluated and scored based on the selection criteria and weights contained in 7 CFR part 4280, subpart A. Failure to address any one of the criteria by the application deadline will result in the application being determined ineligible, and the application will not be considered for funding.

2. Review and Selection Process

The State Offices will review applications to determine if they are eligible for assistance based on requirements contained in 7 CFR part 4280, subpart A. If determined eligible, your application will be submitted to the National Office. Funding of projects is subject to the Intermediary's satisfactory submission of the additional items required by that subpart and the USDA Rural Development Letter of Conditions. The Agency reserves the right to award additional discretionary points under 7 CFR 4280.43.

In order to distribute funds among the greatest number of projects possible, applications will be reviewed, prioritized, and funded by ranking each State's highest scoring Project in highest to lowest score order. The highest scoring Project from each State will be considered that State's Priority One Project. Priority One projects will be ranked according to score from highest to lowest. The second highest scoring Project from each State will be considered the State's Priority Two Project. Priority Two projects will be ranked according to score from highest to lowest and so forth until all projects have been scored and ranked in priority order. All Priority One projects will be funded before any Priority Two projects and so forth until funds are depleted, so as to ensure broad geographic distribution of funding.

F. Federal Award Administration Information

1. Federal Award Notices

Successful applicants will receive notification for funding from the Rural Development State Office. Applicants must comply with all applicable statutes and regulations before the loan/grant award can be approved. Provided the application and eligibility requirements have not changed, an application not selected will be reconsidered in three subsequent quarterly funding competitions for a total of four competitions. If an application is withdrawn, it can be resubmitted and will be evaluated as a new application.

2. Administrative and National Policy Requirements

Additional requirements that apply to intermediaries or grantees selected for these Programs can be found in 7 CFR part 4280, subpart A. Awards are subject to USDA grant regulations at 2 CFR Chapter IV which incorporated the Office of Management and Budget (OMB) regulations 2 CFR 200.

All successful applicants will be notified by letter which will include a Letter of Conditions, and a Letter of Intent to Meet Conditions. This letter is not an authorization to begin performance. If the applicant wishes to consider beginning performance prior to the loan or grant being officially closed, all pre-award costs must be approved in writing and in advance by the Agency. The loan or grant will be considered officially awarded when all conditions in the Letter of Conditions have been met and the Agency obligates the funding for the Project.

Additional requirements that apply to intermediaries or grantees selected for these Programs can be found in 7 CFR 4280, subpart A; the Grants and Agreements regulations of the U.S. Department of Agriculture codified in 2 CFR parts 400.1–400.2 and 2 CFR part 415 to 422, and successor regulations to these parts.

In addition, all recipients of Federal financial assistance are required to report information about first-tier sub-awards and executive compensation (see 2 CFR part 170). You will be required to have the necessary processes and systems in place to comply with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109–282) reporting requirements (see 2 CFR 170.200(b), unless you are exempt under 2 CFR 170.110(b)).

The following additional requirements apply to intermediaries or grantees selected for these Programs:

(a) Form RD 4280–2 ''Rural Business-Cooperative Service Financial Assistance Agreement.''

(b) Letter of Conditions.

(c) Form RD 1940–1, ''Request for Obligation of Funds.''

(d) Form RD 1942–46, ''Letter of Intent to Meet Conditions.''

(e) Form AD–1047, ''Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions.''

(f) Form AD–1048 ''Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions.''

(g) Form AD–1049, ''Certification Regarding a Drug-Free Workplace Requirement (Grants).''

(h) Form AD–3031, ''Assurance Regarding Felony Conviction or Tax Delinquent Status for Corporate Applicants.'' Must be signed by corporate applicants who receive an award under this notice.

(i) Form RD 400–4, ''Assurance Agreement.'' Each prospective recipient must sign Form RD 400–4, ''Assurance Agreement,'' which assures USDA that the recipient is in compliance with Title VI of the Civil Rights Act of 1964, 7 CFR part 15, and other Agency regulations. That no person will be discriminated against based on race, color or national origin, in regard to any program or activity for which the recipient receives Federal financial assistance. That nondiscrimination statements are in advertisements and brochures.

Collect and maintain data provided by Ultimate Recipients on race, sex, and national origin and ensure Ultimate Recipients collect and maintain this data. Race and ethnicity data will be collected in accordance with OMB **Federal Register** notice, ''Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity'' (62 FR 58782), October 30, 1997. Sex data will be collected in accordance with Title IX of the Education Amendments of 1972. These items should not be submitted with the application but should be available upon request by the Agency.

The applicant and the Ultimate Recipient must comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, Executive Order 12250, Executive Order 13166 Limited English Proficiency (LEP), and 7 CFR part 1901, subpart E.

(i) SF LLL, ''Disclosure of Lobbying Activities,'' if applicable.

(j) Use Form SF 270, ''Request for Advance or Reimbursement.''

3. Reporting

(a) A Financial Status Report and a Project performance activity report will be required of all grantees on a quarterly basis until initial funds are expended and yearly thereafter, if applicable, based on the Federal fiscal year. The grantee will complete the Project within the total time available to it in accordance with the Scope of Work and any necessary modifications thereof prepared by the grantee and approved by the Agency. A final Project performance report will be required with the final Financial Status Report. The final report may serve as the last quarterly report. The final report must provide complete information regarding the jobs created and supported as a result of the Grant if applicable. Grantees must continuously monitor performance to ensure that time schedules are being met, projected work by time periods is being accomplished, and other performance objectives are being achieved. Grantees must submit an original of each report to the Agency no later than 30 days after the end of the quarter. The Project performance reports must include, but not be limited to, the following:

(1) A comparison of actual accomplishments to the objectives established for that period;

(2) Problems, delays, or adverse conditions, if any, which have affected or will affect attainment of overall Project objectives, prevent meeting time schedules or objectives, or preclude the attainment of particular Project work elements doing established time periods. This disclosure shall be accompanied by a statement of the action taken or planned to resolve the situation; and

(3) Objectives and timetable established for the next reporting period.

(4) Any special reporting requirements, such as jobs supported and created, businesses assisted, or economic development which results in improvements in median household incomes, and any other specific requirements, should be placed in the reporting section of the Letter of Conditions.

(5) Within 90 days after the conclusion of the Project, the Intermediary will provide a final Project evaluation report. The last quarterly payment will be withheld until the final report is received and approved by the Agency. Even though the Intermediary may request reimbursement on a monthly basis, the last 3 months of reimbursements will be withheld until a final report, Project performance, and financial status report are received and approved by the Agency.

In addition to any reports required by 2 CFR part 200 and 2 CFR 400–400.2 and 2 CFR part 415 to 422, the Intermediary or grantee must provide reports as required by 7 CFR part 4280, subpart A.

G. Federal Awarding Agency Contact(s)

For general questions about this announcement, please contact your USDA Rural Development State Office provided in the **ADDRESSES** section of this notice.

H. Civil Rights Requirements

All grants made under this notice are subject to Title VI of the Civil Rights Act of 1964 as required by the USDA (7 CFR part 15, subpart A) and Section 504 of the Rehabilitation Act of 1973, Title VIII of the Civil Rights Act of 1968, Title IX, Executive Order 13166 (Limited English Proficiency), Executive Order 11246, and the Equal Credit Opportunity Act of 1974.

I. Other Information

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995, the information collection requirement contained in this notice is approved by OMB under OMB Control Number 0570–0070.

Federal Funding Accountability and Transparency Act

All applicants, in accordance with 2 CFR part 25, must have a DUNS number, which can be obtained at no cost via a toll-free request line at (866) 705–5711 or online at *http://fedgov.dnb.com/webform.* Similarly, all applicants must be registered in SAM prior to submitting an application. Applicants may register for the SAM at *http://www.sam.gov.* All recipients of Federal financial grant assistance are required to report information about first-tier sub-awards and executive total compensation in accordance with 2 CFR part 170.

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA Programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET

Center at (202) 720–2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877–8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at *http://www.ascr.usda.gov/complaint_filing_cust.html* and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by:

(1) *Mail:* U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250–9410;

(2) *fax:* (202) 690–7442; or

(3) *email: program.intake@usda.gov*

USDA is an equal opportunity provider, employer, and lender.

Dated: May 14, 2018.

Bette B. Brand,

Administrator, Rural Business-Cooperative Service.

[FR Doc. 2018–10866 Filed 5–21–18; 8:45 am]

BILLING CODE 3410–XY–P

DEPARTMENT OF COMMERCE

Census Bureau

Proposed Information Collection; Comment Request; Business and Professional Classification Report

AGENCY: U.S. Census Bureau, 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: To ensure consideration, written comments must be submitted on or before July 23, 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(s) and instructions should be directed to Scott Handmaker, Chief, Classification Processing Branch, U.S. Census Bureau, 8K149, Washington, DC 20233, Telephone 301–763–7107; Email: *Scott.P.Handmaker@census.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The Census Bureau conducts the Business and Professional Classification Report survey to collect information from new businesses to obtain proper industry classification for use in economic surveys and the Economic Census. The survey, conducted quarterly, samples businesses with newly assigned Employer Identification Numbers (EINs) from the Internal Revenue Service (IRS). Businesses can only be selected once for the survey. The survey collects data about a business in such areas as: primary business activity, company structure, size, and business operations. This information is used to update the sampling frame for current business surveys, which ensures high quality economic estimates. Additionally, by ensuring proper industry classification, this survey reduces burden for the businesses in the five-year Economic Census, as the questions in the census are tailored to the industry in which the business operates. There are no major changes to this collection. Minimal changes will be made to the wording and organization of existing questions and instructions.

II. Method of Collection

We will collect this information over the internet and by telephone follow-up. Respondents will receive a letter directing them to the internet to report their information. After three weeks, respondents will receive a reminder letter about the survey. After the due date, the Census Bureau will conduct a telephone follow-up operation for nonresponse. Throughout the survey, telephone assistance is available for respondents with questions and for those that cannot report over the internet.

III. Data

OMB Control Number: 0607–0189.

Form Number(s): SQ–CLASS.

Type of Review: Regular submission.

Affected Public: Business or other for profit and not-for-profit institutions.

Estimated Number of Respondents: 57,000.

Estimated Time per Response: 13 minutes.

Estimated Total Annual Burden Hours: 12,350 hours.

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: Title 13, United States Code, Sections 131, 182, and 193.

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. 2018–10821 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Proposed Information Collection; Comment Request; Direct Investment Surveys: BE–11, Annual Survey of U.S. Direct Investment Abroad

AGENCY: Bureau of Economic Analysis, Department of 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 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 July 23, 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 email 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 Patricia Abaroa, Chief, Direct Investment Division (BE–49), Bureau of Economic Analysis, U.S. Department of Commerce, 4600 Silver Hill Rd, Washington, DC 20233; via phone at (301) 278–9591; or via email at *Patricia.Abaroa@bea.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The Annual Survey of U.S. Direct Investment Abroad (BE–11) obtains sample data on the financial structure and operations of U.S. parents and their foreign affiliates. The data are needed to provide reliable, useful, and timely measures of U.S. direct investment abroad to assess its impact on the U.S. and foreign economies. The sample data are used to derive universe estimates in nonbenchmark years from similar data reported in the BE–10, Benchmark Survey of U.S. Direct Investment Abroad, which is conducted every five years. The data collected include balance sheets; income statements; property, plant, and equipment; employment and employee compensation; merchandise trade; sales of goods and services; taxes; and research and development activity.

The Bureau of Economic Analysis (BEA) proposes to add one question to the BE–11 survey asking whether a recent Financial Accounting Standards Board (FASB) update on the treatment of leases affects the statistics collected on the survey.

II. Method of Collection

BEA contacts potential respondents by mail in March of each year; responses covering a reporting company's fiscal year ending during the previous calendar year are due by May 31. Reports are required from each U.S. person that has a direct and/or indirect ownership interest of at least 10 percent of the voting stock in an incorporated foreign business enterprise, or an equivalent interest in an unincorporated foreign business enterprise, and that meets the additional conditions detailed in the BE–11 forms and instructions. Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

BEA offers electronic filing through its eFile system for use in reporting on the BE–11 annual survey forms. In addition, BEA posts all its survey forms and reporting instructions on its website (*www.bea.gov/dia*). These may be downloaded, completed, printed, and submitted via fax or mail.

Potential respondents of the BE–11 are selected from those U.S. parents that reported owning foreign business enterprises in the 2014 BE–10, Benchmark Survey of U.S. Direct Investment Abroad, along with entities that subsequently entered the direct investment universe. The BE–11 is a sample survey; universe estimates are developed from the reported sample data.

III. Data

OMB Control Number: 0608–0053.

Form Number: BE–11.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 3,150 respondents (U.S. parents). A complete response includes a BE–11 A form for the U.S. parent's domestic operation and one or more BE–11 B, C, or D forms for its foreign affiliates that meet the BE–11 survey requirements. BEA estimates that U.S. parents will submit 3,150 A forms, 25,000 B forms, 1,500 C forms, 200 D forms, and 500 Claim for Exemption forms.

Estimated Total Annual Burden Hours: 325,750 hours. Total annual burden is calculated by multiplying the estimated number of submissions of each form by the average hourly burden per form, which is 7 hours for the A form, 12 hours for the B form, 2 hours for the C form, 1 hour for the D form, and 1 hour for the Claim for Exemption form.

Estimated Time per Respondent: 103.4 hours per respondent (325,750 hours/3,150 U.S. parents) is the average, but may vary considerably among respondents because of differences in company structure, complexity, and the number of foreign affiliates each U.S. parent must report.

Estimated Total Annual Cost to Public: $0.

Respondent's Obligation: Mandatory.

Legal Authority: International Investment and Trade in Services Survey Act (P.L. 94–472, 22 U.S.C. 3101–3108, as amended).

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 will 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 Chief Information Officer.

[FR Doc. 2018–10941 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Proposed Information Collection; Comment Request; Direct Investment Surveys: BE–15, Annual Survey of Foreign Direct Investment in the United States

AGENCY: Bureau of Economic Analysis, Department of 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 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 July 23, 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 email 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 Patricia Abaroa, Chief, Direct Investment Division (BE–49), Bureau of Economic Analysis, U.S. Department of Commerce, 4600 Silver Hill Rd, Washington, DC 20233; or via email at *Patricia.Abaroa@bea.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The Annual Survey of Foreign Direct Investment in the United States (BE–15) obtains sample data on the financial structure and operations of foreign-owned U.S. business enterprises. The data are needed to provide reliable, useful, and timely measures of foreign direct investment in the United States to assess its impact on the U.S. economy. The sample data are used to derive universe estimates in nonbenchmark years from similar data reported in the BE–12 benchmark survey, which is conducted every five years. The data collected include balance sheets; income statements; property, plant, and equipment; employment and employee compensation; merchandise trade; sales of goods and services; taxes; and research and development activity for the U.S. operations. In addition to these national data, several data items are collected by state, including employment and property, plant, and equipment.

The survey, as proposed, incorporates two changes that were made to the 2017 BE–12, Benchmark Survey of Foreign Direct Investment in the United States and seven new proposed changes. The following two questions that were added to the 2017 benchmark survey will be added to the BE–15 survey:

(1) A question on the BE–15A form asking whether a recent Financial Accounting Standards Board (FASB) update on the treatment of leases affected the statistics collected on the survey; the question will also collect information to measure the impact on the respondent's reported data; and

(2) a question on the BE–15C form to collect the state in which each affiliate is located, improving estimation of employment and property, plant, and equipment by location for smaller entities reporting on this abbreviated form.

Other proposed changes are:

(1) The balance sheet and income statement sections will be modified to separately collect the investment in and income from (a) ''unconsolidated U.S. affiliates'' and (b) ''foreign entities,'' which are currently collected together on the BE–15A form. This will assist in ensuring complete coverage of unconsolidated U.S. affiliates and in better aligning the BE–15 survey data with other direct investment surveys.

(2) A question will be added to collect the city of each foreign parent and ultimate beneficial owner (UBO) on all forms. This will be used to validate the countries of foreign investors and provide additional information on the location of investors.

(3) Supplements A and B, which collect identification information on business enterprises owned by the U.S. affiliate, will be modified on all BE–15 forms to offer more options in the multiple-choice question asking the reason that the U.S. business enterprises changed since the last report, such as options for ''acquired'' or ''established'' if an enterprise is being reported on a supplement for the first time. A follow-up question will be added requesting the date of the transaction for new enterprises. This information will aid in referring entities to BEA's other surveys of foreign direct investment in the United States.

(4) The commercial property column will be removed from the state schedule of the BE–15A and BE–15B forms. Respondents have been confused by this concept, which can vary by state or industry, and have indicated that the information may not be readily available from their records.

(5) The administrative office and other auxiliary employees item will be removed from the BE–15B form to ease respondent burden. Data from the BE–15A form can be used to estimate this item for BE–15B form respondents.

(6) The BE–15 Claim for Exemption form will be modified to combine items 2(a) and 2(b), which cover exemptions for U.S. business enterprises that are no longer foreign owned. The same information can be obtained from one question.

(7) The BE–15A form will be modified to combine the questions on direct ownership held by ''all other U.S. persons'' and ''all other foreign persons.'' This breakout is not used and the new combined item will be consistent with the BE–15B form.

The exemption level for reporting on the proposed survey is unchanged from the 2016 BE–15 survey.

II. Method of Collection

BEA contacts potential respondents by mail in March of each year; responses covering a reporting company's fiscal year ending during the previous calendar year are due by May 31 (or by June 30 for respondents that file using BEA's eFile system). Reports are required from each U.S. business enterprise in which a foreign person has at least 10 percent of the voting stock in an incorporated business enterprise, or an equivalent interest in an unincorporated business enterprise, and that meets the additional conditions detailed in the BE–15 forms and instructions. Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

BEA offers electronic filing through its eFile system for use in reporting on the BE–15 annual survey forms. In addition, BEA posts all its survey forms and reporting instructions on its website (*www.bea.gov/fdi*). These may be downloaded, completed, printed, and submitted via fax or mail.

Potential respondents of the BE–15 are selected from those U.S. business enterprises that were required to report on the 2017 BE–12, Benchmark Survey of Foreign Direct Investment in the United States, along with those U.S. business enterprises that subsequently entered the direct investment universe. The BE–15 is a sample survey; universe estimates are developed from the reported sample data.

III. Data

OMB Control Number: 0608–0034.

Form Number: BE–15.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 5,700 annually, of which approximately 2,300 file A forms, 1,600 file B forms, 1,300 file C forms, and 500 file Claim for Exemption forms.

Estimated Total Annual Burden Hours: 112,350 hours. Total annual burden is calculated by multiplying the estimated number of submissions of each form by the average hourly burden per form, which is 44.75 hours for the A form, 3.75 hours for the B form, 2.25 hours for the C form, and 1 hour for the Claim for Exemption form.

Estimated Time per Respondent: 19.7 hours per respondent (112,350 hours/5,700 respondents) is the average, but may vary considerably among respondents because of differences in company size and complexity.

Estimated Total Annual Cost to Public: $0.

Respondent's Obligation: Mandatory.

Legal Authority: International Investment and Trade in Services Survey Act (Pub. L. 94–472, 22 U.S.C. 3101–3108, as amended).

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 will 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 Chief Information Officer.

[FR Doc. 2018–10942 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–31–2018]

Foreign-Trade Zone 87—Lake Charles, Louisiana; Application for Subzone; Driftwood LNG, LLC; Sulphur, Louisiana

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Lake Charles Harbor & Terminal District, grantee of FTZ 87, requesting subzone status for the facility of Driftwood LNG, LLC, located in Sulphur, Louisiana. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on May 17, 2018.

The proposed subzone (782 acres) is located at 8000 Global Drive in Sulphur (Calcasieu Parish), Louisiana. No authorization for production activity has been requested at this time.

In accordance with the FTZ Board's regulations, Camille Evans of the FTZ Staff is designated examiner to review the application and make recommendations to the FTZ Board.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is July 2, 2018. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to July 16, 2018.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230–0002, and in the ''Reading Room'' section of the FTZ Board's website, which is accessible via *www.trade.gov/ftz.*

For further information, contact Camille Evans at *Camille.Evans@trade.gov* or (202) 482–2350.

Dated: May 17, 2018.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2018–10904 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–825]

Stainless Steel Bar From Brazil: Final Results of Antidumping Duty Administrative Review; 2016–2017

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On March 1, 2018, the Department of Commerce (Commerce) published the preliminary results of the administrative review of the antidumping duty order on stainless steel bar (SSB) from Brazil. The period of review (POR) is February 1, 2016, through January 31, 2017. For the final results of this review, we continue to find that Villares Metals S.A. (Villares) has not made sales of subject merchandise at less than normal value during the POR.

DATES: Applicable May 22, 2018.

FOR FURTHER INFORMATION CONTACT: Dmitry Vladimirov, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0665.

SUPPLEMENTARY INFORMATION:

Background

On March 1, 2018, Commerce published the *Preliminary Results* of the administrative review of the antidumping duty order on SSB from Brazil.[1] The administrative review covers one producer/exporter of the subject merchandise, Villares. We gave interested parties an opportunity to comment on the *Preliminary Results.* We received no comments. Hence, these final results are unchanged from the *Preliminary Results.* Commerce conducted this review in accordance with section 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise subject to the order is SSB. The term SSB with respect to the order means articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons or other convex polygons. SSB includes cold-finished SSBs that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (*i.e.,* cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (*i.e.,* cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections.

The SSB subject to the order is currently classifiable under subheadings 7222.10.00, 7222.11.00, 7222.19.00, 7222.20.00, 7222.30.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Final Results of the Administrative Review

We determine that a weighted-average dumping margin of 0.00 percent exists for Villares for the period of February 1, 2016, through January 31, 2017.

Assessment

In accordance with section 751(a)(2)(C) of the Act, 19 CFR 351.212(b)(1) and the *Final Modification,*[2] Commerce will instruct U.S. Customs and Border Protection (CBP) to liquidate all appropriate entries for Villares without regard to antidumping duties.

For entries of subject merchandise during the POR produced by Villares for

[1] *See Stainless Steel Bar from Brazil: Preliminary Results of Antidumping Duty Administrative Review; 2016–2017,* 83 FR 8839 (March 1, 2018) (*Preliminary Results*).

[2] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101, 8102 (February 14, 2012) (*Final Modification*).

which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company involved in the transaction. We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of SSB from Brazil entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Villares will be 0.00 percent, the weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 19.43 percent, the all-others rate established in the *LTFV Determination of Stainless Steel Bar from Brazil.*[3]

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

We are issuing and publishing these results of an administrative review in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(5).

Dated: May 16, 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. 2018–10878 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–DS–P

[3] *See Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from Brazil,* 59 FR 66914 (December 28, 1994) (*LTFV Determination of Stainless Steel Bar from Brazil*).

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Scope Rulings

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) hereby publishes a list of scope rulings and anticircumvention determinations made between October 1, 2016, and December 31, 2016, inclusive. We intend to publish future lists after the close of the next calendar quarter.

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: 202–482–4735.

DATES: Applicable May 22, 2018.

SUPPLEMENTARY INFORMATION:

Background

Commerce regulations provide that the Secretary will publish in the **Federal Register** a list of scope rulings on a quarterly basis.[1] Our most recent notification of scope rulings was published on October 20, 2017.[2] This current notice covers all scope rulings and anticircumvention determinations made by Enforcement and Compliance between October 1, 2016, and December 31, 2016, inclusive. Four additional subsequent lists will immediately follow to bring these quarterly notices up to date.

Scope Rulings Made Between October 1, 2016 and December 30, 2016:

Mexico

A–201–805: Certain Circular Welded Non-Alloy Steel Pipe From Mexico

Requestor: Whirlpool Corporation; certain steel dryer tubing products produced to ASTM A–513 specifications are not subject to the antidumping duty order on certain circular welded non-alloy steel pipe from Mexico because the products are of U.S. origin. November 7, 2016

People's Republic of China

A–570–967 and C–570–968: Aluminum Extrusions From the People's Republic of China

Requestor: Aluminum Extrusion Fair Trade Committee; certain aluminum extrusions from the People's Republic of China made of series 1xxx aluminum alloy, which are cut-to-length and welded together in the form of a pallet, regardless of producer or exporter, are included in the scope of the antidumping and countervailing duty orders because they meet the definition of merchandise covered by the scope of the orders and do not qualify to be excluded as ''finished merchandise; December 7, 2016

A–570–967 and C–570–968: Aluminum Extrusions From the People's Republic of China

Requestor: Seagate Technology LLC; head stack assemblies, components of the hard disk drive which move the read/write heads mounted on the head gimbal assembly over the surface of the spinning discs so that data can be written or retrieved from magnetic storage discs, are outside the scope of the antidumping and countervailing duty orders; December 23, 2016.

A–570–018 and C–570–019: Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China

Requestor: J.S. Products, Inc.; boltless steel shelving units prepackaged for sale are not within the scope of the order based on the plain language of the scope because the shelving units at issue must be assembled with bolts while the scope of the *Orders* defines subject merchandise, in part, as steel shelving in which the vertical and horizontal supports forming the frame are assembled primarily without the use of nuts and bolts; December 12, 2016

[1] *See* 19 CFR 351.225(o).

[2] *See Notice of Scope Rulings,* 82 FR 48799 (October 20, 2017).

A–570–939: Certain Tow-Behind Lawn Groomers and Certain Parts Thereof From the People's Republic of China

Requestor: Jiashan Superpower Tools Co., Ltd. (Superpower); Superpower's aerator components (roller aerators) are outside the scope of the order on lawn groomers from China because they do not have a frame, with an axle or a shaft that rotates a plate with the knives or spikes inserted into it and each model contacts and flattens the soil; October 6, 2016.

A–570–836: Glycine From the People's Republic of China

Requestor: Elan Chemical Co.; natural glycine containing carbon 14 isotopes are within the scope of the antidumping duty order; October 24, 2016.

A–570–970 and C–570–971: Multilayered Wood Flooring From the People's Republic of China

Requestor: Baishan Huafeng Wooden Product Co., Ltd. (Baishan Hufeng); Baishan Hufeng's two-layer wood flooring panel is not within the scope of the *Orders* on multilayered wood flooring from the PRC because it lacks the requisite two or more layers or plies of wood veneer in combination with a core; October 6, 2016.

A–570–970 and C–570–971: Multilayered Wood Flooring From the People's Republic of China

Requestor: Dunhua Shengda's Wood Industry Co., Ltd. (Dunhua Shengda); Dunhua Shengda's two-layer wood flooring panel is not within the scope of the *Orders* on multilayered wood flooring from the PRC because it lacks the requisite two or more layers or plies of wood veneer in combination with a core; December 14, 2016.

A–570–886: Polyethylene Retail Carrier Bags From the People's Republic of China

Requestor: L.S. Wholesale Inc.; non-woven polypropylene bags are outside the scope of the order because the scope of the order specifies that the subject merchandise is made of polyethylene film and L.S. Wholesale, Inc.'s non-woven 100 percent polypropylene bags are not made of polyethylene film; October 12, 2016.

A–570–922 and C–570–923: Raw Flexible Magnets From the People's Republic of China

Requestor: Qwik Picz Photo Booth LLC (Qwik); Qwik's Buisness Card Frame, Business Card Frame with Label, and Acrylic Frame are outside the scope of the antidumping and countervailing duty orders on flexible magnets from the PRC; October 13, 2016.

Interested parties are invited to comment on the completeness of this list of completed scope inquiries. Any comments should be submitted to the Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, 1401 Constitution Avenue NW, APO/Dockets Unit, Room 18022, Washington, DC 20230.

This notice is published in accordance with 19 CFR 351.225(o).

Dated: May 16, 2018.

James Maeder,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2018–10877 Filed 5–21–18; 8:45 am]

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Manufacturing Extension Partnership Advisory Board

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of open meeting.

SUMMARY: The National Institute of Standards and Technology (NIST) announces that the Manufacturing Extension Partnership (MEP) Advisory Board will hold an open meeting on June 13, 2018.

DATES: The meeting will be held Wednesday, June 13, 2018, from 9:00 a.m. to 4:30 p.m. Eastern Time.

ADDRESSES: The meeting will be held at the University of Texas, Arlington Campus in the Rio Grande Ballroom B, at 701 S. Nedderman Drive, Arlington, Texas 76019. Please note admittance instructions in the **SUPPLEMENTARY INFORMATION** section below.

FOR FURTHER INFORMATION CONTACT: Cheryl L. Gendron, Manufacturing Extension Partnership, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 4800, Gaithersburg, Maryland 20899–4800, telephone number (301) 975–2785, email: *cheryl.gendron@nist.gov.*

SUPPLEMENTARY INFORMATION: The MEP Advisory Board is authorized under Section 3003(d) of the America COMPETES Act (Pub. L. 110–69), as amended by the American Innovation and Competitiveness Act, Public Law 114–329 sec. 501 (2017), and codified at 15 U.S.C. 278k(m), in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. The Hollings MEP Program (Program) is a unique program, consisting of centers in all 50 states and Puerto Rico with partnerships at the state, federal, and local levels. By statute, the MEP Advisory Board provides the NIST Director with: (1) Advice on the activities, plans, and policies of the Program; (2) assessments of the soundness of the plans and strategies of the Program; and (3) assessments of current performance against the plans of the Program.

Background information on the MEP Advisory Board is available at *http://www.nist.gov/mep/about/advisory-board.cfm.*

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the MEP Advisory Board will hold an open meeting on Wednesday, June 13, 2018, from 9:00 a.m. to 4:30 p.m. Eastern Time. The meeting agenda will include an update on Hollings MEP programmatic operations, as well as provide guidance and advice on current activities related to the 2017–2022 MEP National Network Strategic Plan. The MEP Advisory Board will provide input to NIST on supply chain development with an emphasis on defense suppliers, in order to strengthen the defense industrial base; make recommendations on the development of research and performance metrics to support and enrich MEP Center evaluation, and receive updates on the ''Embedding MEP in Manufacturing USA Institutes Pilot Projects'' funding awards. The final agenda will be posted on the MEP Advisory Board website at *http://www.nist.gov/mep/about/advisory-board.cfm.*

Individuals and representatives of organizations who would like to offer comments and suggestions related to the MEP Advisory Board's business are invited to request a place on the agenda. Approximately 15 minutes will be reserved for public comments at the end of the meeting. Speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received but is likely to be no more than three to five minutes each. Requests must be received in writing before June 6, 2018 to be considered. The exact time for public comments will be included in the final agenda that will be posted on the MEP Advisory Board website at *http://www.nist.gov/mep/about/advisory-board.cfm.* Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who wished to speak but could not be accommodated on the agenda, or those who are or were unable to attend in person are invited to submit written statements to the MEP Advisory Board, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 4800, Gaithersburg, Maryland 20899–4800, via fax at (301) 963–6556, or electronically by email to *cheryl.gendron@nist.gov.*

Admittance Instructions: Anyone wishing to attend the MEP Advisory Board meeting must submit their name, email address, and phone number to Cheryl Gendron (*Cheryl.Gendron@nist.gov* or 301–975–2785) no later than Friday, June 8, 2018, 5:00 p.m. Eastern Time.

Kevin A. Kimball,

Chief of Staff.

[FR Doc. 2018–10845 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Prospective Grant of Exclusive Patent License

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice.

SUMMARY: The National Institute of Standards and Technology (NIST), U.S. Department of Commerce, is contemplating the grant of an exclusive license throughout the world, to NIST's interest in the invention embodied in PCT Application PCT\US18\20679, titled ''Non-resonant Electron Spin Resonant Probe and Associated Hardware'' (NIST Docket 17–017) to Global Resonance Technologies, LLC. The grant of the license would be for the manufacture and use of a system for determination of radiation dosimetry.

DATES: The prospective exclusive license may be granted unless NIST receives, by June 6, 2018, written evidence and argument which establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

ADDRESSES: Information related to this license may be submitted to NIST, Technology Partnerships Office, 100 Bureau Drive, Stop 2200, Gaithersburg, MD 20899, or emailed to *donald.archer@nist.gov.*

FOR FURTHER INFORMATION CONTACT: Donald G. Archer, National Institute of Standards and Technology, Technology Partnerships Office, 100 Bureau Drive, Stop 2200, Gaithersburg, MD 20899, (301) 975–2522, *donald.archer@nist.gov.*

SUPPLEMENTARY INFORMATION: This is a notice in accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i) that NIST is contemplating the grant of an exclusive license throughout the world, to NIST's interest in the invention embodied in PCT Application PCT\US18\20679, titled ''Non-resonant Electron Spin Resonant Probe and Associated Hardware'' (NIST Docket 17–017) to Global Resonance Technologies, LLC. The grant of the license would be for the manufacture and use of a system for determination of radiation dosimetry.

The prospective exclusive license will be royalty bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within fifteen (15) days from the date of this published Notice, NIST receives written evidence and argument which establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7. The Patent Application was filed on March 2, 2018 and describes a system and methods for determining radiation exposure.

Kevin A. Kimball,

Chief of Staff.

[FR Doc. 2018–10915 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Judges Panel of the Malcolm Baldrige National Quality Award

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of partially closed meeting.

SUMMARY: The Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet on Wednesday, June 6, 2018, from 9:00 a.m. to 3:30 p.m. Eastern time. The purpose of this meeting is to discuss and review the role and responsibilities of the Judges Panel and information received from the National Institute of Standards and Technology (NIST) in order to ensure the integrity of the Malcolm Baldrige National Quality Award (Award) selection process. The agenda will include: Judges Panel roles and processes; Baldrige Program updates; new business/public comment; lessons learned from the 2017 judging process; and the 2018 Award process. A portion of this meeting is closed to the public in order to protect the proprietary data to be examined and discussed.

DATES: The Judges Panel meeting will be held on Wednesday, June 6, 2018, from 9:00 a.m. until 3:30 p.m. Eastern time. The portion of the meeting from 9:00 a.m. to 11:30 a.m. will include discussions on the Judges Panel roles and processes and Baldrige program updates. This session is open to the public. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice. The portion of the meeting from 12:30 p.m. to 3:30 p.m. will include discussions on lessons learned from the 2017 judging process and on the 2018 Award process. This session is closed to the public in order to protect the proprietary data to be examined and discussed.

ADDRESSES: The meeting will be held at the National Institute of Standards and Technology, Building 215, Room C103, 100 Bureau Drive, Gaithersburg, Maryland 20899.

FOR FURTHER INFORMATION CONTACT: Robert Fangmeyer, Director, Baldrige Performance Excellence Program, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899–1020, at telephone number (301) 975–2360, or by email at *robert.fangmeyer@nist.gov.*

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 3711a(d)(1) and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the Judges Panel of the Malcolm Baldrige National Quality Award will meet on Wednesday, June 6, 2018 from 9:00 a.m. to 3:30 p.m. Eastern time. The Judges Panel is composed of twelve members, appointed by the Secretary of Commerce, chosen for their familiarity with quality improvement operations and competitiveness issues of manufacturing companies, services companies, small businesses, nonprofits, health care providers, and educational institutions. The Judges Panel will assemble to discuss and review the role and responsibilities of the Judges Panel and information received from NIST in order to ensure the integrity of the Malcolm Baldrige National Quality Award selection process. The agenda will include: Judges Panel roles and processes; Baldrige Program updates; new business/public comment; lessons learned from the 2017 judging process; and the 2018 Award process. A portion of this meeting is closed to the public in order to protect the proprietary data to be examined and discussed.

The portion of the meeting from 9:00 a.m. to 11:30 a.m. Eastern time will include discussions on the Judges Panel roles and processes and Baldrige program updates and is open to the public. Individuals and representatives

of organizations who would like to offer comments related to the Judges Panel general process are invited to request a place on the agenda. Approximately one-half hour will be reserved for public comments, and speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. The exact time for public comments will be included in the final agenda that will be posted on the Baldrige Performance Excellence Program website at *https://patapsco.nist.gov/BoardofExam/Examiners_Judge2.cfm.* Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak, but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements to the Baldrige Performance Excellence Program, Attention Robyn Verner, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899–1020, via fax at 301–975–4967 or electronically by email to *robyn.verner@nist.gov*.

All visitors to the National Institute of Standards and Technology site will have to pre-register to be admitted. Please submit your name, time of arrival, email address and phone number to Robyn Verner no later than 4:00 p.m. Eastern time, Thursday, May 31, 2018, and she will provide you with instructions for admittance. Non-U.S. citizens must submit additional information; please contact Robyn Verner by email at *robyn.verner@nist.gov* or by phone at (301) 975–2702. Also, please note that under the REAL ID Act of 2005 (Pub. L. 109–13), federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if issued by states that are REAL ID compliant or have an extension. NIST also currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information please contact Ms. Verner or visit: *http://www.nist.gov/public_affairs/visitor/*.

The portion of the meeting from 12:30 p.m. to 3:30 p.m. Eastern time will include discussions on lessons learned from the 2017 judging process and on the 2018 Award process, and is closed to the public in order to protect the proprietary data to be examined and discussed. The Acting Chief Financial Officer and Assistant Secretary for Administration, with the concurrence of the Assistant General Counsel for Employment, Litigation and Information, formally determined on March 7, 2018, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government in Sunshine Act, Public Law 94–409, that a portion of the meeting of the Judges Panel may be closed to the public in accordance with 5 U.S.C. 552b(c)(4) because the meeting is likely to disclose trade secrets and commercial or financial information obtained from a person which is privileged or confidential and 5 U.S.C. 552b(c)(9)(B) because for a government agency the meeting is likely to disclose information that could significantly frustrate implementation of a proposed agency action. Portions of the meeting involve examination of prior year Award applicant data. Award applicant data are directly related to the commercial activities and confidential information of the applicants.

Kevin A. Kimball,

Chief of Staff.

[FR Doc. 2018–10914 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Termination of a Selected National Voluntary Laboratory Accreditation Program (NVLAP) Service

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice.

SUMMARY: The Chief of the National Institute of Standards and Technology's (NIST) National Voluntary Laboratory Accreditation Program (NVLAP) announces the termination of the Chemical Calibration: Certifiers of Spectrophotometric NIST Traceable Reference Materials (NTRMs) Program offered by NVLAP. The Chemical Calibration: Certifiers of Spectrophotometric NTRMs Program comprised laboratories that designed, prepared, characterized, certified and distributed NTRM filter reference materials.

DATES: The Chemical Calibration: Certifiers of Spectrophotometric NTRMs Program will be terminated immediately upon publication of this notice.

ADDRESSES: Chief, National Voluntary Laboratory Accreditation Program, National Institute of Standards and Technology, 100 Bureau Drive, Stop 2140, Gaithersburg, MD 20899–2140, or by email at *nvlap@nist.gov.*

FOR FURTHER INFORMATION CONTACT: Dana Leaman, Chief, National Voluntary Laboratory Accreditation Program, (301) 975–4016 or *dana.leaman@nist.gov.*

SUPPLEMENTARY INFORMATION: NIST administers NVLAP under regulations found in 15 CFR part 285. NVLAP provides an unbiased third-party evaluation and recognition of laboratory performance, as well as expert technical assistance to upgrade that performance, by accrediting calibration and testing laboratories found competent to perform specific calibrations or tests. NVLAP is comprised of a set of Laboratory Accreditation Programs (LAPs) which are established on the basis of requests and demonstrated need. Each LAP includes specific test and/or calibration standards and related methods and protocols assembled to satisfy the unique needs for accreditation in the field of testing, field of calibration, product, or service.

Under 15 CFR 285.5, the Chief of NVLAP may terminate a specific LAP when it is determined that a need no longer exists to accredit laboratories for the services covered under the scope of the LAP. A review of the Chemical Calibration: Certifiers of Spectrophotometric NTRMs Program revealed that there are zero (0) laboratories enrolled in the program. Given this, it is unnecessary and not cost effective to continue this LAP. Therefore, the Chief of NVLAP has determined that there no longer exists a need to continue this LAP.

After the comment period, the Chief of NVLAP has determined there is no public support for the continuation of the LAP. NVLAP shall no longer grant or renew accreditations under the terminated program effective upon publication of this notice.

Kevin A. Kimball,

Chief of Staff.

[FR Doc. 2018–10916 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

NIST Consortium for Metrology of Additive Construction by Extrusion (MACE)

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice.

SUMMARY: The National Institute of Standards and Technology (NIST), an

agency of the United States Department of Commerce, is establishing the Metrology of Additive Construction by Extrusion (MACE) Consortium and invites organizations to participate in this Consortium. The Consortium will study the measurement science needs for the successful adoption of additive manufacturing by the construction industry. Participation in this Consortium is open to all eligible organizations, as described below. Participants will be required to sign a Cooperative Research and Development Agreement (CRADA).

DATES: NIST will accept responses for participation in this Consortium until May 15th, 2018. The Consortium's activities will commence on June 1, 2018 (''Commencement Date''). Acceptance of participants into the Consortium after the Commencement Date will depend on eligibility, as determined by NIST based on information provided, and the availability of NIST resources.

ADDRESSES: Information submitted in response to this notice and request for additional information about the Consortium can be directed via mail to the NIST Consortium Manager, Dr. Scott Jones, Materials and Structural Systems Division of NIST's Engineering Laboratory, 100 Bureau Drive, Gaithersburg, Maryland 20899–8312, or via electronic mail to *scott.jones@nist.gov.*

FOR FURTHER INFORMATION CONTACT: For further information about opportunities to join the MACE Consortium, or about the terms and conditions of NIST's Cooperative Research and Development Agreement (CRADA), please contact Jeffrey DiVietro, CRADA Officer, National Institute of Standards and Technology's Technology Partnerships Office, by mail to 100 Bureau Drive, Mail Stop 2200, Gaithersburg, Maryland 20899, by electronic mail to *jeffrey.divietro@nist.gov,* or by telephone at (301) 975–8779.

SUPPLEMENTARY INFORMATION: Additive construction by extrusion (ACE) has the potential to revolutionize construction by eliminating the need for formwork and enabling architectural or structural designs that cannot be achieved by standard practices. As ACE is in its early stages of development, this Consortium will study the measurement science needs for the successful adoption of ACE by the construction industry. The objective of this consortium will be to identify and then translate cementitious material measurements to in-line or in-process measurements for quality control and quality assurance of the ACE process. The MACE consortium will undertake the following tasks over a three-year renewable period:

Task 1 will focus on correlating off-line measurements of fresh and hardening cement paste with measures of print quality. The objectives will be to determine material performance characteristics that are critical to the success of ACE.

Task 2 will focus on developing in-situ and in-process measurements that can be used to provide feedback into the control of the ACE process. The objective will be to implement material property measurements in line to the ACE process.

Task 3 will focus on scaling paste and mortar measurements to the concrete scale, including a proper consideration of field issues. This includes, but is not limited to, hardened property measurements; studies on curing practices and finishing procedures; and development of numerical simulations of material deposition. The objectives will be to measure hardened properties of 3–D printed structures and investigate how paste and mortar measurements can inform concrete-based ACE through the use of numerical simulations.

No proprietary information will be shared as part of the Consortium.

Process

Interested parties with relevant ACE capabilities (see below), products, and/or technical expertise to support this Consortium should contact NIST using the information provided in the **ADDRESSES** section of this notice.

Eligibility will be determined by NIST using the information provided by an organization in response to this notice based on the information requested below, and upon the availability of necessary resources to NIST. An eligible member must be involved in current or future efforts to advance ACE, either through commercial technology development or academic research.

An organization responding to this notice should provide the following information to NIST's Consortium Manager by email.

1. Description of organization's interest in ACE and current activities prompting the development of ACE.
2. Topics of interest from the statement of work. There is no limit on the number of areas of participation.
3. List of interested party's anticipated participants.
4. For non-profit institutions, anticipated in-kind donations and cost equivalency.

A responding organization should not include any business proprietary information in its response to this request for information. NIST will not treat any information provided in response to this request as proprietary information.

NIST will notify each organization of its eligibility. In order to participate in this Consortium, each eligible organization must sign a CRADA for this Consortium. All participants to this Consortium will be bound by the same terms and conditions. Participation fees will be at least $20,000 annually. For non-profit institutions, in-kind donations equivalent to the membership fee may be accepted, subject to the discretion of NIST and justification of cost equivalency. NIST does not guarantee participation in the Consortium to any organization.

Authority: 15 U. S. C. 3710a.

Kevin A. Kimball,

Chief of Staff.

[FR Doc. 2018–10913 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Board of Overseers of the Malcolm Baldrige National Quality Award and Judges Panel of the Malcolm Baldrige National Quality Award

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of Open Meeting.

SUMMARY: The Board of Overseers of the Malcolm Baldrige National Quality Award (Board of Overseers) and the Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet in open session on Thursday, June 7, 2018, from 8:30 a.m. to 3:00 p.m. Eastern time. The Board of Overseers, appointed by the Secretary of Commerce, reports the results of the Malcolm Baldrige National Quality Award (Award) activities to the Director of the National Institute of Standards and Technology (NIST) each year, along with its recommendations for the improvement of the Award process. The Judges Panel, also appointed by the Secretary of Commerce, ensures the integrity of the Award selection process and recommends Award recipients to the Secretary of Commerce. The purpose of this meeting is to discuss and review information received from the National Institute of Standards and Technology and from the Chair of the Judges Panel. The agenda will include: Baldrige Program News, Alliance for

Performance Excellence Update, Baldrige Foundation Update, Report from the Baldrige Judges Panel, Ethics Review, Baldrige Enterprise Planning, Award Process Redesign, Proposal to Expand Award Categories, and New Business/Public Comment.

DATES: The meeting will be held on Thursday, June 7, 2018 from 8:30 a.m. Eastern time until 3:00 p.m. Eastern time. The meeting will be open to the public.

ADDRESSES: The meeting will be held at the National Institute of Standards and Technology, Building 215/Room C103, 100 Bureau Drive, Gaithersburg, Maryland 20899. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Robert Fangmeyer, Director, Baldrige Performance Excellence Program, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899–1020, telephone number (301) 975–2360, or by email at *robert.fangmeyer@nist.gov.*

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 3711a(d)(1), 15 U.S.C. 3711a(d)(2)(B) and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the Board of Overseers and the Judges Panel will meet in open session on Thursday, June 7, 2018 from 8:30 a.m. to 3:00 p.m. Eastern time. The Board of Overseers (Board), composed of approximately twelve members preeminent in the field of organizational performance excellence and appointed by the Secretary of Commerce, makes an annual report on the results of Award activities to the Director of the National Institute of Standards and Technology (NIST), along with its recommendations for improvement of the Award process. The Judges Panel consists of no less than nine, and not more than twelve, members with balanced representation from U.S. service, manufacturing, small business, nonprofit, education, and health care industries. The Panel includes members who are familiar with the quality improvement operations and competitiveness issues of manufacturing companies, service companies, small businesses, nonprofits, health care providers, and educational institutions. The Judges Panel recommends Malcolm Baldrige National Quality Award recipients to the Secretary of Commerce.

The purpose of this meeting is to discuss and review information received from NIST and from the Chair of the Judges Panel. The agenda will include: Baldrige Program News, Alliance for Performance Excellence Update, Baldrige Foundation Update, Report from the Baldrige Judges Panel, Ethics Review, Baldrige Enterprise Planning, Award Process Redesign, Proposal to Expand Award Categories, and New Business/Public Comment. The agenda may change to accommodate the Judges Panel and Board of Overseers business. The final agenda will be posted on the NIST Baldrige Performance Excellence Program website at *http://www.nist.gov/baldrige/community/overseers.cfm.* The meeting is open to the public. Individuals and representatives of organizations who would like to offer comments and suggestions related to the Board's affairs and/or the Panel of Judges' general process are invited to request a place on the agenda. On June 7, 2018, approximately one-half hour will be reserved in the afternoon for public comments, and speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. The exact time for public comments will be included in the final agenda that will be posted on the Baldrige Performance Excellence Program website at *http://www.nist.gov/baldrige/community/overseers.cfm.* Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak, but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements to the Baldrige Performance Excellence Program, Attention Robyn Verner, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899–1020, via fax at 301–975–4967 or electronically by email to *robyn.verner@nist.gov.*

All visitors to the National Institute of Standards and Technology site will have to pre-register to be admitted. Please submit your name, time of arrival, email address and phone number to Robyn Verner no later than 4:00 p.m. Eastern time, Thursday, May 31, 2018, and she will provide you with instructions for admittance. Non-U.S. citizens must submit additional information; please contact Robyn Verner by email at *robyn.verner@nist.gov* or by phone at (301) 975–2361. Also, please note that under the REAL ID Act of 2005 (Pub. L. 109–13), federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if issued by states that are REAL ID compliant or have an extension. NIST also currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information please contact Ms. Verner or visit: *http://www.nist.gov/public_affairs/visitor/.*

Kevin A. Kimball,

Chief of Staff.

[FR Doc. 2018–10917 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG254

New England Fishery Management Council; Public Meetings

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

ACTION: Notice of a public meeting.

SUMMARY: The New England Fishery Management Council (Council, NEFMC) will hold a three-day meeting to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

DATES: The meeting will be held on Tuesday, June 12 through Thursday, June 14, 2018, beginning at 9 a.m. on June 12, 8:30 a.m. on June 13, and 8:30 a.m. on June 14.

ADDRESSES: The meeting will be held at the Holiday Inn by the Bay, 88 Spring Street, Portland, ME 04101; telephone: (207) 775–2311; online at *www.innbythebay.com.*

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950; telephone (978) 465–0492; *www.nefmc.org.*

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492, ext. 113.

SUPPLEMENTARY INFORMATION:

Agenda

Tuesday, June 12, 2018

After introductions and brief announcements, the meeting will begin with reports from the Council Chairman and Executive Director, NMFS's Regional Administrator for the Greater Atlantic Regional Fisheries Office

(GARFO), liaisons from the Northeast Fisheries Science Center (NEFSC) and Mid-Atlantic Fishery Management Council, representatives from NOAA General Counsel and the Office of Law Enforcement, and staff from the Atlantic States Marine Fisheries Commission and U.S. Coast Guard. Next, the Council will hear from its Skate Committee. The Council is expected to take final action on Framework Adjustment 6 to the Northeast Skate Complex Fishery Management Plan (FMP), which was developed to consider alternatives for prolonging the skate wing fishery. The Council then will discuss the Council Program Review Panel's final report and potentially take action on next steps to improve operations based on the panel's recommendations. The Observer Policy/Industry-Funded Monitoring Committee will be up next. The Council will consider and potentially adopt the committee's comments on NMFS's draft policy directive for allocating costs in electronic monitoring programs for federally managed U.S. fisheries.

After the lunch break, members of the public will have the opportunity to speak during an open comment period on issues that relate to Council business but are not included on the published agenda for this meeting. The Council asks the public to limit remarks to 3–5 minutes. Following public comment, the Atlantic Herring Committee will provide a report on two items. First, the committee will discuss and present its recommendation on whether or not river herring and shad should be added as stocks in the Atlantic herring fishery. The Council may take action based on the committee's advice. Next, the Council will receive an initial overview of the 2019–2021 specifications process. The Council also may consider options for mitigating impacts of potentially lower catch limits through appropriate adjustments authorized by the Magnuson-Stevens Fishery Conservation and Management Act. The Council then will adjourn for the day. Immediately thereafter and in the same room, the Council will conduct a public hearing on Amendment 8 to the Atlantic Herring FMP, which proposes alternatives to: (1) Establish an acceptable biological catch (ABC) control rule for Atlantic herring; and (2) address potential localized depletion and user conflicts in the fishery.

Wednesday, June 13, 2018

The second day of the meeting will begin with a report on NMFS's Fisheries Allocation Policy Directive and two associated Procedural Directives. The Council will discuss these directives for reviewing fisheries allocations, which include identifying ''triggers'' to initiate an allocation review. Next, the Council will receive an update from NEFSC staff on the Northeast Fisheries Observer Program and the 2018 fishing year sea day schedule. The Groundfish Committee report will follow. The Council will initiate Framework Adjustment 58 to the Northeast Multispecies FMP, which will include: (1) 2019 Total allowable catches for U.S./Canada stocks of Eastern Georges Bank (GB) cod, Eastern GB haddock, and GB yellowtail flounder; (2) rebuilding plans for several groundfish stocks; and (3) other measures. Groundfish Monitoring Amendment 23 will be taken up next. The Council will view video footage of electronic monitoring in operation on fishing vessels. It then will receive an update on the potential range of alternatives in the amendment, which is being developed to improve the overall catch and discard monitoring program in the Northeast multispecies fishery. The Council may select the range of alternatives for further analysis at this meeting. The Council also will receive a progress report from its Fishery Dependent Data Working Group

Following a lunch break, the Council will continue with and conclude its work on the groundfish items. Then, the Council will receive a short update on the Research Set-Aside (RSA) Program Review Panel Report, which is being prepared by representatives from the Council, GARFO, and NEFSC. Next, the Scallop Committee will provide a list of recommended 2019–2020 scallop RSA priorities. The Council will discuss and approve a final list of research priorities for the program. The Scallop Committee also will provide an initial overview of the 2019–2020 scallop specifications process. In its final item of business before adjourning for the day, the Council will finalize the list of proposals being prepared for NMFS to address regulatory reform as mandated by Executive Orders 13777, 13771, and 13565.

Thursday, June 14, 2018

The third day of the meeting will begin with Ecosystem-Based Fishery Management (EBFM). The Council will receive a summary report on the Center for Independent Experts EBFM Strategy Review from the peer review panel chair. The Council also will receive an update on future EBFM Committee activities. The Habitat Committee will be up next with two items. First will be the Clam Dredge Framework, which is being developed to consider continued surfclam dredge fishery access to the new Great South Channel Habitat Management Area and possible consideration of a mussel dredge exemption. The Council is expected to select the framework's range of alternatives for further analysis at this meeting. The Council also will receive an update on ongoing offshore energy activities in the Northeast and discuss any needed consultations with federal agencies. After that, the Council will receive an update on efforts by the Northeast Regional Coordinating Council to improve timing and scheduling of stock assessments and stock assessment research. The Council will close out the meeting with ''other business.''

Although non-emergency issues not contained on this agenda may come before the Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: May 17, 2018.

Rey Israel Marquez,

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

[FR Doc. 2018–10896 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG252

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Western Pacific Fishery Management Council (Council) will

hold its 129th Scientific and Statistical Committee (SSC) meeting and, 173rd Council and associated meetings to take actions on fishery management issues in the Western Pacific Region.

DATES: The meetings will be held between June 6 and June 13, 2018. For specific times and agendas, see **SUPPLEMENTARY INFORMATION.**

ADDRESSES: The 129th SSC, the Council's Executive & Budget and Legislative Standing Committees, and the 173rd Council meetings will be held at the Marriott Wailea Beach Resort, 3700 Wailea Alanui Drive, Wailea, Maui, HI 96753. The Fishers Forum will be held at the Maui Beach Hotel Ballroom, 170 W. Kaahumanu Ave, Kahului, Maui, HI 96732, phone: (808) 877–0051.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; phone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: The 129th SSC meeting will be held between 8:30 a.m. and 5 p.m. on June 6–8, 2018. The joint Executive & Budget and Legislative Standing Committees will meet on June 10, 2018, from 2 p.m. to 4 p.m. The 173rd Council meeting will be held between 8 a.m. and 4:30 p.m. on June 11, between 9 a.m. and 5 p.m. on June 12 and between 8:30 a.m. and 5 p.m. on June 13, 2018. On June 11, 2018, the Council will host a Fishers Forum between 6 p.m. and 9 p.m. All times listed are local island times.

Agenda items noted as ''Final Action Items'' refer to actions that result in Council transmittal of a proposed fishery management plan, proposed plan amendment, or proposed regulations to the U.S. Secretary of Commerce, under Sections 304 or 305 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). In addition to the agenda items listed here, the Council will hear recommendations from Council advisors. Opportunities to submit public comment will be provided throughout the agendas. The order in which agenda items are addressed may change and will be announced in advance at the Council meeting. The meetings will run as late as necessary to complete scheduled business. Background documents will be available from and written comments should be sent to Kitty M. Simonds, Executive Director; Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813, phone: (808) 522–8220 or fax: (808) 522–8226.

Agenda for 129th SSC Meeting

Wednesday, June 6, 2018, 8:30 a.m. to 5 p.m.

1. Introductions
2. Approval of Draft Agenda and Assignment of Rapporteurs
3. Status of the 128th SSC Meeting Recommendations
4. Report from the Pacific Islands Fisheries Science Center
5. Insular Fisheries
   A. Main Hawaiian Islands (MHI) Deep 7 Bottomfish Fishery
1. P* Working Group Report
2. Specification of Acceptable Biological Catch for the MHI Deep 7 Bottomfish (Action Item)
3. Social, Economic, Ecological, and Management (SEEM) Working Group Report
   B. Report on State of Hawaii Kahekili Herbivore Fisheries Management Area
   C. Public Comment
   D. SSC Discussion and Recommendations
6. Program Planning and Research
   A. 2017 Annual Stock Assessment and Fishery Evaluation (SAFE) Report and Recommendations
   1. Archipelagic SAFE Report Overview and Highlights
   2. Pelagic SAFE Report Overview and Highlights
   B. Evaluation of 2017 Catch to the 2017 Annual Catch Limits (ACL) (Action Item)
   C. Updates to the Council's Research Priorities
   1. Five-year Research Priorities
   2. Cooperative Research Priorities
   3. Management Strategy Evaluation Priorities
   D. Report on the Best Scientific Information Available Framework
   E. Public Comment
   F. SSC Discussion and Recommendations

Thursday, June 7, 2018, 8:30 a.m. to 5 p.m.

7. Pelagic Fisheries
   A. Hawaii Shallow-Set Longline Fisheries
   1. Status of the Hawaii Shallow-set Longline ESA Consultation
   2. Loggerhead and Leatherback Turtle Population Vulnerability Assessments
   3. Framework for Managing Sea Turtle Interactions in the Hawaii Shallow-set Longline Fishery (Action Item)
   B. Pelagic Fisheries Research Plan
   C. Western and Central Pacific Fisheries Commission Pre-Assessment Workshop
   D. Report on Inter-American Tropical Tuna Commission 2017 Stock Assessments
   E. Public Comment
   F. SSC Discussion and Recommendations
8. Protected Species
   A. Report of the False Killer Whale Take Reduction Team Meeting
   B. Updates on Endangered Species Act and Marine Mammal Protection Act Actions
   C. Public Comment
   D. SSC Discussion and Recommendations

Friday, June 8, 2018, 8:30 a.m. to 5 p.m.

9. Other Business
   A. 130th SSC Meeting
10. Summary of SSC Recommendations to the Council

Agenda for the Executive and Budget and Legislative Standing Committees

Sunday, June 10, 2018, 2 p.m. to 4 p.m.

1. Administrative Report
2. Financial Report
3. Sustainable Fisheries Fund 10 Scope of Projects
4. Report on Legislation
5. Meetings and Workshops
6. Council Family Changes
7. Pacific Island Regional Planning Body Representative
8. Commission Appointments to the North Pacific Fisheries Commission and South Pacific Regional Fisheries Management Organization
9. Standard Operating Policies and Procedure Changes
10. Other Issues
11. Public Comment
12. Discussion and Recommendations

Agenda for 173rd Council Meeting

Monday, June 11, 2018, 8 a.m. to 4:30 p.m.

1. Welcome and Introductions
2. Approval of the 173rd Agenda
3. Approval of the 172nd Meeting Minutes
4. Executive Director's Report
5. Agency Reports
   A. National Marine Fisheries Service
   1. Pacific Islands Regional Office
   2. Pacific Islands Fisheries Science Center
   3. Pacific Islands Ecosystem Based Regional Implementation Plan
   B. NOAA Office of General Counsel, Pacific Islands Section
   C. U.S. State Department
   D. U.S. Fish and Wildlife Service
   1. Pacific Marine Monument Management Plan
   E. Enforcement
   1. U.S. Coast Guard
   2. NOAA Office of Law Enforcement
   3. NOAA Office of General Counsel, Enforcement Section

F. Public Comment
G. Council Discussion and Action
6. Hawaii Archipelago & Pacific Remote Island Areas
A. Moku Pepa
B. Legislative Report
C. Enforcement Issues
D. Community Issues
E. Main Hawaiian Islands (MHI) Deep 7 Bottomfish Fishery
1. Report on the P* Working Group
2. Report of the SEEM Working Group
3. Specification of the ACLs for the MHI Deep 7 Bottomfish Fishery in Fishing Year 2018–19 to 2020–21 (Final Action Item)
F. Education and Outreach Initiatives
G. Advisory Group Report and Recommendations
1. Hawaii Archipelago Fishery Ecosystem Plan (FEP) Advisory Panel (AP)
2. Archipelagic Plan Team
3. Scientific & Statistical Committee (SSC)
H. Public Comment
I. Council Discussion and Action
7. Program Planning and Research
A. Overview of the Western Pacific Council Programs and Research
B. Ecosystem Component Species Classification (Final Action Item)
C. Evaluation of 2017 Catch to the 2017 ACLs (Final Action Item)
D. Omnibus Amendment to Establish an Aquaculture Management Program (Final Action Item)
E. 2017 Annual Stock Assessment and Fishery Evaluation Reports
F. Updates to the Council's Research Priorities
1. Magnuson-Stevens Reauthorization Act Five-year Research Priorities
2. Cooperative Research Priorities
3. Pelagic Fisheries Research Plan
4. Management Strategy Evaluation Priorities
G. Regional, National and International Outreach and Education
H. Advisory Group Report and Recommendations
1. Advisory Panels
2. Archipelagic Plan Team
3. Pelagic Plan Team
4. Protected Species Advisory Committee
5. Marine Planning and Climate Change Committee
6. Fishery Data Collection and Research Committee (FDCRC)—Technical Committee
7. SSC
I. Public Comment
J. Council Discussion and Action

Monday, June 11, 2018, 6 p.m. to 9 p.m.

Fishers Forum—Going Deep: Hawaii's Bottomfish Story

Tuesday, June 12, 2018, 9 a.m. to 5 p.m.

8. Pelagic & International Fisheries
A. Overview of the Western Pacific Pelagic Fisheries
B. Hawaii Shallow-Set Longline Fisheries Management
1. Status of the Hawaii Shallow-set Longline Endangered Species Act (ESA) Consultation
2. Loggerhead and Leatherback Turtle Population Vulnerability Assessments
3. Industry Initiatives for Managing Sea Turtle Interactions in the Hawaii Shallow-set Longline Fishery
4. Framework for Managing Sea Turtle Interactions in the Hawaii Shallow-set Longline Fishery (Final Action Item)
C. American Samoa Large Vessel Prohibited Area (Final Action Item)
D. Modification to US Participating Territory Catch and Effort Limit Amendment 7 Framework (Final Action Item)
E. International Fisheries Meetings
1. Western and Central Pacific Fisheries Commission Stock Pre-assessment Workshop
2. Status of the Eastern Pacific Ocean Tuna Stocks
F. Advisory Group Report and Recommendations
1. Advisory Panels
2. Pelagic Plan Team
3. Protected Species Advisory Committee
4. SSC
F. Public Comment
G. Council Discussion and Action
9. American Samoa Archipelago
A. Motu Lipoti
B. Fono Report
C. Enforcement Issues
D. Report on Benefits of National marine Sanctuary of American Samoa
E. Report on the Benefits of the Rose Atoll Marine National Monument
F. Community Activities and Issues
G. American Samoa Marine Conservation Plan (Final Action Item)
H. Education and Outreach Initiatives
I. Advisory Group Report and Recommendations
1. American Samoa FEP AP
2. SSC
J. Public Comment
K. Council Discussion and Action

Tuesday, June 12, 2018, 4 p.m.

Public Comment on Non-Agenda Items

Wednesday, June 13, 2018, 8:30 a.m. to 5 p.m.

10. Protected Species
A. Report of the False Killer Whale Take Reduction Team Meeting
B. Updates on ESA and Marine Mammal Protection Act Actions
C. Advisory Group Report and Recommendations
1. Advisory Panels
2. Pelagic Plan Team
4. Protected Species Advisory Committee
5. SSC
D. Public Comment
E. Council Discussion and Action
11. Mariana Archipelago
A. Guam
1. Isla Informe
2. Legislative Report
3. Enforcement Issues
4. Community Activities and Issues
5. Education and Outreach Initiatives
B. Commonwealth of Northern Mariana Islands
1. Arongol Falú/Asunton i Tano
2. Legislative Report
3. Enforcement Issues
4. Community Activities and Issues
5. Education and Outreach Initiatives
C. Advisory Group Reports and Recommendations
1. FEP AP
2. SSC
D. Public Comment
E. Council Discussion and Action
13. Administrative Matters
A. Financial Reports
B. Administrative Reports
C. Council Family Changes
D. Report on the May CCC Meeting
E. Report on the Recreational Fisheries Summit
F. Legislative Standing Committee Recommendations
G. Meetings and Workshops
H. 2018 Council Member Appointments
I. Other Business
J. Executive and Budget Standing Committee Recommendations
K. Public Comment
L. Council Discussion and Action
13. Other Business

Non-emergency issues not contained in this agenda may come before the Council for discussion and formal Council action during the 173rd meeting. However, Council action on regulatory issues will be restricted to those issues specifically listed in this document and any regulatory issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

Special Accommodations

These meetings are accessible to people with disabilities. Requests for

sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: May 17, 2018.

Rey Israel Marquez,

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

[FR Doc. 2018–10895 Filed 5–21–18; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG219

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Seattle Multimodal Project in Seattle, Washington

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

ACTION: Proposed incidental harassment authorization (IHA); request for comments.

SUMMARY: NMFS has received a request from Washington State Department of Transportation (WSDOT) for authorization to take marine mammals incidental to the Seattle Multimodal Project at Colman Dock in Seattle, Washington. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to incidentally take marine mammals during the specified activities.

DATES: Comments and information must be received no later than June 21, 2018.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910 and electronic comments should be sent to *ITP.guan@noaa.gov.*

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at *https://www.fisheries.noaa.gov/node/23111* without change. All personal identifying information (*e.g.,* name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Shane Guan, Office of Protected Resources, NMFS, (301) 427–8401. Electronic copies of the applications and supporting documents, as well as a list of the references cited in this document, may be obtained online at *https://www.fisheries.noaa.gov/node/23111.* In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined ''negligible impact'' in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term ''take'' means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA defines ''harassment'' as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

National Environmental Policy Act

Issuance of an MMPA 101(a)(5)(D) authorization requires compliance with the National Environmental Policy Act (NEPA).

NMFS preliminary determined the issuance of the proposed IHA is consistent with categories of activities identified in CE B4 (issuance of incidental harassment authorizations under section 101(a)(5)(A) and (D) of the MMPA for which no serious injury or mortality is anticipated) of NOAA's Companion Manual for NAO 216–6A, and we have not identified any extraordinary circumstances listed in Chapter 4 of the Companion Manual for NAO 216–6A that would preclude this categorical exclusion under NEPA.

We will review all comments submitted in response to this notice prior to making a final decision as to whether application of this CE is appropriate in this circumstance.

Summary of Request

On November 21, 2017, WSDOT submitted a request to NMFS requesting an IHA for the possible harassment of small numbers of marine mammal species incidental to Seattle Multimodal Project at Colman Dock in Seattle, Washington, from August 1, 2018 to July 31, 2019. After receiving the revised project description and the revised IHA application, NMFS determined that the IHA application is adequate and complete on April 4, 2018. NMFS is proposing to authorize the take by Level A and Level B harassments of the following marine mammal species: harbor seal (*Phoca vitulina*); northern elephant seal (*Mirounga angustirostris*); California sea lion (*Zalophus californianus*); Steller sea lion (*Eumetopias jubatus*); killer whale (*Orcinus orca*); long-beaked common dolphin (*Delphinus capensis*), bottlenose dolphin (*Tursiops truncatus*), gray whale (*Eschrichtius robustus*); humpback whale (*Megaptera novaeangliae*), minke whale (*Balaenoptera acutorostrata*); harbor porpoise (*Phocoena phocoena*); and Dall's porpoise (*P. dalli*). Neither WSDOT nor NMFS expect mortality to result from this activity and, therefore, an IHA is appropriate.

NMFS previously issued an IHA to WSDOT for the first year of this project (FR 21579; July 7, 2017). WSDOT

complied with all the requirements (*e.g.,* mitigation, monitoring, and reporting) of the previous IHA and information regarding their monitoring results may be found in the Estimated Take section.

Description of Proposed Activity

Overview

The purpose of the Seattle Multimodal Project at Colman Dock is to preserve the transportation function of an aging, deteriorating and seismically deficient facility to continue providing safe and reliable service. The project will also address existing safety concerns related to conflicts between vehicles and pedestrian traffic and operational inefficiencies.

Dates and Duration

Due to NMFS and the U.S. Fish and Wildlife Service (USFWS) in-water work timing restrictions to protect ESA-listed salmonids, planned WSDOT in-water construction is limited each year to July 16 through February 15.

Specified Geographic Region

The Seattle Ferry Terminal at Colman Dock, serving State Route 519, is located on the downtown Seattle waterfront, in King County, Washington. The terminal services vessels from the Bainbridge Island and Bremerton routes, and is the most heavily used terminal in the Washington State Ferry system. The Seattle terminal is located in Section 6, Township 24 North, Range 4 East, and is adjacent to Elliott Bay, tributary to Puget Sound (Figure 1–2 of the IHA application). Land use in the area is highly urban, and includes business, industrial, the Port of Seattle container loading facility, residential, the Pioneer Square Historic District and local parks.

Detailed Description of the Seattle Multimodal Project at Colman Dock: Year 2

The project will reconfigure the Colman Dock while maintaining approximately the same vehicle holding capacity as current conditions. The construction began in August 2017. In the 2017–2018 season, the construction activities were focused on the South Trestle, Terminal Building Foundation, and the temporary and permanent Passenger Offloading Facility.

In the 2018–2019 season, WSDOT plans to continue the project by constructing the North Trestle, and Slip 3 bridge seat, overhead loading, wingwall, and inner dolphin. Both impact pile driving and vibratory pile driving and pile removal would be conducted. A total of 37 days are estimated for pile driving and 77 days for pile removal.

In-water construction methods include:

- Installing 119 36-inch (in) permanent steel piles with a vibratory hammer, and then proofed with an impact hammer for the last 5–10 feet;
- Installing six 36-in and (8) 30-in steel piles with a vibratory hammer;
- Installing one 108-in steel pile with a vibratory hammer;
- Removing all existing 12-in steel, 14-in timber, 14-in H, 24-in steel and 30-in steel piles with a vibratory hammer;
- Installing and then removing eight 24-in Slip 3 Overhead loading temporary piles with a vibratory hammer; and
- Installing and then removing 147 24-in temporary template piles with a vibratory hammer.

A list of pile driving and removal activities is provided in Table 1.

TABLE 1—SUMMARY OF IN-WATER PILE DRIVING AND REMOVAL ACTIVITIES

Method	Pile type	Pile size (inch)	Pile number	Piles/day	Minutes/pile	Duration (days)
Vibratory drive	Steel (temporary)	24	147	8	20	18
Vibratory drive	Steel (Slip 3)	24	8	8	20	1
Vibratory drive	Steel	30	8	8	20	1
Vibratory drive	Steel	36	6	6	20	1
Vibratory drive *	Steel	36	119	8	20	15
Impact drive (proof) *	Steel	36	119	8	300 strikes	15
Vibratory drive	Steel	108	1	1	120	1
Subtotal						37
Vibratory remove	Timber	14	925	20	15	47
Vibratory remove	Steel	12	22	11	20	2
Vibratory remove	Steel H	14	19	10	20	2
Vibratory remove	Steel	24	35	8	20	5
Vibratory remove	Steel (Slip 3)	24	8	8	20	1
Vibratory remove	Steel (temporary)	24	147	8	20	19
Vibratory remove	Steel	30	1	1	20	1
Subtotal						77

* These two activities occur on the same day.

Proposed mitigation, monitoring, and reporting measures are described in detail later in this document (please see ''Proposed Mitigation'' and ''Proposed Monitoring and Reporting'').

Description of Marine Mammals in the Area of Specified Activities

Sections 3 and 4 of the application summarize available information regarding status and trends, distribution and habitat preferences, and behavior and life history, of the potentially affected species. Additional information regarding population trends and threats may be found in NMFS's Stock Assessment Reports (SAR; *www.nmfs.noaa.gov/pr/sars/*) and more general information about these species (*e.g.,* physical and behavioral descriptions) may be found on NMFS's website (*www.nmfs.noaa.gov/pr/species/mammals/*).

Table 2 lists all species with expected potential for occurrence in the lower Puget Sound area and summarizes information related to the population or stock, including regulatory status under the MMPA and ESA and potential biological removal (PBR), where known. For taxonomy, we follow Committee on Taxonomy (2016). PBR is defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a

marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population (as described in NMFS's SARs). While no mortality is anticipated or authorized here, PBR and annual serious injury and mortality from anthropogenic sources are included here as gross indicators of the status of the species and other threats.

Marine mammal abundance estimates presented in this document represent the total number of individuals that make up a given stock or the total number estimated within a particular study or survey area. NMFS's stock abundance estimates for most species represent the total estimate of individuals within the geographic area, if known, that comprises that stock. For harbor seal Washington northern inland waters stock, the abundance is based on radio-tagging studies conducted at three Washington inland waters with correcting factors described in the 2016 SARs (Jefferies *et al.,* 2003; Carretta *et al.,* 2017). For some species, this geographic area may extend beyond U.S. waters. All managed stocks in this region are assessed in NMFS's 2016 U.S. Pacific Draft Marine Mammal SARs (Carretta *et al.,* 2017). All values presented in Table 2 are the most recent available at the time of publication and are available in the 2016 SARs (Carretta *et al.,* 2017); and draft 2017 SARs (available online at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/draft-marine-mammal-stock-assessment-reports*).

TABLE 2—MARINE MAMMALS WITH POTENTIAL PRESENCE WITHIN THE PROPOSED PROJECT AREA

Common name	Scientific name	Stock	ESA/MMPA status; strategic (Y/N) [1]	Stock abundance (CV, N_{min}, most recent abundance survey) [2]	PBR	Annual M/SI [3]
Order Cetartiodactyla—Cetacea—Superfamily Mysticeti (baleen whales)						
Family Eschrichtiidae:						
Gray whale	*Eschrichtius robustus*	Eastern North Pacific	N	20,990	624	132
Family Balaenopteridae:						
Humpback whale	*Megaptera novaeangliae*	California/Oregon/Washington	Y	1,918	11.0	>6.5
Minke whale	*Balaenoptera acutorostrata*	California/Oregon/Washington	N	636	3.5	>1.3
Family Delphinidae:						
Killer whale	*Orcinus orca*	Eastern N. Pacific Southern resident.	Y	81	0.14	0
		West coast transient	N	243	2.4	0
Long-beaked common dolphin.	*Delphinus capensis*	California	N	101,305	657	>35.4
Bottlenose dolphin	*Tursiops truncatus*	California/Oregon/Washington offshore.	N	1,924	198	>0.84
Family Phocoenidae (porpoises):						
Harbor porpoise	*Phocoena phocoena*	Washington inland waters	N	11,233	66	7.2
Dall's porpoise	*P. dali*	California/Oregon/Washington	N	25,750	172	0.3
Order Carnivora—Superfamily Pinnipedia						
Family Otariidae (eared seals and sea lions):						
California sea lion	*Zalophus californianus*	U.S.	N	296,750	9,200	389
Steller sea lion	*Eumetopias jubatus*	Eastern U.S.	N	71,562	2,498	108
Family Phocidae (earless seals):						
Harbor seal	*Phoca vitulina*	Washington northern inland waters.	N	[4] 11,036	1,641	43
Northern elephant seal	*Mirounga angustirostris*	California breeding	N	179,000	4,882	8.8

[1] Endangered Species Act (ESA) status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

[2] NMFS marine mammal stock assessment reports online at: *www.nmfs.noaa.gov/pr/sars/.* CV is coefficient of variation; N_{min} is the minimum estimate of stock abundance.

[3] These values, found in NMFS's SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (*e.g.,* commercial fisheries, ship strike). Annual M/SI often cannot be determined precisely and is in some cases presented as a minimum value or range. A CV associated with estimated mortality due to commercial fisheries is presented in some cases.

[4] Harbor seal estimate is based on data that are 8 years old, but this is the best available information for use here (Jefferies *et al.,* 2003; Carretta *et al.,* 2017).

All species that could potentially occur in the proposed survey areas are included in Table 2. However, the temporal and/or spatial occurrence of humpback whale and Southern Resident killer whale (SRKW) and the implementation of monitoring and mitigation measures are such that take is not expected to occur, and they are not discussed further beyond the explanation provided here. The occurrence of humpback whale in the WSDOT's Seattle Multimodal Project area is considered extralimital, and WSDOT's 2017 monitoring report showed no sighting of this species. Although the SRKW could occur in the vicinity of the project area, WSDOT proposes to implement strict monitoring and mitigation measures with assistance from local marine mammal researchers and observers. Thus, the take of this marine mammal stock can be avoided (see details in Proposed Mitigation section).

In addition, the sea otter may be found in Puget Sound area However, this species is managed by the U.S. Fish and Wildlife Service and are not considered further in this document.

Marine Mammal Hearing

Hearing is the most important sensory modality for marine mammals underwater, and exposure to anthropogenic sound can have deleterious effects. To appropriately assess the potential effects of exposure to sound, it is necessary to understand the frequency ranges marine mammals are able to hear. Current data indicate that not all marine mammal species

have equal hearing capabilities (*e.g.,* Richardson *et al.,* 1995; Wartzok and Ketten, 1999; Au and Hastings, 2008). To reflect this, Southall *et al.* (2007) recommended that marine mammals be divided into functional hearing groups based on directly measured or estimated hearing ranges on the basis of available behavioral response data, audiograms derived using auditory evoked potential techniques, anatomical modeling, and other data. Note that no direct measurements of hearing ability have been successfully completed for mysticetes (*i.e.,* low-frequency cetaceans). Subsequently, NMFS (2016) described generalized hearing ranges for these marine mammal hearing groups. Generalized hearing ranges were chosen based on the approximately 65 decibel (dB) threshold from the normalized composite audiograms, with the exception for lower limits for low-frequency cetaceans where the lower bound was deemed to be biologically implausible and the lower bound from Southall *et al.* (2007) retained. The functional groups and the associated frequencies are indicated below (note that these frequency ranges correspond to the range for the composite group, with the entire range not necessarily reflecting the capabilities of every species within that group):

- *Low-frequency cetaceans (mysticetes):* Generalized hearing is estimated to occur between approximately 7 hertz (Hz) and 35 kilohertz (kHz);
- *Mid-frequency cetaceans (larger toothed whales, beaked whales, and most delphinids):* Generalized hearing is estimated to occur between approximately 150 Hz and 160 kHz;
- *High-frequency cetaceans (porpoises, river dolphins, and members of the genera Kogia and Cephalorhynchus; including two members of the genus Lagenorhynchus, on the basis of recent echolocation data and genetic data):* Generalized hearing is estimated to occur between approximately 275 Hz and 160 kHz.
- *Pinnipeds in water; Phocidae (true seals):* Generalized hearing is estimated to occur between approximately 50 Hz to 86 kHz;
- *Pinnipeds in water; Otariidae (eared seals):* Generalized hearing is estimated to occur between 60 Hz and 39 kHz.
- The pinniped functional hearing group was modified from Southall *et al.* (2007) on the basis of data indicating that phocid species have consistently demonstrated an extended frequency range of hearing compared to otariids, especially in the higher frequency range (Hemilä *et al.,* 2006; Kastelein *et al.,* 2009; Reichmuth and Holt, 2013).

The pinniped functional hearing group was modified from Southall *et al.* (2007) on the basis of data indicating that phocid species have consistently demonstrated an extended frequency range of hearing compared to otariids, especially in the higher frequency range (Hemilä *et al.,* 2006; Kastelein *et al.,* 2009; Reichmuth *et al.,* 2013).

For more detail concerning these groups and associated frequency ranges, please see NMFS (2016) for a review of available information. Twelve marine mammal species (8 cetacean and 4 pinniped (2 otariid and 2 phocid) species) have the reasonable potential to co-occur with the proposed survey activities. Please refer to Table 2. Of the cetacean species that may be present, two species are classified as low-frequency cetaceans (*i.e.,* gray whale and humpback whale), two are classified as high-frequency cetaceans (*i.e.,* harbor porpoise and Dall's porpoise), and the rest of them mid-frequency cetaceans.

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

This section includes a summary and discussion of the ways that components of the specified activity may impact marine mammals and their habitat. The ''Estimated Take by Incidental Harassment'' section later in this document will include a quantitative analysis of the number of individuals that are expected to be taken by this activity. The ''Negligible Impact Analysis and Determination'' section will consider the content of this section, the ''Estimated Take by Incidental Harassment'' section, and the ''Proposed Mitigation'' section, to draw conclusions regarding the likely impacts of these activities on the reproductive success or survivorship of individuals and how those impacts on individuals are likely to impact marine mammal species or stocks.

Potential impacts to marine mammals from the proposed Bremerton and Edmonds ferry terminals dolphin relocation project are from noise generated during in-water pile driving and pile removal activities.

Acoustic Effects

Here, we first provide background information on marine mammal hearing before discussing the potential effects of the use of active acoustic sources on marine mammals.

The WSDOT's Seattle Multimodal Project using in-water pile driving and pile removal could adversely affect marine mammal species and stocks by exposing them to elevated noise levels in the vicinity of the activity area.

Exposure to high intensity sound for a sufficient duration may result in auditory effects such as a noise-induced threshold shift (TS)—an increase in the auditory threshold after exposure to noise (Finneran *et al.,* 2005). Factors that influence the amount of threshold shift include the amplitude, duration, frequency content, temporal pattern, and energy distribution of noise exposure. The magnitude of hearing threshold shift normally decreases over time following cessation of the noise exposure. The amount of TS just after exposure is the initial TS. If the TS eventually returns to zero (*i.e.,* the threshold returns to the pre-exposure value), it is a temporary threshold shift (TTS) (Southall *et al.,* 2007).

Threshold Shift (noise-induced loss of hearing)—When animals exhibit reduced hearing sensitivity (*i.e.,* sounds must be louder for an animal to detect them) following exposure to an intense sound or sound for long duration, it is referred to as a noise-induced TS. An animal can experience TTS or permanent threshold shift (PTS). TTS can last from minutes or hours to days (*i.e.,* there is complete recovery), can occur in specific frequency ranges (*i.e.,* an animal might only have a temporary loss of hearing sensitivity between the frequencies of 1 and 10 kHz), and can be of varying amounts (for example, an animal's hearing sensitivity might be reduced initially by only 6 dB or reduced by 30 dB). PTS is permanent, but some recovery is possible. PTS can also occur in a specific frequency range and amount as mentioned above for TTS.

For marine mammals, published data are limited to the captive bottlenose dolphin, beluga, harbor porpoise, and Yangtze finless porpoise (Finneran, 2015). For pinnipeds in water, data are limited to measurements of TTS in harbor seals, an elephant seal, and California sea lions (Kastak *et al.,* 1999, 2005; Kastelein *et al.,* 2012b).

Lucke *et al.* (2009) found a TS of a harbor porpoise after exposing it to airgun noise with a received sound pressure level (SPL) at 200.2 dB (peak-to-peak) re: 1 micropascal (μPa), which corresponds to a sound exposure level of 164.5 dB re: 1 μPa^2 s after integrating exposure. Because the airgun noise is a broadband impulse, one cannot directly determine the equivalent of root mean square (rms) SPL from the reported peak-to-peak SPLs. However, applying a conservative conversion factor of 16 dB for broadband signals from seismic surveys (McCauley, *et al.,* 2000) to correct for the difference between peak-

to-peak levels reported in Lucke *et al.* (2009) and rms SPLs, the rms SPL for TTS would be approximately 184 dB re: 1 μPa, and the received levels associated with PTS (Level A harassment) would be higher. Therefore, based on these studies, NMFS recognizes that TTS of harbor porpoises is lower than other cetacean species empirically tested (Finneran & Schlundt, 2010; Finneran *et al.,* 2002; Kastelein and Jennings, 2012).

Marine mammal hearing plays a critical role in communication with conspecifics, and interpretation of environmental cues for purposes such as predator avoidance and prey capture. Depending on the degree (elevation of threshold in dB), duration (*i.e.,* recovery time), and frequency range of TTS, and the context in which it is experienced, TTS can have effects on marine mammals ranging from discountable to serious (similar to those discussed in auditory masking, below). For example, a marine mammal may be able to readily compensate for a brief, relatively small amount of TTS in a non-critical frequency range that occurs during a time where ambient noise is lower and there are not as many competing sounds present. Alternatively, a larger amount and longer duration of TTS sustained during time when communication is critical for successful mother/calf interactions could have more serious impacts. Also, depending on the degree and frequency range, the effects of PTS on an animal could range in severity, although it is considered generally more serious because it is a permanent condition. Of note, reduced hearing sensitivity as a simple function of aging has been observed in marine mammals, as well as humans and other taxa (Southall *et al.,* 2007), so one can infer that strategies exist for coping with this condition to some degree, though likely not without cost.

In addition, chronic exposure to excessive, though not high-intensity, noise could cause masking at particular frequencies for marine mammals, which utilize sound for vital biological functions (Clark *et al.,* 2009). Acoustic masking is when other noises such as from human sources interfere with animal detection of acoustic signals such as communication calls, echolocation sounds, and environmental sounds important to marine mammals. Therefore, under certain circumstances, marine mammals whose acoustical sensors or environment are being severely masked could also be impaired from maximizing their performance fitness in survival and reproduction.

Masking occurs at the frequency band that the animals utilize. Therefore, since noise generated from vibratory pile driving is mostly concentrated at low frequency ranges, it may have less effect on high frequency echolocation sounds by odontocetes (toothed whales). However, lower frequency man-made noises are more likely to affect detection of communication calls and other potentially important natural sounds such as surf and prey noise. It may also affect communication signals when they occur near the noise band and thus reduce the communication space of animals (*e.g.,* Clark *et al.,* 2009) and cause increased stress levels (*e.g.,* Foote *et al.,* 2004; Holt *et al.,* 2009).

Unlike TS, masking, which can occur over large temporal and spatial scales, can potentially affect the species at population, community, or even ecosystem levels, as well as individual levels. Masking affects both senders and receivers of the signals and could have long-term chronic effects on marine mammal species and populations. Recent science suggests that low frequency ambient sound levels have increased by as much as 20 dB (more than three times in terms ofSPL) in the world's ocean from pre-industrial periods, and most of these increases are from distant shipping (Hildebrand, 2009). For WSDOT's dolphin relocation project, noises from vibratory pile driving and pile removal contribute to the elevated ambient noise levels in the project area, thus increasing potential for or severity of masking. Baseline ambient noise levels in the vicinity of project area are high due to ongoing shipping, construction and other activities in the Puget Sound.

Finally, marine mammals' exposure to certain sounds could lead to behavioral disturbance (Richardson *et al.,* 1995), such as changing durations of surfacing and dives, number of blows per surfacing, or moving direction and/or speed; reduced/increased vocal activities; changing/cessation of certain behavioral activities (such as socializing or feeding); visible startle response or aggressive behavior (such as tail/fluke slapping or jaw clapping); avoidance of areas where noise sources are located; and/or flight responses (*e.g.,* pinnipeds flushing into water from haulouts or rookeries).

The onset of behavioral disturbance from anthropogenic noise depends on both external factors (characteristics of noise sources and their paths) and the receiving animals (hearing, motivation, experience, demography) and is also difficult to predict (Southall *et al.,* 2007). Currently NMFS uses a received level of 160 dB re 1 μPa (rms) to predict the onset of behavioral harassment from impulse noises (such as impact pile driving), and 120 dB re 1 μPa (rms) for continuous noises (such as vibratory pile driving). For the WSDOT's Seattle Multimodal Project at Colman Ferry Terminal, both 120-dB and 160-dB levels are considered for effects analysis because WSDOT plans to use both impact pile driving and vibratory pile driving and pile removal.

The biological significance of many of these behavioral disturbances is difficult to predict, especially if the detected disturbances appear minor. However, the consequences of behavioral modification could be biologically significant if the change affects growth, survival, and/or reproduction, which depends on the severity, duration, and context of the effects.

Potential Effects on Marine Mammal Habitat

The primary potential impacts to marine mammal habitat are associated with elevated sound levels produced by vibratory pile removal and pile driving in the area. However, other potential impacts to the surrounding habitat from physical disturbance are also possible.

With regard to fish as a prey source for cetaceans and pinnipeds, fish are known to hear and react to sounds and to use sound to communicate (Tavolga *et al.,* 1981) and possibly avoid predators (Wilson and Dill, 2002). Experiments have shown that fish can sense both the strength and direction of sound (Hawkins, 1981). Primary factors determining whether a fish can sense a sound signal, and potentially react to it, are the frequency of the signal and the strength of the signal in relation to the natural background noise level.

The level of sound at which a fish will react or alter its behavior is usually well above the detection level. Fish have been found to react to sounds when the sound level increased to about 20 dB above the detection level of 120 dB (Ona, 1988); however, the response threshold can depend on the time of year and the fish's physiological condition (Engas *et al.,* 1993). In general, fish react more strongly to pulses of sound (such as noise from impact pile driving) rather than continuous signals (such as noise from vibratory pile driving) (Blaxter *et al.,* 1981), and a quicker alarm response is elicited when the sound signal intensity rises rapidly compared to sound rising more slowly to the same level.

During the coastal construction, only a small fraction of the available habitat would be ensonified at any given time. Disturbance to fish species would be short-term and fish would return to their pre-disturbance behavior once the pile driving activity ceases. Thus, the

proposed construction would have little, if any, impact on marine mammals' prey availability in the area where construction work is planned.

Finally, the time of the proposed construction activity would avoid the spawning season of the ESA-listed salmonid species.

Estimated Take

This section provides an estimate of the number of incidental takes authorized through this IHA, which will inform both NMFS' consideration of whether the number of takes is ''small'' and the negligible impact determination.

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines ''harassment'' as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes would be by Level B harassment only, in the form of disruption of behavioral patterns for individual marine mammals resulting from exposure to noise generated from vibratory pile driving and removal. Based on the nature of the activity and the anticipated effectiveness of the mitigation measures (*i.e.,* shutdown measures—discussed in detail below in Proposed Mitigation section), Level A harassment is neither anticipated nor proposed to be authorized.

As described previously, no mortality is anticipated or authorized for this activity. Below we describe how the take is estimated.

Described in the most basic way, we estimate take by considering: (1) Acoustic thresholds above which NMFS believes the best available science indicates marine mammals will be behaviorally harassed or incur some degree of permanent hearing impairment; (2) the area or volume of water that will be ensonified above these levels in a day; (3) the density or occurrence of marine mammals within these ensonified areas; and, (4) and the number of days of activities. Below, we describe these components in more detail and present the take estimate.

Acoustic Thresholds

Using the best available science, NMFS has developed acoustic thresholds that identify the received level of underwater sound above which exposed marine mammals would be reasonably expected to be behaviorally harassed (equated to Level B harassment) or to incur PTS of some degree (equated to Level A harassment).

Level B Harassment for non-explosive sources—Though significantly driven by received level, the onset of behavioral disturbance from anthropogenic noise exposure is also informed to varying degrees by other factors related to the source (*e.g.,* frequency, predictability, duty cycle), the environment (*e.g.,* bathymetry), and the receiving animals (hearing, motivation, experience, demography, behavioral context) and can be difficult to predict (Southall *et al.,* 2007, Ellison *et al.,* 2011). Based on what the available science indicates and the practical need to use a threshold based on a factor that is both predictable and measurable for most activities, NMFS uses a generalized acoustic threshold based on received level to estimate the onset of behavioral harassment. NMFS predicts that marine mammals are likely to be behaviorally harassed in a manner we consider Level B harassment when exposed to underwater anthropogenic noise above received levels of 120 dB re 1 μPa (rms) for continuous (*e.g.,* vibratory pile-driving, drilling) and above 160 dB re 1 μPa (rms) for non-explosive impulsive (*e.g.,* seismic airguns) or intermittent (*e.g.,* scientific sonar) sources.

Applicant's proposed activity includes the generation of impulse (impact pile driving) and non-impulse (vibratory pile driving and removal) sources; and, therefore, both 160- and 120-dB re 1 μPa (rms) are used.

Level A harassment for non-explosive sources—NMFS' Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (Technical Guidance, 2016) identifies dual criteria to assess auditory injury (Level A harassment) to five different marine mammal groups (based on hearing sensitivity) as a result of exposure to noise from two different types of sources (impulsive or non-impulsive). Applicant's proposed activity would generate and non-impulsive (vibratory pile driving and pile removal) noises. These thresholds were developed by compiling and synthesizing the best available science and soliciting input multiple times from both the public and peer reviewers to inform the final product and are provided in the table below. The references, analysis, and methodology used in the development of the thresholds are described in NMFS 2016 Technical Guidance, which may be accessed at: *http://www.nmfs.noaa.gov/pr/acoustics/guidelines.htm.*

TABLE 3—CURRENT ACOUSTIC EXPOSURE CRITERIA FOR NON-EXPLOSIVE SOUND UNDERWATER

Hearing group	PTS onset thresholds		Behavioral thresholds	
	Impulsive	Non-impulsive	Impulsive	Non-impulsive
Low-Frequency (LF) Cetaceans	$L_{pk,flat}$: 219 dB; $L_{E,LF,24h}$: 183 dB	$L_{E,LF,24h}$: 199 dB	$L_{rms,flat}$: 160 dB	$L_{rms,flat}$: 120 dB.
Mid-Frequency (MF) Cetaceans	$L_{pk,flat}$: 230 dB; $L_{E,MF,24h}$: 185 dB.	$L_{E,MF,24h}$: 198 dB.		
High-Frequency (HF) Cetaceans	$L_{pk,flat}$: 202 dB; $L_{E,HF,24h}$: 155 dB.	$L_{E,HF,24h}$: 173 dB.		
Phocid Pinnipeds (PW) (Underwater).	$L_{pk,flat}$: 218 dB; $L_{E,PW,24h}$: 185 dB.	$L_{E,PW,24h}$: 201 dB.		
Otariid Pinnipeds (OW) (Underwater).	$L_{pk,flat}$: 232 dB; $L_{E,OW,24h}$: 203 dB.	$L_{E,OW,24h}$: 219 dB.		

* Dual metric acoustic thresholds for impulsive sounds: Use whichever results in the largest isopleth for calculating PTS onset. If a non-impulsive sound has the potential of exceeding the peak sound pressure level thresholds associated with impulsive sounds, these thresholds should also be considered.

Note: Peak sound pressure (Lpk) has a reference value of 1 μPa, and cumulative sound exposure level (LE) has a reference value of 1μPa2s. In this Table, thresholds are abbreviated to reflect American National Standards Institute standards (ANSI 2013). However, peak sound pressure is defined by ANSI as incorporating frequency weighting, which is not the intent for this Technical Guidance. Hence, the subscript "flat" is being included to indicate peak sound pressure should be flat weighted or unweighted within the generalized hearing range. The subscript associated with cumulative sound exposure level thresholds indicates the designated marine mammal auditory weighting function (LF, MF, and HF cetaceans, and PW and OW pinnipeds) and that the recommended accumulation period is 24 hours. The cumulative sound exposure level thresholds could be exceeded in a multitude of ways (*i.e.,* varying exposure levels and durations, duty cycle). When possible, it is valuable for action proponents to indicate the conditions under which these acoustic thresholds will be exceeded.

Ensonified Area

Here, we describe operational and environmental parameters of the activity that will feed into identifying the area ensonified above the acoustic thresholds.

Source Levels

The source level for vibratory pile driving and removal of the 24- and 30-in steel pile is based on vibratory pile driving of the 30-in steel pile at Port Townsend (WSDOT, 2010). The unweighted SPL_{rms} source level at 10 meters (m) from the pile is 174 dB re 1 re 1 μPa.

The source level for vibratory pile driving of the 36-in steel piles is based on vibratory test pile driving of 36-in steel piles at Port Townsend in 2010 (Laughlin 2011). Recordings of vibratory pile driving were made at a distance of 10 m from the pile. The results show that the unweighted SPL_{rms} for vibratory pile driving of 36-in steel pile was 177 dB re 1 μPa.

The source level for vibratory pile driving of the 108-in steel pile is based on measurements of 72-in steel piles vibratory driving conducted by CALTRANS. The unweighted SPL_{rms} source level ranged between 170 and 180 dB re 1 μPa at 10 m from the pile (CALTRANS 2015). The value of 180 dB is chosen to be more conservative.

The source level for impact pile driving of the 36-in steel pile is based on impact test pile driving for the 36-in steel pile at Mukilteo in November 2006 (WSDOT 2007). Recordings of the impact pile driving that were made at a distance of 10 m from the pile were analyzed using Matlab. The results show that the unweighted source levels are 178 dB re 1 μPa^2-s for SEL_{ss} and 193 dB re 1 μPa for SPL_{rms}. The peak source level for impact pile driving of the 36-in steel pile is based on measurement conducted by CALTRANS for the same type and dimension of the pile, which is 210 dB_{pk} re 1 μPa.

The source level for vibratory pile removal of 14-in timber pile is based measurements conducted at the Port Townsend Ferry Terminal during vibratory removal of a 12-in timber pile by WSDOT (Laughlin 2011). The recorded source level is 152 dB_{rms} re 1 μPa at 16 m from the pile, with an adjusted source level of 155 dB_{rms} re 1 μPa at 10 m.

The source levels for vibratory pile removal of 12-in steel and 14-in steel H piles are based on vibratory pile driving of 12-in steel pipe pile measured by CALTRANS. The unweighted source level is 155 dB_{rms} re 1 μPa at 10 m.

A summary of source levels is presented in Table 4.

TABLE 4—SUMMARY OF IN-WATER PILE DRIVING SOURCE LEVELS

[At 10 m from source]

Method	Pile type/size (inch)	SEL, dB re 1 μPa^2-s	SPL_{rms}, dB re 1 μPa	SPL_{pk}, dB re 1 μPa
Vibratory driving/removal	Steel, 24-in	174	174	
Vibratory driving/removal	Steel, 30-in	174	174	
Vibratory driving	Steel, 36-in	177	177	
Impact pile driving (proof)	Steel, 36-in	178	193	210
Vibratory driving	Steel, 108-in	180	180	
Vibratory removal	Timber, 14-in	155	155	
Vibratory removal	Steel, 12-in	155	155	
Vibratory removal	Steel H, 14-in	155	155	

These source levels are used to compute the Level A injury zones and to estimate the Level B harassment zones. For Level A harassment zones, since the peak source levels for both pile driving are below the injury thresholds, cumulative SEL were used to do the calculations using the NMFS acoustic guidance (NMFS 2016).

Estimating Harassment Zones

The Level B harassment ensonified areas for vibratory removal of the 14-in timber, 12-in steel, 14-in steel H, and 18-in concrete piles are based on the above source level of 155 dB_{rms} re 1 μPa at 10 m, applying practical spreading loss of 15*log(R) for transmission loss calculation. The derived distance to the 120-dB Level B zone is 2,175 m.

For Level B harassment ensonified areas for vibratory pile driving and removal of the 24-in, 30-in, 36-in, and 108-in steel piles, the distance is based on measurements conducted during the year 1 Seattle multimodal project at Colman. The result showed that pile driving noise of two 36-in steel piles being concurrently driven was no longer detectable at a range of 5.4 miles (8.69 km) (WSDOT 2017). Therefore, the distance of 8,690 m is selected as the Level B harassment distance for vibratory pile driving and removal of the 24-in, 30-in, 36-in and 108-in steel piles.

The Level B harassment ensonified area for impact pile driving of the 36-in steel piles is based on the above source level of 193 dB_{rms} re 1 μPa at 10 m, applying practical spreading loss of 15*log(R) for transmission loss calculation. The derived distance to the 160-dB Level B zone is 1,585 m.

For Level A harassment, calculation is based on pile driving duration of each pile and the number of piles installed or removed per day, using NMFS optional spreadsheet.

TABLE 5—MODELED DISTANCES AND AREAS TO HARASSMENT ZONES

Pile driving activity	SL (10m)	Level A distance (m) Level A area (km²)					Level B distance (m) Level A area (km²)
	SEL	LF Cetacean	MF Cetacean	HF Cetacean	Phocid	Otariid	All marine mammals
Vibratory drive/removal, 24″ & 30″ steel piles, 8 piles/day, 20 min/pile	174	96.7 0.03	8.6 0.00	143.0 0.00	58.8 0.00	4.1 0.00	8,690 74.29
Vibratory removal 30″ steel pile, 1 pile/day, 20 min/pile	174	24.2 0.00	2.1 0.00	35.7 0.00	14.7 0.00	1.0 0.00	8,960 74.29
Vibratory drive 36″ steel pile, 8 piles/day, 20 min/pile	177	126.4 0.05	11.2 0.00	186.9 0.11	76.8 0.02	5.4 0.00	8,960 74.29
Vibratory drive 36″ steel pile, 8 piles/day, 20 min/pile	177	153.3 0.07	13.6 0.00	226.6 0.16	93.2 0.03	6.5 0.00	8,960 74.29
Impact drive (proof) 36″ steel pile, 8 piles/day, 300 strikes/pile	178	432.1 0.59	15.4 0.00	514.7 0.83	231.2 0.17	16.8 0.00	1,585 7.89
Vibratory drive 108″ steel pile, 1 pile/day, 120 min/pile	180	200.3 0.13	17.8 0.00	296.2 0.28	121.8 0.05	8.5 0.00	8,690 74.29
Vibratory remove 14″ timber pile, 20 piles/day, 15 min/pile	155	8.0 0.00	0.7 0.00	11.8 0.00	4.8 0.00	0.3 0.00	2,175 14.85
Vibratory remove 12″ steel pile, 11 piles/day, 20 min/pile	155	6.5 0.00	0.6 0.00	9.6 0.00	3.9 0.00	0.3 0.00	2,175 14.85
Vibratory remove 14″ steel H pile, 10 piles/day, 20 min/pile	155	6.1 0.00	0.5 0.00	9.0 0.00	3.7 0.00	0.3 0.00	2,175 14.85

Distances of ensonified area for different pile driving/removal activities for different marine mammal hearing groups is present in Table 5.

Marine Mammal Occurrence

In this section we provide the information about the presence, density, or group dynamics of marine mammals that will inform the take calculations.

All marine mammal density data except harbor seal, California sea lion, harbor porpoise, bottlenose dolphin, and short-beaked common dolphin are from the U.S. Navy Marine Species Density Report. For harbor seal and California sea lion, because WSDOT has better local distribution data based on recent survey in the area, local animal abundance are used to calculate the take numbers. Specifically, the occurrence of these two species are based on local seal abundance information off the Seattle area from Year One (2017/18) of WSDOT's Seattle Colman Project.

For bottlenose dolphin and short-beaked common dolphin, no density estimate is available. Therefore, take numbers for these two species are based on prior anecdotal observations and strandings in the action area (Shuster *et al.,* 2015; Huggins *et al.,* 2016).

Harbor porpoise density is based on a recent study by Jefferson *et al.* (2016) for the Seattle area near the Colman Dock.

A summary of marine mammal density, days and Level A and Level B harassment areas from different pile driving and removal activities is provided in Table 6.

TABLE 6—MARINE MAMMAL DENSITY AND LOCAL OCCURRENCE IN THE WSDOT PROJECT AREA

Species	Density (#/km²) or animals/day
Gray whale	0.0051/km².
Humpback whale	0.0007/km².
Minke whale	0.00003/km².
Killer whale (West coast transient).	0.002/km².
Bottlenose dolphin	NA.
Short-beaked common dolphin.	NA.
Harbor porpoise	0.69/km².
Dall's porpoise	0.048/km².
California sea lion	11 animals/day.
Steller sea lion	0.04/km².
Harbor seal	8 animals/day.
Northern elephant seal	0.00001/km².

Take Calculation and Estimation

Here we describe how the information provided above is brought together to produce a quantitative take estimate.

For all other marine mammals, takes were calculated as: Take = ensonified area × average animal abundance in the area × pile driving days. All Level A takes were further adjusted by subtract animals that would occur within the Level A harassment zone (except for harbor seal where a 60-m shutdown zone would be implemented), where pile driving activities that could cause Level A injury for all marine mammals, except harbor seal, harbor porpoise, and Dall's porpoise, would be suspended when an animal is observed to approach such a zone. Further, the number of Level B takes were adjusted to exclude those already counted for Level A takes.

The harbor seal take estimate is based on local seal abundance information off the Seattle area from Year One (2017/18) of WSDOT's Seattle Colman Project. During 99 days of marine mammal visual monitoring, 813 harbor seals were observed, an average of 8 animals/day, with a one-day high of 43 observations on 10/24/17 (WSDOT 2018b). Based on a total of 114 pile driving days for the WSDOT Seattle Colman Dock project, it is estimated that up to 912 harbor seals could be exposed to noise levels associated with ''take''. Since 17 days would involve vibratory/impact pile driving of 36-in steel piles (16 days) and vibratory driving of and 108-in steel pile (1 day) with Level A zones beyond shutdown zones (231 m and 122 m, respectively, vs. the 60-m shutdown zone), we consider that 136 harbor seals exposed during these 17 days would experience Level A harassment.

The California sea lion take estimate is also based on local sea lion abundance information from the Seattle Colman Project). During 99 days of marine mammal visual monitoring 1,047 California sea lions were observed, an average of 11 animals/day, with a one-day high of 48 observations on 1/8/2018. (WSDOT 2018b). Based on a total of 114 pile driving days for the WSDOT Seattle Colman Dock project, it is estimated that up to 1,254 California sea lions could be exposed to noise levels associated with ''take''. Since the Level A zones of otariids are all very small (<17 m, Table 5), we do not consider it likely that any sea lions would be taken by Level A harassment. Therefore, all California sea lion takes estimated here are expected to be taken by Level B harassment.

The Common bottlenose dolphin estimate is based on sightings data from Cascadia Research Collective. Between September 2017 and March 2018, a group of up to five to six individuals was sighted in South Puget Sound (CRC 2017/18). It is assumed that this group is still present in the area.

Given how rare Common bottlenose dolphins are in the area, it is unlikely they would be present on a daily basis. Instead it is assumed that they may be present in the Level B harassment zone once a month during the in-water work window (7 months), and adjusted for potential group size of 5–10 individuals with an average of 7 animals per group.

The Long-beaked Common dolphin estimate is based on sightings data from Cascadia Research Collective. Four to six Long-beaked Common dolphins have remained in Puget Sound since June 2016, and four animals with distinct markings have been seen multiple times and in every season of the year as of October 2017 (CRC 2017).

Given how rare Long-beaked Common dolphins are in the area, it is unlikely they would be present on a daily basis. Instead it is assumed that they may be present in the Level B harassment zone once a month during the in-water work window (7 months), and adjusted for potential group size of 5–10 individuals with an average of 7 animals per group.

For calculated take number less than 15, such as northern elephant seals, transient killer whales, minke whales, long-beaked common dolphins, and bottlenose dolphins, takes numbers were adjusted to account for group encounter and the likelihood of encountering. Specifically, for northern elephant seal, take of 15 animals is estimated based on the likelihood of encountering this species during the project period. For transient killer whale, takes of 30 animals is estimated based on the group size and the likelihood of encountering in the area. For minke whale, takes of 8 animals each are estimated based on the likelihood of encountering. For long-beaked common dolphin, and bottlenose dolphin, take of 50 animals is estimated based on the group size and the likelihood of encountering in the area.

For SRKWs, WSDOT will implement strict monitoring and mitigation measures and to suspend pile driving activities when such animal is detected in the vicinity of the action area (see Proposed Mitigation section below).

A summary of estimated takes based on the above analysis is listed in Table 7.

TABLE 7—ESTIMATED TAKE NUMBERS

Species	Estimated Level A take	Estimated Level B take	Estimated total take	Abundance	Percentage
Pacific harbor seal	132	780	912	11,036	8
Northern elephant seal	0	15	15	81,368	0
California sea lion	0	1,254	1,254	296,750	0
Steller sea lion	0	232	232	67,290	0
Killer whale, transient	0	30	30	243	12
Killer whale, Southern Resident	0	0	0	84	0
Gray whale	0	30	30	20,990	0
Humpback whale	0	8	8	1,918	0
Minke whale	0	8	8	202	2
Harbor porpoise	12	3,985	3,997	11,233	*36
Dall's porpoise	1	277	278	25,750	1
Long-beaked common dolphin	0	49	49	101,305	0
Bottlenose dolphin	0	49	49	1,921	3

* The percentage of individual harbor porpoises take is estimated to be notably smaller than this, as described in the ''Small Numbers'' section.

Proposed Mitigation

In order to issue an IHA under section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to such activity, and other means of effecting the least practicable impact on such species or stock and its habitat, paying particular attention to rookeries, mating grounds,

and areas of similar significance, and on the availability of such species or stock for taking for certain subsistence uses (latter not applicable for this action). NMFS regulations require applicants for incidental take authorizations to include information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting such activity or other means of effecting the least practicable adverse impact upon the affected species or stocks and their habitat (50 CFR 216.104(a)(11)).

In evaluating how mitigation may or may not be appropriate to ensure the least practicable adverse impact on species or stocks and their habitat, as well as subsistence uses where applicable, we carefully consider two primary factors:

(1) The manner in which, and the degree to which, the successful implementation of the measure(s) is expected to reduce impacts to marine mammals, marine mammal species or stocks, and their habitat. This considers the nature of the potential adverse impact being mitigated (likelihood, scope, range). It further considers the likelihood that the measure will be effective if implemented (probability of accomplishing the mitigating result if implemented as planned) the likelihood of effective implementation (probability implemented as planned); and

(2) The practicability of the measures for applicant implementation, which may consider such things as cost, impact on operations, and, in the case of a military readiness activity, personnel safety, practicality of implementation, and impact on the effectiveness of the military readiness activity.

Mitigation for Marine Mammals and their Habitat

1. Time Restriction

Work would occur only during daylight hours, when visual monitoring of marine mammals can be conducted.

2. Establishing and Monitoring Level A, Level B Harassment Zones, and Shutdown Zones

WSDOT shall establish shutdown zones that encompass the distances within which marine mammals could be taken by Level A harassment (see Table 7 above) except for harbor seal. For Level A harassment zones that is less than 10 m from the source, a minimum of 10 m distance should be established as a shutdown zone. For harbor seal, a maximum of 60 m shutdown zone would be implemented if the actual Level A harassment zone exceeds 60 m. This is because there are a few habituated harbor seals that repeated occur within the larger Level A zone, which makes implementing a shutdown zone larger than 60 m infeasible.

A summary of exclusion zones is provided in Table 8.

TABLE 8—SHUTDOWN ZONES FOR VARIOUS PILE DRIVING ACTIVITIES AND MARINE MAMMAL HEARING GROUPS

Pile type, size & pile driving method	Injury zone (m)				
	LF cetacean	MF cetacean	HF cetacean	Phocid	Otariid
Vibratory drive/removal, 24″ & 30″ steel piles, 8 piles/day, 20 min/pile	97	10	143	59	10
Vibratory removal 30″ steel pile, 1 pile/day, 20 min/pile	24	10	36	15	10
Vibratory drive 36″ steel pile, 8 piles/day, 20 min/pile	126	11	187	60	10
Vibratory drive 36″ steel pile, 8 piles/day, 20 min/pile	153	14	227	60	10
Impact drive (proof) 36″ steel pile, 8 piles/day, 300 strikes/pile	432	15	515	60	17
Vibratory drive 108″ steel pile, 1 pile/day, 120 min/pile	200	18	296	60	10
Vibratory remove 14″ timber pile, 20 piles/day, 15 min/pile	10	10	12	10	10
Vibratory remove 12″ steel pile, 11 piles/day, 20 min/pile	10	10	10	10	10
Vibratory remove 14″ steel H pile, 10 piles/day, 20 min/pile					

WSDOT shall also establish a Zone of Influence (ZOI) based on the Level B harassment zones for take monitoring where received underwater SPLs are higher than 160 dB_{rms} re 1 μPa for impulsive noise sources (impact pile driving) and 120 dB_{rms} re 1 μPa for non-impulsive noise sources (vibratory pile driving and pile removal).

NMFS-approved protected species observers (PSO) shall conduct an initial 30-minute survey of the exclusion zones to ensure that no marine mammals are seen within the zones before pile driving and pile removal of a pile segment begins. If marine mammals are found within the exclusion zone, pile driving of the segment would be delayed until they move out of the area. If a marine mammal is seen above water and then dives below, the contractor would wait 15 minutes. If no marine mammals are seen by the observer in that time it can be assumed that the animal has moved beyond the exclusion zone.

If pile driving of a segment ceases for 30 minutes or more and a marine mammal is sighted within the designated exclusion zone prior to commencement of pile driving, the observer(s) must notify the pile driving operator (or other authorized individual) immediately and continue to monitor the exclusion zone. Operations may not resume until the marine mammal has exited the exclusion zone or 30 minutes have elapsed since the last sighting.

3. Soft-Start

A ''soft-start'' technique is intended to allow marine mammals to vacate the area before the impact pile driver reaches full power. Whenever there has been downtime of 30 minutes or more without impact pile driving, the contractor will initiate the driving with ramp-up procedures described below.

Soft start for impact hammers requires contractors to provide an initial set of three strikes from the impact hammer at 40 percent energy, followed by a 1-minute waiting period, then two subsequent three-strike sets. Each day, WSDOT will use the soft-start technique at the beginning of impact pile driving, or if pile driving has ceased for more than 30 minutes.

4. Shutdown Measures

WSDOT shall implement shutdown measures if a marine mammal is detected within an exclusion zone or is about to enter an exclusion zone listed in Tables 8.

WSDOT shall also implement shutdown measures if SRKWs are sighted within the vicinity of the project

area and are approaching the ZOI during in-water construction activities.

If a killer whale approaches the ZOI during pile driving or removal, and it is unknown whether it is a SRKW or a transient killer whale, it shall be assumed to be a SRKW and WSDOT shall implement the shutdown measure.

If a SRKW or an unidentified killer whale enters the ZOI undetected, in-water pile driving or pile removal shall be suspended until the whale exits the ZOI to avoid further level B harassment.

Further, WSDOT shall implement shutdown measures if the number of authorized takes for any particular species reaches the limit under the IHA and if such marine mammals are sighted within the vicinity of the project area and are approaching the Level B harassment zone during in-water construction activities.

5. Coordination With Local Marine Mammal Research Network

Prior to the start of pile driving for the day, the Orca Network and/or Center for Whale Research will be contacted by WSDOT to find out the location of the nearest marine mammal sightings. The Orca Sightings Network consists of a list of over 600 (and growing) residents, scientists, and government agency personnel in the U.S. and Canada. Sightings are called or emailed into the Orca Network and immediately distributed to other sighting networks including: The NMFS Northwest Fisheries Science Center, the Center for Whale Research, Cascadia Research, the Whale Museum Hotline and the British Columbia Sightings Network.

Sightings information collected by the Orca Network includes detection by hydrophone. The SeaSound Remote Sensing Network is a system of interconnected hydrophones installed in the marine environment of Haro Strait (west side of San Juan Island) to study orca communication, in-water noise, bottom fish ecology and local climatic conditions. A hydrophone at the Port Townsend Marine Science Center measures average in-water sound levels and automatically detects unusual sounds. These passive acoustic devices allow researchers to hear when different marine mammals come into the region. This acoustic network, combined with the volunteer (incidental) visual sighting network allows researchers to document presence and location of various marine mammal species.

With this level of coordination in the region of activity, WSDOT will be able to get real-time information on the presence or absence of whales before starting any pile driving.

Based on our evaluation of the required measures, NMFS has preliminarily determined that the prescribed mitigation measures provide the means effecting the least practicable impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance.

Proposed Monitoring and Reporting

In order to issue an IHA for an activity, section 101(a)(5)(D) of the MMPA states that NMFS must set forth, requirements pertaining to the monitoring and reporting of such taking. The MMPA implementing regulations at 50 CFR 216.104 (a)(13) indicate that requests for authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present in the proposed action area. Effective reporting is critical both to compliance as well as ensuring that the most value is obtained from the required monitoring.

Monitoring and reporting requirements prescribed by NMFS should contribute to improved understanding of one or more of the following:

- Occurrence of marine mammal species or stocks in the area in which take is anticipated (*e.g.,* presence, abundance, distribution, density);
- Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) Action or environment (*e.g.,* source characterization, propagation, ambient noise); (2) affected species (*e.g.,* life history, dive patterns); (3) co-occurrence of marine mammal species with the action; or (4) biological or behavioral context of exposure (*e.g.,* age, calving or feeding areas);
- Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or cumulative impacts from multiple stressors;
- How anticipated responses to stressors impact either: (1) Long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;
- Effects on marine mammal habitat (*e.g.,* marine mammal prey species, acoustic habitat, or other important physical components of marine mammal habitat); and
- Mitigation and monitoring effectiveness.

Proposed Monitoring Measures

WSDOT shall employ NMFS-approved PSOs to conduct marine mammal monitoring for its dolphin relocation project at Bremerton and Edmonds ferry terminals. The purposes of marine mammal monitoring are to implement mitigation measures and learn more about impacts to marine mammals from WSDOT's construction activities. The PSOs will observe and collect data on marine mammals in and around the project area for 30 minutes before, during, and for 30 minutes after all pile removal and pile installation work. NMFS-approved PSOs shall meet the following requirements:

1. Independent observers (*i.e.,* not construction personnel) are required;
2. At least one observer must have prior experience working as an observer;
3. Other observers may substitute education (undergraduate degree in biological science or related field) or training for experience;
4. Where a team of three or more observers are required, one observer should be designated as lead observer or monitoring coordinator. The lead observer must have prior experience working as an observer; and

5. NMFS Will Require Submission and Approval of Observer CVs

Monitoring of marine mammals around the construction site shall be conducted using high-quality binoculars (*e.g.,* Zeiss, 10 × 42 power). Due to the different sizes of ZOI from different pile types, three different ZOIs and different monitoring protocols corresponding to a specific pile type will be established.

- For Level B harassment zones with radii less than 1,600 m, 3 PSOs will be monitoring from land.
- For Level B harassment zones with radii larger than 1,600 m but smaller than 2,500 m, 4 PSOs will be monitoring from land.
- For Level B harassment zones with radii larger than 2,500 m, 4 PSOs will be monitoring from land with an additional 1 PSO monitoring from a ferry.

6. PSOs Shall Collect the Following Information During Marine Mammal Monitoring

- Date and time that monitored activity begins and ends for each day conducted (monitoring period);
- Construction activities occurring during each daily observation period, including how many and what type of piles driven;

- Deviation from initial proposal in pile numbers, pile types, average driving times, etc.;
- Weather parameters in each monitoring period (*e.g.,* wind speed, percent cloud cover, visibility);
- Water conditions in each monitoring period (*e.g.,* sea state, tide state);
- For each marine mammal sighting:
  - Species, numbers, and, if possible, sex and age class of marine mammals;
  - Description of any observable marine mammal behavior patterns, including bearing and direction of travel and distance from pile driving activity;
  - Location and distance from pile driving activities to marine mammals and distance from the marine mammals to the observation point; and
  - Estimated amount of time that the animals remained in the Level B zone;
- Description of implementation of mitigation measures within each monitoring period (*e.g.,* shutdown or delay);
- Other human activity in the area within each monitoring period

To verify the required monitoring distance, the exclusion zones and ZOIs will be determined by using a range finder or hand-held global positioning system device.

WSDOT will conduct noise field measurement to determine the actual Level B distance from the source during vibratory pile driving. If the actual Level B harassment distance is less than modelled, the number of PSOs will be adjusted based on the criteria listed above.

Reporting Measures

WSDOT is required to submit a draft monitoring report within 90 days after completion of the construction work or the expiration of the IHA (if issued), whichever comes earlier. In the case if WSDOT intends to renew the IHA (if issued) in a subsequent year, a monitoring report should be submitted 60 days before the expiration of the current IHA (if issued). This report would detail the monitoring protocol, summarize the data recorded during monitoring, and estimate the number of marine mammals that may have been harassed. NMFS would have an opportunity to provide comments on the report, and if NMFS has comments, WSDOT would address the comments and submit a final report to NMFS within 30 days.

In addition, NMFS would require WSDOT to notify NMFS' Office of Protected Resources and NMFS' West Coast Stranding Coordinator within 48 hours of sighting an injured or dead marine mammal in the construction site. WSDOT shall provide NMFS and the Stranding Network with the species or description of the animal(s), the condition of the animal(s) (including carcass condition, if the animal is dead), location, time of first discovery, observed behaviors (if alive), and photo or video (if available).

In the event that WSDOT finds an injured or dead marine mammal that is not in the construction area, WSDOT would report the same information as listed above to NMFS as soon as operationally feasible.

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival (50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.,* population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be ''taken'' through harassment, NMFS considers other factors, such as the likely nature of any responses (*e.g.,* intensity, duration), the context of any responses (*e.g.,* critical reproductive time or location, migration), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS' implementing regulations (54 FR 40338; September 29, 1989), the impacts from other past and ongoing anthropogenic activities are incorporated into this analysis via their impacts on the environmental baseline (*e.g.,* as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality, or ambient noise levels).

To avoid repetition, this introductory discussion of our analyses applies to all the species listed in Table 7, given that the anticipated effects of WSDOT's Seattle Multimodal at Colman Dock project involving pile driving and pile removal on marine mammals are expected to be relatively similar in nature. There is no information about the nature or severity of the impacts, or the size, status, or structure of any species or stock that would lead to a different analysis by species for this activity, or else species-specific factors would be identified and analyzed.

Although a few marine mammals (132 harbor seals, 12 harbor porpoises, and 1 Dall's porpoise) are estimated to experience Level A harassment in the form of PTS if they stay within the Level A harassment zone during the entire pile driving for the day, the degree of injury is expected to be mild and is not likely to affect the reproduction or survival of the individual animals. It is expected that, if hearing impairments occurs, most likely the affected animal would lose a few dB in its hearing sensitivity, which in most cases is not likely to affect its survival and recruitment. Hearing impairment that occur for these individual animals would be limited to the dominant frequency of the noise sources, *i.e.,* in the low-frequency region below 2 kHz. Therefore, the degree of PTS is not likely to affect the echolocation performance of the two porpoise species, which use frequencies mostly above 100 kHz. Nevertheless, for all marine mammal species, it is known that in general animals avoid areas where sound levels could cause hearing impairment. Therefore, it is not likely that an animal would stay in an area with intense noise that could cause severe levels of hearing damage. In addition, even if an animal receives a TTS, the TTS would be a one-time event from the exposure, making it unlikely that the TTS would evolve into PTS. Furthermore, Level A take estimates are based on the assumption that the animals are randomly distributed in the project area and would not avoid intense noise levels that could cause TTS or PTS. In reality, animals tend to avoid areas where noise levels are high (Richardson *et al.,* 1995). Nonetheless, we evaluate the estimated take in this negligible impact analysis.

For these species except harbor seal, harbor porpoise and Dall's porpoise, takes that are anticipated and authorized are expected to be limited to short-term Level B harassment (behavioral and TTS). Marine mammals present in the vicinity of the action area and taken by Level B harassment would most likely show overt brief disturbance (startle reaction) and avoidance of the area from elevated noise levels during pile driving and pile removal and the implosion noise. A few marine mammals could experience TTS if they occur within the Level B TTS ZOI. However, as discussed earlier in this document, TTS is a temporary loss of hearing sensitivity when exposed to loud sound, and the hearing threshold is expected to recover completely

within minutes to hours. Therefore, it is not considered an injury.

Portions of the SRKW is within the proposed action area. However, WSDOT would be required to implement strict mitigation measures to suspend pile driving or pile removal activities when this stock is detected in the vicinity of the project area. Therefore, the potential effects to SRKW would be fully mitigated. There is no other important areas for marine mammals, such as know important feeding, pupping, or other areas.

The project also is not expected to have significant adverse effects on affected marine mammals' habitat, as analyzed in detail in the ''Anticipated Effects on Marine Mammal Habitat'' subsection. There is no ESA designated critical area in the vicinity of the Seattle Multimodal Project at Colman Dock area. The project activities would not permanently modify existing marine mammal habitat. The activities may kill some fish and cause other fish to leave the area temporarily, thus impacting marine mammals' foraging opportunities in a limited portion of the foraging range. However, because of the short duration of the activities and the relatively small area of the habitat that may be affected, the impacts to marine mammal habitat are not expected to cause significant or long-term negative consequences. Therefore, given the consideration of potential impacts to marine mammal prey species and their physical environment, WSDOT's proposed construction activity at Colman Dock would not adversely affect marine mammal habitat.

- Injury—only 3 species of marine mammals would experience Level A affects in the form of mild PTS, which is expected to be of small degree.
- Behavioral disturbance—twelve species/stocks of marine mammals would experience behavioral disturbance and TTS from the WSDOT's Seattle Colman Dock project. However, as discussed earlier, the area to be affected is small and the duration of the project is short. Although portion of the SWKR critical habitat is within the project area, strict mitigation measures such as implementing shutdown measures and suspending pile driving will mitigate such effects. No other important habitat for marine mammals exist in the vicinity of the project area. Therefore, the overall impacts are expected to be insignificant.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total take from the proposed activity will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers

As noted above, only small numbers of incidental take may be authorized under Section 101(a)(5)(D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, NMFS compares the number of individuals anticipated to be taken to the most appropriate estimation of the relevant species or stock size in our determination of whether an authorization would be limited to small numbers of marine mammals.

The estimated takes are below 13 percent of the population for all marine mammals except harbor porpoise (Table 7). For harbor porpoise, the estimate of 3,997 incidences of takes would be 36 percent of the population, if each single take were a unique individual. However, this is highly unlikely because the harbor porpoise in Washington waters shows site fidelity to small areas for periods of time that can extend between seasons (Hanson *et al.,* 1999; Hanson 2007a, 2007b). For example, Hanson *et al.* (1999) tracked a female harbor porpoise for 215 days, during which it remained exclusively within the southern Strait of Georgia region. Based on studies by Jefferson *et al.* (2016), harbor porpoise abundance in the southern Puget Sound region, which encompasses waters off Seattle, is 550. Therefore, if the estimated incidents of take accrued to all the animals expected to occur in the entire southern Puget Sound area (550 animals), it would be 4.90 percent of the Washington inland water stock of the harbor porpoise.

Based on the analysis contained herein of the proposed activity (including the prescribed mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of each species or stock will be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Subsistence Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has determined that the total taking of affected species or stocks would not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat.

The California-Oregon-Washington stock of humpback whale and the Southern Resident stock of killer whale are the only marine mammal species listed under the ESA that could occur in the vicinity of WSDOT's proposed construction projects. Two DPSs of humpback whales, the Mexico DPS and the Central America DPS, are listed as threatened and endangered under the ESA, respectively. NMFS is proposing to authorize take of California/Oregon/Washington stock of humpback whale, which are listed under the ESA. The Permit and Conservation Division has requested initiation of Section 7 consultation with the NMFS West Coast Regional Office for the issuance of this IHA. NMFS will conclude the ESA consultation prior to reaching a determination regarding the proposed issuance of the authorization.

NMFS worked with WSDOT to implement shutdown measures in the IHA that would avoid takes of SRKW. Therefore, NMFS determined that no ESA-listed marine mammal species would be affected as a result of WSDOT's Seattle Colman Dock construction project.

Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue an IHA to WSDOT for conducting Seattle Multimodal Project at Colman Dock in Seattle, Washington, between August 1, 2018, and July 31, 2019, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. This section contains a draft of the IHA itself. The wording contained in this section is proposed for inclusion in the IHA (if issued).

1. This Authorization is valid from August 1, 2018, through July 31, 2019.

2. This Authorization is valid only for activities associated with in-water construction work at the Seattle Multimodal Project at Colman Dock in the State of Washington.

3. (a) The species authorized taking by Level A and Level B harassments and in the numbers shown in Table 7 are: Gray whale (*Eschrichtius robustus*), humpback whale (*Megaptera*

novaeangliae), minke whale (*Balaenoptera acutorostrata*), killer whale (*Orcinus orca*), long-beaked common dolphin (*Delphinus capensis*), bottlenose dolphin (*Tursiops truncatus*), harbor porpoise (*Phocoena phocoena*), Dall's porpoise (*P. dali*), California sea lion (*Zalophus californianus*), Steller sea lion (*Eumetopias jubatus*), Pacific harbor seal (*Phoca vitulina*), and northern elephant seal (*Mirounga angustirostris*).

(b) The authorization for taking by harassment is limited to the following acoustic sources and from the following activities:

(1) Vibratory pile and impact pile driving; and

(2) Vibratory pile removal.

4. Prohibitions.

(a) The taking, by incidental harassment only, is limited to the species listed under condition 3(a) above and by the numbers listed in Table 7 of this notice. The taking by serious injury or death of these species or the taking by harassment, injury or death of any other species of marine mammal is prohibited unless separately authorized or exempted under the MMPA and may result in the modification, suspension, or revocation of this Authorization.

(b) The taking of any marine mammal is prohibited whenever the required protected species observers (PSOs), required by condition 7(a), are not present in conformance with condition 7(a) of this Authorization.

5. Mitigation.

(a) Time Restriction. In-water construction work shall occur only during daylight hours.

(b) Establishing and Monitoring Level A, Level B Harassment Zones, and Shutdown Zones.

(i) Before the commencement of in-water pile driving/removal activities, WSDOT shall establish Level A harassment zones. The modeled Level A zones are summarized in Table 5.

(ii) Before the commencement of in-water pile driving/removal activities, WSDOT shall establish Level B harassment zones. The modeled Level B zones are summarized in Table 5.

(iii) Before the commencement of in-water pile driving/removal activities, WSDOT shall establish exclusion zones. The proposed exclusion zones are summarized in Table 8.

(c) Monitoring of marine mammals shall take place starting 30 minutes before pile driving begins until 30 minutes after pile driving ends.

(d) Soft Start

(i) When there has been downtime of 30 minutes or more without pile driving, the contractor will initiate the driving with ramp-up procedures described below.

(ii) Soft start for impact hammers requires contractors to provide an initial set of three strikes from the impact hammer at 40 percent energy, followed by a 1-minute waiting period, then two subsequent three-strike sets. Each day, WSDOT will use the soft-start technique at the beginning of impact pile driving or removal, or if pile driving has ceased for more than 30 minutes.

(e) Shutdown Measures

(i) WSDOT shall implement shutdown measures if a marine mammal is detected within or to be approaching the exclusion zones provided in Table 8 of this notice.

(ii) WSDOT shall implement shutdown measures if SRKWs (SRKWs) are sighted within the vicinity of the project area and are approaching the Level B harassment zone (zone of influence, or ZOI) during in-water construction activities.

(iii) If a killer whale approaches the ZOI during pile driving or removal, and it is unknown whether it is a SRKW or a transient killer whale, it shall be assumed to be a SRKW and WSDOT shall implement the shutdown measure identified in 6(e)(ii).

(iv) If a SRKW enters the ZOI undetected, in-water pile driving or pile removal shall be suspended until the SRKW exits the ZOI to avoid further level B harassment.

(v) WSDOT shall implement shutdown measures if the number of any allotted marine mammal takes reaches the limit under the IHA, if such marine mammals are sighted within the vicinity of the project area and are approaching the Level B harassment zone during pile removal activities.

(f) Coordination with Local Marine Mammal Research Network. Prior to the start of pile driving, WSDOT will contact the Orca Network and/or Center for Whale Research to get real-time information on the presence or absence of whales before starting any pile driving.

6. Monitoring.

(a) Protected Species Observers.

WSDOT shall employ NMFS-approved PSOs to conduct marine mammal monitoring for its construction project. NMFS-approved PSOs will meet the following qualifications.

(i) Independent observers (*i.e.,* not construction personnel) are required.

(ii) At least one observer must have prior experience working as an observer.

(iii) Other observers may substitute education (undergraduate degree in biological science or related field) or training for experience.

(iv) Where a team of three or more observers are required, one observer should be designated as lead observer or monitoring coordinator. The lead observer must have prior experience working as an observer.

(v) NMFS will require submission and approval of observer CVs.

(b) Monitoring Protocols: PSOs shall be present on site at all times during pile removal and driving.

(i) A 30-minute pre-construction marine mammal monitoring will be required before the first pile driving or pile removal of the day. A 30-minute post-construction marine mammal monitoring will be required after the last pile driving or pile removal of the day. If the constructors take a break between subsequent pile driving or pile removal for more than 30 minutes, then additional 30-minute pre-construction marine mammal monitoring will be required before the next start-up of pile driving or pile removal.

(ii) Marine mammal visual monitoring will be conducted for different zones of influence (ZOIs) based on different sizes of piles being driven or removed.

(A) For Level B harassment zones with radii less than 1,600 m, 3 PSOs will be monitoring from land.

(B) For Level B harassment zones with radii larger than 1,600 m but smaller than 2,500 m, 4 PSOs will be monitoring from land.

(C) For Level B harassment zones with radii larger than 2,500 m, 4 PSOs will be monitoring from land with an additional 1 PSO monitoring from a ferry.

(iii) If marine mammals are observed, the following information will be documented:

(A) Species of observed marine mammals;

(B) Number of observed marine mammal individuals;

(C) Behavior of observed marine mammals; and

(D) Location within the ZOI.

7. Reporting.

(a) WSDOT shall provide NMFS with a draft monitoring report within 90 days of the conclusion of the construction work or within 90 days of the expiration of the IHA, whichever comes first. This report shall detail the monitoring protocol, summarize the data recorded during monitoring, and estimate the number of marine mammals that may have been harassed.

(b) IF WSDOT plans to renew the IHA for an additional year, a monitoring report must be received within 60 days before the expiration of an existing IHA.

(c) If comments are received from NMFS Office of Protected Resources on the draft report, a final report shall be

submitted to NMFS within 30 days thereafter. If no comments are received from NMFS, the draft report will be considered to be the final report.

(d) In the unanticipated event that the construction activities clearly cause the take of a marine mammal in a manner prohibited by this Authorization (if issued), such as an injury, serious injury, or mortality, WSDOT shall immediately cease all operations and immediately report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinators. The report must include the following information:

(i) Time, date, and location (latitude/longitude) of the incident;

(ii) description of the incident;

(iii) status of all sound source use in the 24 hours preceding the incident;

(iv) environmental conditions (*e.g.,* wind speed and direction, sea state, cloud cover, visibility, and water depth);

(v) description of marine mammal observations in the 24 hours preceding the incident;

(vi) species identification or description of the animal(s) involved;

(vii) the fate of the animal(s); and

(viii) photographs or video footage of the animal (if equipment is available).

(e) Activities shall not resume until NMFS is able to review the circumstances of the prohibited take. NMFS shall work with WSDOT to determine what is necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. WSDOT may not resume their activities until notified by NMFS via letter, email, or telephone.

(f) In the event that WSDOT discovers an injured or dead marine mammal, and the lead PSO determines that the cause of the injury or death is unknown and the death is relatively recent (*i.e.,* in less than a moderate state of decomposition as described in the next paragraph), WSDOT will immediately report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinators. The report must include the same information identified above. Activities may continue while NMFS reviews the circumstances of the incident. NMFS will work with WSDOT to determine whether modifications in the activities are appropriate.

(g) In the event that WSDOT discovers an injured or dead marine mammal, and the lead PSO determines that the injury or death is not associated with or related to the activities authorized in the IHA (*e.g.,* previously wounded animal, carcass with moderate to advanced decomposition, or scavenger damage), WSDOT shall report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinators, within 24 hours of the discovery. WSDOT shall provide photographs or video footage (if available) or other documentation of the stranded animal sighting to NMFS and the Marine Mammal Stranding Network. WSDOT can continue its operations under such a case.

8. This Authorization may be modified, suspended or withdrawn if the holder fails to abide by the conditions prescribed herein or if NMFS determines the authorized taking is having more than a negligible impact on the species or stock of affected marine mammals.

9. A copy of this Authorization must be in the possession of each contractor who performs the construction work at the Colman ferry terminals.

Request for Public Comments

We request comment on our analyses, the proposed authorization, and any other aspect of this Notice of Proposed IHA for the proposed WSDOT Seattle Multimodal Project at Colman Dock. We also request comment on the potential for renewal of this proposed IHA as described in the paragraph below. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

On a case-by-case basis, NMFS may issue a second one-year IHA without additional notice when (1) another year of identical or nearly identical activities as described in the Specified Activities section is planned or (2) the activities would not be completed by the time the IHA expires and a second IHA would allow for completion of the activities beyond that described in the Dates and Duration section, provided all of the following conditions are met:

- A request for renewal is received no later than 60 days prior to expiration of the current IHA.
- The request for renewal must include the following:

(1) An explanation that the activities to be conducted beyond the initial dates either are identical to the previously analyzed activities or include changes so minor (*e.g.,* reduction in pile size) that the changes do not affect the previous analyses, take estimates, or mitigation and monitoring requirements.

(2) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures remain the same and appropriate, and the original findings remain valid.

Dated: May 17 2018.

Donna S. Wieting,

Director, Office of Protected Resources, National Marine Fisheries Service.

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BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG248

Mid-Atlantic Fishery Management Council (MAFMC); Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold public meetings of the Council and its Committees.

DATES: The meetings will be held Tuesday, June 5, 2018 through Thursday, June 7, 2018. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES:

Meeting address: The meeting will be held at the DoubleTree by Hilton Philadelphia Center City, 237 South Broad Street, Philadelphia, PA 19107–5686; telephone: (215) 893–1600.

Council address: Mid-Atlantic Fishery Management Council, 800 N State St., Suite 201, Dover, DE 19901; telephone: (302) 674–2331.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D. Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 526–5255. The Council's website, *www.mafmc.org*, also has details on the meeting location, proposed agenda, webinar listen-in access, and briefing materials.

SUPPLEMENTARY INFORMATION: The following items are on the agenda, though agenda items may be addressed out of order (changes will be noted on the Council's website when possible).

Tuesday, June 5, 2018

Executive Committee (Closed Session)

Advisory Panel Appointments.

Surfclam/Ocean Quahog Committee—Atlantic Surfclam and Ocean Quahog Excessive Shares Amendment

Committee review and approve a range of alternatives for consideration by the Council.

Law Enforcement Reports

Reports will be received from the NOAA Office of Law Enforcement and the U.S. Coast Guard.

Surfclam/Ocean Quahog Specifications

Review Advisory Panel, SSC, and staff recommendations for 2019 specifications and recommend any changes if necessary.

Mackerel Framework—Meeting 2

Take final action on modifications to mackerel closure provisions.

Atlantic Herring Amendment 8 Public Hearing

Public hearing on Amendment 8 to the Atlantic Herring FMP with proposed alternatives to: (1) Establish an acceptable biological catch control rule for Atlantic herring; and (2) address potential localized depletion and user conflicts in the fishery.

Wednesday, June 6, 2018

Chub Mackerel

Update on progress (FMAT, AP, and Committee meetings); approve draft goals and objectives for inclusion in a public hearing document; consider management unit alternatives for consideration by the SSC.

Summer Flounder Commercial Issues Amendment

Review and approve Draft EIS.

Estimating and Reducing the Discard Mortality Rate of Black Sea Bass in Offshore

Recreational Rod-and-Reel Fisheries

Northeast Observer Program

Update on NMFS Climate Strategy and Overview of Recent Research

Mid-Atlantic Coastal Acidification Network Monitoring Plan

Regulatory Review Results

Discuss and approve recommendations for regulatory streamlining.

Thursday, June 7, 2018

Aquaculture in the Northeast

Business Session

Committee Reports (Executive Committee and Surfclam/Ocean Quahog Committee); Executive Director's Report (Update on mackerel rebuilding framework and consider changes to alternatives if necessary); Organization Reports; and Liaison Reports.

Continuing and New Business

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526–5251, at least 5 days prior to the meeting date.

Dated: May 17, 2018.

Rey Israel Marquez,

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

[FR Doc. 2018–10893 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG250

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting (webinar).

SUMMARY: The Pacific Fishery Management Council's (Pacific Council) Coastal Pelagic Species Advisory Subpanel (CPSAS) and Coastal Pelagic Species Management Team (CPSMT) will hold a meeting via webinar that is open to the public.

DATES: The webinar will be held Monday, June 4, 2018, from 2 p.m. to 4 p.m., or until business has been completed.

ADDRESSES: The meeting will be held via webinar. A public listening station is available at the Pacific Council office (address below). To attend the webinar, use this link: *https://www.gotomeeting.com* (click ''Join a Meeting'' in top right corner of page); (1) Enter the Webinar ID: 617–646–275; (2) Enter your name and email address (required). You must use your telephone for the audio portion of the meeting by dialing this TOLL number 1–646–558–2116; (3) Enter the Attendee phone audio access code 536–980–594; (4) Enter your audio phone pin (shown after joining the webinar). NOTE: We have disabled Mic/Speakers as an option and require all participants to use a telephone or cell phone to participate. Technical Information and System Requirements: PC-based attendees are required to use Windows® 7, Vista, or XP; Mac®-based attendees are required to use Mac OS® X 10.5 or newer; Mobile attendees are required to use iPhone®, iPad®, Android™ phone or Android tablet (see *https://www.gotomeeting.com/webinar/ipad-iphone-android-webinar-apps*). You may send an email to Mr. Kris Kleinschmidt at *Kris.Kleinschmidt@noaa.gov* or contact him at (503) 820–2280, extension 411 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Kerry Griffin, Pacific Council; telephone: (503) 820–2409.

SUPPLEMENTARY INFORMATION: The primary purpose of the meeting is for the CPSAS and the CPSMT to develop supplemental reports on a potential for a fishery management plan (FMP) amendment to consider changes to the incidental take provisions for the CPS live bait fishery.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of

the intent to take final action to address the emergency.

Special Accommodations

The public listening station is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt at *kris.kleinschmidt@noaa.gov* or (503) 820–2411) at least 10 days prior to the meeting date.

Dated: May 17, 2018.

Rey Israel Marquez,

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

[FR Doc. 2018–10894 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG245

Pacific Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of public meetings.

SUMMARY: The Pacific Fishery Management Council (Pacific Council) and its advisory entities will hold public meetings.

DATES: The Pacific Council and its advisory entities will meet June 7–13, 2018. The Pacific Council meeting will begin on Friday, June 8, 2018 at 9 a.m. Pacific Daylight Time (PDT), reconvening at 8 a.m. each day through Wednesday, June 13, 2018. All meetings are open to the public, except a closed session will be held from 8 a.m. to 9 a.m., Friday, June 8 to address litigation and personnel matters. The Pacific Council will meet as late as necessary each day to complete its scheduled business.

ADDRESSES: The meetings will be held at the Doubletree by Hilton Spokane City Center, 322 N. Spokane Falls Court, Spokane, WA; telephone: (509) 455–9600.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220. Instructions for attending the meeting via live stream broadcast are given under **SUPPLEMENTARY INFORMATION**, below.

FOR FURTHER INFORMATION CONTACT: Mr. Chuck Tracy, Executive Director; telephone: (503) 820–2280 or (866) 806–7204 toll-free; or access the Pacific Council website, *http://www.pcouncil.org* for the current meeting location, proposed agenda, and meeting briefing materials.

SUPPLEMENTARY INFORMATION: The June 7–13, 2018 meeting of the Pacific Council will be streamed live on the internet. The broadcasts begin initially at 9 a.m. PDT Friday, June 8, 2018 and continue at 8 a.m. daily through Wednesday, June 13, 2018. Broadcasts end daily at 5 p.m. PDT or when business for the day is complete. Only the audio portion and presentations displayed on the screen at the Pacific Council meeting will be broadcast. The audio portion is listen-only; you will be unable to speak to the Pacific Council via the broadcast. To access the meeting online, please use the following link: *http://www.gotomeeting.com/online/webinar/join-webinar* and enter the June Webinar ID, 530–089–227, and your email address. You can attend the webinar online using a computer, tablet, or smart phone, using the GoToMeeting application. It is recommended that you use a computer headset to listen to the meeting, but you may use your telephone for the audio-only portion of the meeting. The audio portion may be attended using a telephone by dialing the toll number 1–562–247–8321 (not a toll-free number), audio access code 240–052–611, and entering the audio pin shown after joining the webinar.

The following items are on the Pacific Council agenda, but not necessarily in this order. Agenda items noted as ''Final Action'' refer to actions requiring the Council to transmit a proposed fishery management plan, proposed plan amendment, or proposed regulations to the U.S. Secretary of Commerce, under Sections 304 or 305 of the Magnuson-Stevens Fishery Conservation and Management Act. Additional detail on agenda items, Council action, advisory entity meeting times, and meeting rooms are described in Agenda Item A.4, Proposed Council Meeting Agenda, and will be in the advance June 2018 briefing materials and posted on the Pacific Council website at *www.pcouncil.org* no later than Friday, May 18, 2018.

A. Call to Order
1. Opening Remarks
2. Roll Call
3. Executive Director's Report
4. Approve Agenda

B. Open Comment Period
1. Comments on Non-Agenda Items

C. Administrative Matters
1. Council Coordination Committee Meeting Report
2. Electronic Monitoring (EM) Cost Allocation Policy Directive
3. National Marine Fisheries Service White Paper on Best Scientific Information Available (BSIA)
4. Research and Data Needs Document—Preliminary Draft
5. Reducing Regulation and Controlling Regulatory Costs
6. Legislative Matters
7. Federal Fishery Permit Citizen Requirements—Scoping
8. Fiscal Matters
9. Approval of Council Meeting Record
10. Membership Appointments and Council Operating Procedures
11. Future Council Meeting Agenda and Workload Planning

D. Habitat
1. Current Habitat Issues

E. Groundfish Management
1. National Marine Fisheries Service Report
2. New and Continuing Exempted Fishing Permit (EFP) Approval for 2019–2020
3. Final Action on Stock Assessment Plans and Terms of Reference (TOR)
4. Final Action to Adopt Management Measures for 2019–2020 Fisheries
5. Inseason Adjustments—Final Action

F. Coastal Pelagic Species Management
1. Live Bait Fishery Allowance Amendment Scoping

G. Highly Migratory Species
1. National Marine Fisheries Service Report
2. Recommendations for International Management Activities
3. Drift Gillnet Performance Metrics
4. Update on Existing Deep-Set Buoy Gear (DSGB) Exempted Fishing Permits
5. Deep-Set Buoy Gear Authorization—Final Range of Alternatives and Preliminary Preferred Alternative for Number of Limited Entry Permits
6. Preliminary Review of New Non-Deep-Set Buoy Gear Exempted Fishing Permit Applications and Resubmission of Previous Deep-Set Buoy Gear Applications
7. Swordfish Management Project Planning and Observer Change

Advisory Body Agendas

Advisory body agendas will include discussions of relevant issues that are on the Pacific Council agenda for this meeting, and may also include issues that may be relevant to future Council meetings. Proposed advisory body agendas for this meeting will be available on the Pacific Council website *http://www.pcouncil.org/council-operations/council-meetings/current-briefing-book/* no later than Friday, May 18, 2018.

Schedule of Ancillary Meetings

Day 1—Thursday, June 7, 2018
Habitat Committee—8 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Scientific and Statistical Committee—8 a.m.
Legislative Committee—10 a.m.
Budget Committee—1 p.m.
Day 2—Friday, June 8, 2018
California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Enforcement Consultants—3 p.m.
Day 3—Saturday, June 9, 2018
California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Highly Migratory Species Advisory Subpanel—8 a.m.
Highly Migratory Species Management Team—8 a.m.
Enforcement Consultants—Ad Hoc
Day 4—Sunday, June 10, 2018
California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Highly Migratory Species Advisory Subpanel—8 a.m.
Highly Migratory Species Management Team—8 a.m.
Enforcement Consultants—Ad Hoc
Day 5—Monday, June 11, 2018
California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Highly Migratory Species Advisory Subpanel—8 a.m.
Highly Migratory Species Management Team—8 a.m.
Enforcement Consultants—Ad Hoc
Day 6—Tuesday, June 12, 2018
California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Groundfish Management Team—8 a.m.
Highly Migratory Species Advisory Subpanel—8 a.m.
Highly Migratory Species Management Team—8 a.m.
Enforcement Consultants—Ad Hoc
Day 7—Wednesday, June 13, 2018
California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.

Although non-emergency issues not contained in this agenda may come before the Pacific Council for discussion, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Pacific Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt at (503) 820–2280, ext. 411 at least 10 business days prior to the meeting date.

Dated: May 17, 2018.

Rey Israel Marquez,

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

[FR Doc. 2018–10892 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG126

Identification of Nations Engaged in Illegal, Unreported, or Unregulated Fishing, Bycatch, or Shark Fishing

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

ACTION: Notice; request for information.

SUMMARY: NMFS is seeking information regarding nations whose vessels are engaged in illegal, unreported, or unregulated (IUU) fishing, bycatch of protected living marine resources (PLMR), and/or fishing activities in waters beyond any national jurisdiction that target or incidentally catch sharks. Such information will be reviewed for the purposes of the identification of nations pursuant to the High Seas Driftnet Fishing Moratorium Protection Act (Moratorium Protection Act) and ongoing implementation of the Marine Mammal Protection Act Import Provisions.

DATES: Information should be received on or before December 31, 2018. A public webinar will take place from 3 to 4 p.m. eastern daylight saving time on June 26, 2018.

ADDRESSES: Information may be submitted to either by mail to: NMFS Office of International Affairs and Seafood Inspection, Attn.: MSRA Information, F/IS 1315 East-West Highway, Silver Spring, MD 20910, or electronically to: *IUU.PLMR.Sharks@noaa.gov.* Information on how to participate in the June 26, 2018, public webinar will be posted online at *https://www.fisheries.noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Oriana Villar, phone 301–427–8384, or email *Oriana.Villar@noaa.gov.*

SUPPLEMENTARY INFORMATION: The Shark Conservation Act of 2010 (Pub. L. 111–348) amended the Moratorium Protection Act by requiring that actions be taken by the United States to strengthen shark conservation. In November 2015, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015 (IUUFEA) (Pub. L. 114–81) further amended the Moratorium Protection Act by, among other things, expanding the scope of information that can be used for the identification of nations to three years for the IUU fishing and bycatch provisions. In December 2016 the Ensuring Access to Pacific Fisheries Act (EAPFA) (Pub. L. 114–327) amended the Moratorium Protection Act by also expanding the scope of information that can be used for the identification of nations to three years for the shark provisions.

Specifically, the Moratorium Protection Act requires the Secretary of Commerce (Secretary) to identify in a biennial report to Congress those nations whose fishing vessels are engaged, or have been engaged at any point during the preceding three years, in IUU fishing. The definition of IUU fishing can be found at 50 CFR 300.201 and includes:

(1) Fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, bycatch reduction requirements, shark conservation measures, and data reporting;

(2) In the case of non-parties to an international fishery management agreement to which the United States is a party, fishing activities that would undermine the conservation of the

resources managed under that agreement;

(3) Overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks;

(4) Fishing activity that has an adverse impact on vulnerable marine ecosystems such as seamounts, hydrothermal vents, cold water corals and other vulnerable marine ecosystems located beyond any national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement; and

(5) Fishing activities by foreign flagged vessels in U.S. waters without authorization of the United States.

In addition, the Secretary must identify in the biennial report those nations whose fishing vessels are engaged, or have been engaged at any point during the preceding three years in fishing activities in waters beyond any national jurisdiction that result in bycatch of a PLMR, or beyond the U.S. exclusive economic zone (EEZ) that result in bycatch of a PLMR shared by the United States, and that have not implemented measures to address that bycatch that are comparable in effectiveness to U.S. regulatory requirements. In this context, PLMRs are defined as non-target fish, sea turtles, sharks, or marine mammals that are protected under U.S. law or international agreement, including the Marine Mammal Protection Act, the Endangered Species Act, the Shark Finning Prohibition Act, and the Convention on International Trade in Endangered Species of Wild Flora and Fauna. PLMRs do not include species, except sharks, managed under the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Tunas Convention Act, or any international fishery management agreement. A list of species considered as PLMRs for this purpose is available online at: *https://www.fisheries.noaa.gov/national/international-affairs/identification-iuu-fishing-activities.*

Furthermore, the Shark Conservation Act and the EAPFA requires that the Secretary identify nations in a biennial report to Congress whose fishing vessels are engaged, or have been engaged during the preceding three years prior to the biennial report in fishing activities or practices in waters beyond any national jurisdiction that target or incidentally catch sharks and the nation has not adopted a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark (including the tail) and discarding the carcass of the shark at sea, that is comparable to that of the United States, taking into account different conditions.

More information regarding the identification process and how the information received will be used in that process can be found in the regulations codified at 50 CFR 300.200. Note that the timeframe for activities to be considered for IUU fishing, bycatch, and shark identifications has not been changed to reflect the amendments in the IUUFEA and EAPFA to three years each.

The fifth biennial report to Congress was submitted in January 2017 and is available online at: *https://www.fisheries.noaa.gov/national/international-affairs/identification-iuu-fishing-activities.* The report identified three nations for IUU fishing.

In fulfillment of its requirements under the Moratorium Protection Act, NMFS is preparing the sixth biennial report to Congress, which will identify nations whose fishing vessels are engaged in IUU fishing or fishing practices that result in bycatch of PLMRs, and/or shark catch in waters beyond any national jurisdiction without a regulatory program comparable to the United States. NMFS is soliciting information from the public that could assist in its identification of nations engaged in activities that meet the criteria described above for IUU fishing, PLMR bycatch, or shark catch in waters beyond any national jurisdiction. Some types of information that may prove useful to NMFS include:

- Documentation (photographs, etc.) of IUU activity or fishing vessels engaged in PLMR bycatch or catch of sharks on the high seas;
- Documentation (photographs, etc.) of fishing vessels engaged in shared PLMR bycatch in any waters beyond the U.S. EEZ;
- Fishing vessel records;
- Trade data supporting evidence that a nation's vessels are engaged in shark catch on the high seas;
- Reports from off-loading facilities, port-side government officials, enforcement agents, military personnel, port inspectors, transshipment vessel workers and fish importers;
- Sightings of vessels included on RFMO IUU vessel lists;
- RFMO catch documents and statistical document programs;
- Nation's domestic regulations for bycatch and shark conservation and management;
- Action or inaction at the national level, resulting in non-compliance with RFMO conservation and management measures, such as exceeding quotas or catch limits, or failing to report or misreporting data of the nation's fishing activities; and
- Reports from governments, international organizations, or nongovernmental organizations.

NMFS will consider all available information, as appropriate, when making a determination whether or not to identify a particular nation in the biennial report to Congress. As stated previously, NMFS is limited in the data it may use as the basis of a nation's identification. This information includes IUU fishing activity, bycatch of PLMRs, and shark fishing activity in waters beyond any national jurisdiction in 2016, 2017 and 2018. Information should be as specific as possible as this will assist NMFS in its review. NMFS will consider several criteria when determining whether information is appropriate for use in making identifications, including:

- Corroboration of information;
- Whether multiple sources have been able to provide information in support of an identification;
- The methodology used to collect the information;
- Specificity of the information provided;
- Susceptibility of the information to falsification and alteration; and
- Credibility of the individuals or organization providing the information.

With regard to marine mammals, NMFS is also seeking information on foreign commercial fishing operations that export fish and fish products to the United States and the level of incidental and intentional mortality and serious injury of marine mammals in those fisheries. NMFS will use this information to identify harvesting nations with commercial fishing operations that export fish and fish products to the United States and classify those fisheries based on their frequency of marine mammal interactions as either ''exempt'' or ''export'' fisheries as part of its development of the List of Foreign Fisheries (LOFF). The classification of a fishery on the final LOFF determines which regulatory requirements will be applicable to that fishery for it to receive a comparability finding necessary to export fish and fish products to the United States from that fishery. The final LOFF can be found at *https://www.fisheries.noaa.gov/foreign/international-affairs/list-foreign-fisheries*

In March 2018, NMFS published its final 2017 LOFF (83 FR 11703, March 16, 2018), as required by the regulations implementing the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act. The final LOFF reflects information received in its response to information requests to nations and the public (82 FR 2961, January 10, 2017) and during the comment period on interactions between commercial fisheries exporting fish and fish products to the United States and marine mammals, and updates and revisions to the draft LOFF (82 FR 39762, August 22, 2017).

NMFS will revise the LOFF in 2020. In anticipation of this revision, NMFS is soliciting information from harvesting nations; other foreign, regional, and local governments; regional fishery management organizations; nongovernmental organizations; industry organizations; academic institutions; and citizens and citizen groups to identify commercial fishing operations with intentional or incidental mortality and serious injury of marine mammals. For each item we are requesting you identify the exporting nation as the harvesting nation, the processing or intermediary nation, or both. For fisheries exporting fish and fish products to the United States NMFS is requesting the following information:

- Number of participants;
- Number of vessels;
- Gear type;
- Target species;
- Area of operation;
- Fishing season; and
- Information regarding the frequency of marine mammal incidental and intentional mortality and serious injury.

Such information may include fishing vessel records; reports of on-board fishery observers; information from off-loading facilities, port-side government officials, enforcement agents, transshipment vessel workers and fish importers; government vessel registries; RFMO or intergovernmental agreement documents, reports, and statistical document programs; appropriate catch certification programs; and published literature and reports on commercial fishing operations with intentional or incidental mortality and serious injury of marine mammals.

NMFS will consider all available information, as appropriate. Information should be as specific as possible as this will assist NMFS in its review. NMFS will consider several criteria when determining whether information is appropriate for use in making identifications, including:

- Corroboration of information;
- Whether multiple sources have been able to provide information in support of an identification;
- The methodology used to collect the information;
- Specificity of the information provided;
- Susceptibility of the information to falsification and alteration; and
- Credibility of the individuals or organization providing the information.

Dated: May 16, 2018.

John Henderschedt,

Director, Office of International Affairs and Seafood Inspection, National Marine Fisheries Service.

[FR Doc. 2018–10859 Filed 5–21–18; 8:45 am]

BILLING CODE 3510–22–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Application Package for AmeriCorps Enrollment and Exit Forms

AGENCY: Corporation for National and Community Service (CNCS).

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, CNCS is proposing to revise an information collection.

DATES: Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by July 23, 2018.

ADDRESSES: You may submit comments, identified by the title of the information collection activity, by any of the following methods:

(1) *By mail sent to:* Corporation for National and Community Service, Attention [Amy Borgstrom], 250 E Street SW, Washington, DC 20525.

(2) By hand delivery or by courier to the CNCS mailroom at the mail address given in paragraph (1) above, between 9:00 a.m. and 4:00 p.m. Eastern Time, Monday through Friday, except federal holidays.

(3) Electronically through *www.regulations.gov.*

Individuals who use a telecommunications device for the deaf (TTY–TDD) may call 1–800–833–3722 between 8:00 a.m. and 8:00 p.m. Eastern Time, Monday through Friday.

Comments submitted in response to this notice may be made available to the public through *regulations.gov*. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comment that may be made available to the public notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT: Amy Borgstrom, 202–606–6930, or by email at *aborgstrom@cns.gov.*

SUPPLEMENTARY INFORMATION:

Title of Collection: AmeriCorps Enrollment and Exit Form.

OMB Control Number: 3045–0006.

Type of Review: Revision.

Respondents/Affected Public: Individuals and Households.

Total Estimated Number of Annual Respondents: 160,000.

Total Estimated Annual Frequency: Once.

Total Estimated Average Response Time per Response: 10 minutes.

Total Estimated Number of Annual Burden Hours: 266,667.

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Abstract: CNCS is seeking approval of the National Service Trust Enrollment Form and the National Service Trust Exit Form, which is used by AmeriCorps members and program staff to enroll in the National Service Trust and to document the completion of a member's term of service, a requirement to receiving a Segal Education Award, and to meet other legal and program requirements. CNCS also seeks to continue using the currently approved information collection until the revised information collection is approved by OMB. The currently approved information collection is due to expire on August 30, 2020.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d)

ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information. All written comments will be available for public inspection on *regulations.gov*.

Dated: May 15, 2018.

Erin Dahlin,

Deputy Chief of Program Operations.

[FR Doc. 2018–10929 Filed 5–21–18; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF ENERGY

Proposed Agency Information Collection

AGENCY: U.S. Department of Energy.

ACTION: Notice and request for OMB review and comment.

SUMMARY: The Department of Energy (DOE) has submitted to the Office of Management and Budget (OMB) for clearance, a proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995. The proposed collection, titled the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Commercialization Survey will satisfy the program requirements of the Small Business Act, including requirements established in the SBIR program reauthorization legislation. DOE will collect the survey data via web-enabled software and provide it to the Small Business Administration (SBA) to maintain information about the DOE SBIR/STTR awards issued through the two programs. This data will be provided by DOE based on information collected from SBIR/STTR awardees. This data will be used by DOE, SBA, and Congress to assess the commercial impact of these two programs. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the DOE Desk Officer at OMB of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at 202–395–1254 or emailed at *james.n.tyree@omb.eop.gov*.

DATES: Comments regarding this proposed information collection must be received on or before June 21, 2018. If you anticipate difficulty in submitting comments within that period, contact the person listed in **ADDRESSES** as soon as possible.

ADDRESSES: Written comments should be sent to the DOE Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10102, 735 17th Street NW, Washington, DC 20503

And to: Claudia Cantoni, SBIR/STTR Programs Manager, U.S. Department of Energy, 19901 Germantown Road, Germantown, MD 20874–1290 or by email at *claudia.cantoni@science.doe.gov* or by fax at (301) 903–5488.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Claudia Cantoni by email at *claudia.cantoni@science.doe.gov* or by fax at (301) 903–5488.

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) OMB No. 1910–5166; (2) Information Collection Request Title: Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Commercialization Survey; (3) Type of Request: Three year extension; (4) Purpose: The DOE needs this information to satisfy the program requirements of the Small Business Act, including requirements established in the SBIR program reauthorization legislation, Public Law 106–554 and Public Law 107–50. This data will be collected by the DOE and provided to the Small Business Administration (SBA) to maintain information about SBIR/STTR awards issued through the two programs. This data will be provided by DOE based on information collected from SBIR/STTR awardees. This data will be used by DOE, SBA, and Congress to assess the commercial impact of these two programs; (5) Annual

Estimated Number of Respondents: 2,500; (6) Annual Estimated Number of Total Responses: 2,500; (7) Annual Estimated Number of Burden Hours: 2,500; (8) Annual Estimated Reporting and Recordkeeping Cost Burden: $120,000.

Statutory Authority: Section 9 of the Small Business Act, as amended, codified at 15 U.S.C. 638(g).

Issued in Washington, DC, on May 2, 2018.

Manny Oliver,

SBIR/STTR Programs Director, Office of Science, U.S. Department of Energy.

[FR Doc. 2018–10874 Filed 5–21–18; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

[OE Docket No. EA–453]

Application To Export Electric Energy; Matador Power Marketing, Inc.

AGENCY: Office of Electricity Delivery and Energy Reliability, DOE.

ACTION: Notice of application.

SUMMARY: Matador Power Marketing, Inc. (Matador or Applicant) has applied for authority to transmit electric energy from the United States to Canada pursuant to the Federal Power Act.

DATES: Comments, protests, or motions to intervene must be submitted on or before June 21, 2018.

ADDRESSES: Comments, protests, motions to intervene, or requests for more information should be addressed to: Office of Electricity Delivery and Energy Reliability, Mail Code: OE–20, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585–0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to *Electricity.Exports@hq.doe.gov,* or by facsimile to 202–586–8008.

SUPPLEMENTARY INFORMATION: Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)).

On May 1, 2018, DOE received an application from Matador for authority to transmit electric energy from the United States to Canada as a power marketer for a five-year term using existing international transmission facilities.

In its application, Matador states that it does not own or control any electric generation or transmission facilities, and it does not have a franchised service

area. The electric energy that the Applicant proposes to export to Canada would be surplus energy purchased from third parties such as electric utilities and Federal power marketing agencies pursuant to voluntary agreements. The existing international transmission facilities to be utilized by the Applicant have previously been authorized by Presidential Permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties.

Procedural Matters: Any person desiring to be heard in this proceeding should file a comment or protest to the application at the address provided above. Protests should be filed in accordance with Rule 211 of the Federal Energy Regulatory Commission's (FERC) Rules of Practice and Procedures (18 CFR 385.211). Any person desiring to become a party to these proceedings should file a motion to intervene at the above address in accordance with FERC Rule 214 (18 CFR 385.214). Five copies of such comments, protests, or motions to intervene should be sent to the address provided above on or before the date listed above.

Comments and other filings concerning Matador's application to export electric energy to Canada should be clearly marked with OE Docket No. EA–453. An additional copy is to be provided to both Ruta Kalvaitis Skučas, Pierce Atwood LLC, 1875 K St. NW, Suite 700, Washington, DC 20006 and Diana Stoica, Matador Power Marketing, Inc., 523 Soudan Avenue, Toronto, ON M4S 1X1.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after a determination is made by DOE that the proposed action will not have an adverse impact on the sufficiency of supply or reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program website at *http://energy.gov/node/11845,* or by emailing Angela Troy at *Angela.Troy@hq.doe.gov.*

Issued in Washington, DC, on May 10, 2018.

Christopher Lawrence,

Electricity Policy Analyst, Office of Electricity Delivery and Energy Reliability.

[FR Doc. 2018–10876 Filed 5–21–18; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

National Nuclear Security Administration

Withdrawal of the Notice of Intent To Prepare an Environmental Impact Statement for the Operation of a Biosafety Level 3 Facility at Los Alamos National Laboratory, Los Alamos, New Mexico

AGENCY: National Nuclear Security Administration, Department of Energy.

ACTION: Notice of intent; withdrawal.

SUMMARY: On November 29, 2005, the National Nuclear Security Administration (NNSA), a semi-autonomous agency within the U.S. Department of Energy (DOE), announced its intent to prepare an Environmental Impact Statement (EIS) in accordance with National Environmental Policy Act of 1969 (NEPA) to evaluate the operation of a Biosafety Level (BSL)–3 Facility at LANL. NNSA has determined that, at this point in time, it does not have a need to operate a BSL–3 Facility at Los Alamos National Laboratory (LANL), in Los Alamos, New Mexico. Therefore, NNSA is withdrawing the Notice of Intent to prepare an EIS and is terminating the NEPA EIS process.

FOR FURTHER INFORMATION CONTACT: Greg Wolf, Deputy Director, Office of Public Affairs, National Nuclear Security Administration. Phone (202) 586–2561 or via email at *gregory.wolf@nnsa.doe.gov.*

SUPPLEMENTARY INFORMATION: NNSA published a notice of intent to prepare an EIS in the November 29, 2005, issue of the **Federal Register** (70 FR 71490). In 2002, NNSA prepared an Environmental Assessment for the construction and operation of the Facility. On February 26, 2002, NNSA issued an Environmental Assessment and a Finding of No Significant Impact (FONSI) for the construction and operation of the BSL–3 Facility.

Construction on the windowless, single-story, 3,200-square foot BSL–3 Facility, housing one BSL–2 laboratory, and two BSL–3 laboratories began in late 2002, and was completed in the fall of 2003. After completion of the NEPA process and BSL–3 Facility construction, NNSA determined there were seismic concerns that had not been adequately analyzed during the design of the BSL–3 Facility. As a result, in February 2004, NNSA withdrew the FONSI with respect to the operation of the BSL–3 Facility and subsequently decided to prepare an environmental impact statement. The EIS would have evaluated the potential environmental impacts associated with the proposed Federal action and reasonable alternatives. NNSA is now terminating the NEPA EIS process.

Issued in Washington, DC, this 4th day of May, 2018.

Lisa E. Gordon-Hagerty,

Under Secretary for Nuclear Security, Administrator, National Nuclear Security Administration.

[FR Doc. 2018–10875 Filed 5–21–18; 8:45 am]

BILLING CODE 6450–01–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: ER11–4267–011; ER10–2738–005; ER11–113–012; ER11–4269–012; ER11–4270–011; ER11–4694–008; ER12–1680–009; ER14–1282–002; ER15–2631–007; ER16–2169–003; ER16–2364–003; ER16–2412–006; ER16–2703–004; ER17–2084–002; ER17–692–002.

Applicants: Algonquin Energy Services Inc., Algonquin Power Sanger LLC, Algonquin Power Windsor Locks LLC, Algonquin SKIC 20 Solar, LLC, Algonquin SKIC 10 Solar, LLC, Algonquin Tinker Gen Co., Deerfield Wind Energy, LLC, GSG 6, LLC, Liberty Utilities (Granite State Electric) Corp., Luning Energy LLC, Minonk Wind, LLC, Odell Wind Farm, LLC, Sandy Ridge Wind, LLC, The Empire District Electric Company, Great Bay Solar I, LLC.

Description: Supplement to April 9, 2018 Notice of Change in Status of Algonquin Energy Services Inc., et al.

Filed Date: 5/15/18.

Accession Number: 20180515–5353.

Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER13–618–012; ER12–2570–013.

Applicants: Panther Creek Power Operating, LLC, Westwood Generation LLC, Westwood Generation, LLC.

Description: Supplement to June 30, 2017 Triennial Report for the Northeast Region of Westwood Generation LLC, et al.

Filed Date: 5/16/18.

Accession Number: 20180516–5097.

Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–855–000.

Applicants: Panoche Valley Solar, LLC.

Description: Report Filing: Refund Report of Panoche Valley Solar, LLC to be effective N/A.

Filed Date: 5/15/18.
Accession Number: 20180515–5284.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1599–001.
Applicants: Ohio Valley Electric Corporation.
Description: eTariff filing per 1450: Substitute Tariff Sheet to be effective 3/21/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5281.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1628–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Compliance filing: 2018–05–15_Compliance for Order 842 Primary Frequency Response to be effective 5/15/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5295.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1629–000.
Applicants: PJM Interconnection, L.L.C.
Description: Compliance filing: Compliance Filing Pursuant to Final Rule, Order No. 842, Docket No. RM16–6–000 to be effective 10/1/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5298.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1630–000.
Applicants: Black Hills/Colorado Electric Utility Company, LP.
Description: Compliance filing: Order No. 842 Compliance Filing to be effective 5/15/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5299.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1631–000.
Applicants: Black Hills Power, Inc.
Description: Compliance filing: Order No. 842 Compliance Filing to be effective 5/15/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5300.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1632–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: Major Maintenance Cost Component to Mitigated Start-Up and No-Load Offers to be effective 1/15/2019.
Filed Date: 5/15/18.
Accession Number: 20180515–5301.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1633–000.
Applicants: Cheyenne Light, Fuel and Power Company.
Description: Compliance filing: Order No. 842 Compliance Filing to be effective 5/15/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5302.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1634–000.
Applicants: El Paso Electric Company.
Description: Compliance filing: Order No. 842 Compliance Filing—Revisions to OATT Attachments M and N to be effective 5/15/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5310.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1635–000.
Applicants: Western Interconnect LLC.
Description: Compliance filing: Order No. 842 Compliance Filing to be effective 7/16/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5311.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1636–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2018–05–16 Tariff revisions to Align PRA and Attachment Y Process to be effective 7/16/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5026.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1637–000.
Applicants: Louisville Gas and Electric Company.
Description: § 205(d) Rate Filing: TVA NITSA Service Agreement No. 11 to be effective 4/16/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5039.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1638–000.
Applicants: Duke Energy Carolinas, LLC, Duke Energy Progress, LLC, Duke Energy Florida, LLC.
Description: Joint Petition of the Duke Southeast Companies for Waiver of Tariff Provisions.
Filed Date: 5/15/18.
Accession Number: 20180515–5343.
Comments Due: 5 p.m. ET 6/5/18.

Docket Numbers: ER18–1639–000.
Applicants: Constellation Mystic Power, LLC.
Description: Initial rate filing: Constellation Mystic Cost of Service to be effective 6/1/2022.
Filed Date: 5/16/18.
Accession Number: 20180516–5048.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1640–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1518R14 Arkansas Electric Cooperative Corp NITSA NOA to be effective 1/1/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5050.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1641–000.
Applicants: Realgy, LLC.
Description: Baseline eTariff Filing: Realgy Market Based Rate Tariff to be effective 5/17/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5052.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1642–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 2888R3 Arkansas Electric Cooperative Corp NITSA NOA to be effective 1/1/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5054.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1643–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: Revisions to Attachment AE Section 11.1.4 to Remove the Term Control Area to be effective 7/16/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5057.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1644–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Revisions to OA, Schedule 6, section 1.5 re: Order 1000 Lessons Learned Part I to be effective 7/16/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5070.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1645–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Original WMPA SA No. 5075; Queue No. AD1–071 to be effective 4/17/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5072.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1646–000.
Applicants: Electric Energy, Inc.
Description: eTariff filing per 1450: Show Cause Response of Electric Energy LLC to be effective 3/21/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5093.
Comments Due: 5 p.m. ET 6/6/18.

Docket Numbers: ER18–1647–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Revisions to OA, Schedule 6, section 1.5 re: Order 1000 Lessons Learned Part II to be effective 7/16/2018.
Filed Date: 5/16/18.
Accession Number: 20180516–5106.
Comments Due: 5 p.m. ET 6/6/18.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF18–1286–000.
Applicants: Broad Street Fuel Cell, LLC.
Description: Form 556 of Broad Street Fuel Cell, LLC.
Filed Date: 5/11/18.
Accession Number: 20180511–5303.
Comments Due: None-Applicable.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 16, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–10862 Filed 5–21–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: CP18–310–000.
Applicants: Transcontinental Gas Pipe Line Company, LLC.
Description: Application of Transcontinental Gas Pipe Line Company, LLC to abandon certain firm transportation services.
Filed Date: 4/26/18.
Accession Number: 20180426–5098.
Comments Due: 5 p.m. ET 5/23/18.

Docket Numbers: RP18–580–000.
Applicants: Trailblazer Pipeline Company LLC.
Description: Report Filing: 2018–05–15 Refund Report.
Filed Date: 5/15/18.
Accession Number: 20180515–5206.
Comments Due: 5 p.m. ET 5/29/18.

Docket Numbers: RP18–815–000.
Applicants: Millennium Pipeline Company, LLC.
Description: § 4(d) Rate Filing: Negotiated & Non-Conforming Svc Agmt—CPV to be effective 7/1/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5203.
Comments Due: 5 p.m. ET 5/29/18.

Docket Numbers: RP18–816–000.
Applicants: Clear Creek Storage Company, L.L.C.
Description: § 4(d) Rate Filing: Housekeeping Filing to Change Contact Information to be effective 6/15/2018.
Filed Date: 5/15/18.
Accession Number: 20180515–5303.
Comments Due: 5 p.m. ET 5/29/18.

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: May 16, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–10864 Filed 5–21–18; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2017–0714; FRL–9973–24]

Certain New Chemical Substances; Receipt and Status Information for December 2017

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is required under the Toxic Substances Control Act (TSCA), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to make information publicly available and to publish information in the **Federal Register** pertaining to submissions under TSCA Section 5, including notice of receipt of a Premanufacture notice (PMN), Significant New Use Notice (SNUN) or Microbial Commercial Activity Notice (MCAN), including an amended notice or test information; an exemption application (Biotech exemption); an application for a test marketing exemption (TME), both pending and/or concluded; a notice of commencement (NOC) of manufacture (including import) for new chemical substances; and a periodic status report on new chemical substances that are currently under EPA review or have recently concluded review. This document covers the period from December 1, 2017 to December 31, 2017.

DATES: Comments identified by the specific case number provided in this document must be received on or before June 21, 2018.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2017–0714, and the specific case number for the chemical substance related to your comment, 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:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 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:

For technical information contact: Jim Rahai, Information Management Division (MC 7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–8593; email address: *rahai.jim@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. Executive Summary

A. What action is the Agency taking?

This document provides the receipt and status reports for the period from December 1, 2017 to December 31, 2017. The Agency is providing notice of receipt of PMNs, SNUNs and MCANs (including amended notices and test information); an exemption application under 40 CFR part 725 (Biotech exemption); TMEs, both pending and/or concluded; NOCs to manufacture a new chemical substance; and a periodic status report on new chemical substances that are currently under EPA review or have recently concluded review.

EPA is also providing information on its website about cases reviewed under the amended TSCA, including the section 5 PMN/SNUN/MCAN and exemption notices received, the date of receipt, the final EPA determination on the notice, and the effective date of EPA's determination for PMN/SNUN/MCAN notices on its website at: *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices.* This information is updated on a weekly basis.

B. What is the Agency's authority for taking this action?

Under the Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 *et seq.,* a chemical substance may be either an ''existing'' chemical substance or a ''new'' chemical substance. Any chemical substance that is not on EPA's TSCA Inventory of Chemical Substances (TSCA Inventory) is classified as a ''new chemical substance,'' while a chemical substance that is listed on the TSCA Inventory is classified as an ''existing chemical substance.'' (See TSCA section 3(11).) For more information about the TSCA Inventory go to: *https://www.epa.gov/tsca-inventory.*

Any person who intends to manufacture (including import) a new chemical substance for a non-exempt commercial purpose, or to manufacture or process a chemical substance in a non-exempt manner for a use that EPA has determined is a significant new use, is required by TSCA section 5 to provide EPA with a PMN, MCAN or SNUN, as appropriate, before initiating the activity. EPA will review the notice, make a risk determination on the chemical substance or significant new use, and take appropriate action as described in TSCA section 5(a)(3).

TSCA section 5(h)(1) authorizes EPA to allow persons, upon application and under appropriate restrictions, to manufacture or process a new chemical substance, or a chemical substance subject to a significant new use rule (SNUR) issued under TSCA section 5(a)(2), for ''test marketing'' purposes, upon a showing that the manufacture, processing, distribution in commerce, use, and disposal of the chemical will not present an unreasonable risk of injury to health or the environment. This is referred to as a test marketing exemption, or TME. For more information about the requirements applicable to a new chemical go to: *http://www.epa.gov/oppt/newchems.*

Under TSCA sections 5 and 8 and EPA regulations, EPA is required to publish in the **Federal Register** certain information, including notice of receipt of a PMN/SNUN/MCAN (including amended notices and test information); an exemption application under 40 CFR part 725 (biotech exemption); an application for a TME, both pending and concluded; NOCs to manufacture a new chemical substance; and a periodic status report on the new chemical substances that are currently under EPA review or have recently concluded review.

C. Does this action apply to me?

This action provides information that is directed to the public in general.

D. Does this action have any incremental economic impacts or paperwork burdens?

No.

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

1. *Submitting confidential business information (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.*

II. Status Reports

In the past, EPA has published individual notices reflecting the status of TSCA section 5 filings received, pending or concluded. In 1995, the Agency modified its approach and streamlined the information published in the **Federal Register** after providing notice of such changes to the public and an opportunity to comment (See the **Federal Register** of May 12, 1995, (60 FR 25798) (FRL–4942–7). Since the passage of the Lautenberg amendments to TSCA in 2016, public interest in information on the status of section 5 cases under EPA review and, in particular, the final determination of such cases, has increased. In an effort to be responsive to the regulated community, the users of this information, and the general public, to comply with the requirements of TSCA, to conserve EPA resources and to streamline the process and make it more timely, EPA is providing information on its website about cases reviewed under the amended TSCA, including the section 5 PMN/SNUN/MCAN and exemption notices received, the date of receipt, the final EPA determination on the notice, and the effective date of EPA's determination for PMN/SNUN/MCAN notices on its website at: *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices.* This information is updated on a weekly basis.

III. Receipt Reports

For the 41 PMN/SNUN/MCANs received by EPA during this period, Table I provides the following information (to the extent that such information is not subject to a CBI claim) on the notices received by EPA during this period: The EPA case number assigned to the notice, a notation of whether the submission is an initial submission, or an amendment, a notation of which version was received, the date the notice was received by EPA, the submitting manufacturer (*i.e.,* domestic producer or importer), the potential uses identified by the manufacturer in the notice, and the chemical substance identity.

As used in each of the tables in this unit, (S) indicates that the information in the table is the specific information provided by the submitter, and (G) indicates that this information in the table is generic information because the specific information provided by the submitter was claimed as CBI. Submissions which are initial submissions will not have a letter following the case number and the

version column will note ''Initial submission''. Submissions which are amendments to previous submissions will have a case number followed by the letter ''A'' (*e.g.* P–18–1234A). The version column designates submissions in sequence as ''1'', ''2'', ''3'', etc. Note that in some cases, an initial submission is not numbered as version 1; this is because earlier version(s) were rejected as incomplete or invalid submissions.

TABLE I—PMN/SNUN/MCANS RECEIVED FROM 12/1/2017 TO 12/31/2017

Case No.	Submission document type	Version	Received date	Manufacturer	Use	Chemical substance
P–16–0458A	Amendment	2	12/12/17	CBI	(G) Odor control agent	(G) Dialkyldimethyl ammonium salt.
P–16–0509A	Amendment	8	12/01/17	CBI	(G) For packaging application	(G) Modified ethylene-vinyl alcohol copolymer.
P–17–0003A	Amendment	8	12/11/17	CBI	(G) Printing ink applications	(G) Styrene(ated) copolymer with alkyl(meth)acrylate, and (meth)acrylic acid.
P–17–0121A	Amendment	4	12/15/17	CBI	(S) Polyurethane used in an adhesive.	(G) Methylene Diphenyl Diisocyanate Terminated Polyurethane Resin.
P–17–0203A	Amendment	6	12/27/17	FUJIFILM Electronic Materials USA Inc.	(G) Crosslinking binder component	(G) Aromatic bis[(ether)(alkyl)phenol].
P–17–0283A	Amendment	8	12/06/17	CBI	(G) Lubricating oil additive for automotive engine oils.	(G) Arenesulfonic acid, alkyl derivatives, metal salts.
P–17–0319A	Amendment	5	12/13/17	INOLEX Chemical Company.	(S) This material will be used an an emollient for a fabric softener/conditioning product..	(S) L-Isoleucine, $C_{18–22}$-alkyl esters, ethanesulfonates.
P–17–0334A	Amendment	4	12/08/17	CBI	(G) Chemical precursor	(G) Halogenated alkyl monocyclicamide.
P–17–0336A	Amendment	6	12/07/17	CBI	(S) Cathode material for lithium ion batteries.	(S) Aluminum cobalt lithium nickel oxide.
P–17–0337A	Amendment	6	12/07/17	CBI	(S) Cathode material for lithium ion batteries.	(S) Aluminum boron cobalt lithium nickel oxide.
P–17–0338A	Amendment	6	12/07/17	CBI	(S) Cathode material for lithium ion batteries.	(S) Aluminum boron cobalt lithium magnesium nickel oxide.
P–17–0346A	Amendment	4	12/18/17	CBI	(G) Destructive use	(G) Triarylalkyl phosphonium halide salt.
P–18–0022A	Amendment	2	12/21/17	Allnex USA Inc.	(S) Corrosion protection	(G) Substituted Carbomonocycle, polymer with halo substituted heteromonocycle and polyoxyalkylene polymer with alkylenebis[[isocyanatocarbomonocycle] bis (carbomonocycle-dicarboxylate), reaction products with alkylamines, hydrolyzed.
P–18–0023A	Amendment	2	12/12/17	L&L Products	(S) Epoxy hardner/curative	(G) Propanediol phosphate.
P–18–0024A	Amendment	3	12/12/17	L&L Products	(S) Epoxy hardner/curative	(G) Substituted Cashew, Nutshell liquid, polymer with epichlorohydrin, phosphate.
P–18–0056A	Amendment	4	12/12/17	CBI	(S) Drier for paints and coatings	(S) Cobalt Neodecanoate Propionate complexes.
P–18–0060A	Amendment	2	12/13/17	EASTMAN Chemical Company, Inc.	(S) Surfactant for liquid dish, liquid laundry and industrial hand wash; FDA related uses; Export only volume of the TSCA manufactured NCS.	(S) 1-Butanaminium, 4-amino-N-(2-hydroxy-3-sulfopropyl)-N, N-dimethyl-4-oxo-, N-coco alkyl derivs., inner salts.
P–18–0061A	Amendment	2	12/08/17	CBI	(G) Industrial coating hardners	(G) Alkyl methacrylates, polymer with alkyl acrylates, styrene hydroxyalkyl acrylates, novalac epoxy and epoxy modified acrylic salt with organic amines.
P–18–0062	Initial submission	1	12/01/17	IMKorus, Inc.	(G) Open, non-dispersive use in coatings specifically for the electronics fields.	(S) Oxirane, 2,2'-[cyclohexylidenebis(4,1-phenyleneoxymethylene)]bis-.
P–18–0063	Initial submission	1	12/04/17	ETHOX Chemicals, LLC.	(G) This material is used for stamping, forming, cutting, drilling, or otherwise working metals.	(G) Alcohol alkoxylate phosphate.
P–18–0064	Initial submission	1	12/04/17	CBI	(G) Intermediate	(G) Fluorinated carboxylate esters and fluorinated alkoxyalkyl heterocycles.
P–18–0065	Initial submission	1	12/08/17	Evonik Corporation.	(S) Absorption agent; lab reagent	(S) 1,3-Propanediamine, *N*1,*N*1-dimethyl-*N*3-(2,2,6,6-tetramethyl-4-piperidinyl)-.
P–18–0066	Initial submission	1	12/08/17	LANXESS Solutions US Inc.	(G) Synthetic aircraft engine lubricant for contained use Industrial lubricant.	(G) Pentaerythritol Ester of Mixed Linear and Branched Carboxylic Acids.
P–18–0067	Initial submission	3	12/18/17	CBI	(G) Adjuvant agent	(S) Fatty acids, $C_{14–18}$ and $C_{16–18}$-unsatd., polymers with adipic acid and triethanolamine, di-Me sulfate-quaternized.
P–18–0068	Initial submission	1	12/13/17	CBI	(G) Polymer composite additive	(G) Metal, oxo alkylcarboxylate complexes.
P–18–0069	Initial submission	1	12/14/17	Sasol Chemicals (USA) LLC.	(G) Polymer performance additive	(G) Surface modified boehmite.

TABLE I—PMN/SNUN/MCANS RECEIVED FROM 12/1/2017 TO 12/31/2017—Continued

Case No.	Submission document type	Version	Received date	Manufacturer	Use	Chemical substance
P–18–0071	Initial submission	1	12/20/17	CBI	(S) Polyamide engineering thermoplastic for manufacture of electric and electronic components.	(G) Aromatic dicarboxylic acid, compound with alkane diamines, polymer with alkane diamine and alkane dicarboxylic acid.
P–18–0072	Initial submission	1	12/20/17	CBI	(S) Epoxy curing agent	(G) Trioxo ¿bis(propanediamine) salt, polyalkylene tetramine salt.
P–18–0073	Initial submission	1	12/21/17	Earth Science Laboratories.	(S) FIFRA Inert ingredient, Anti-scalant and Chlorine stabilizer (G) Non-Pesticide Agricultural Use Chemical.	(S) Sulfuric acid, ammonium salt (1:?).
P–18–0074	Initial submission	2	12/22/17	CBI	(S) A precursor used in the synthesis of quantum dots that are used as a component to make an optical down converter; Component in an optical down converter.	(G) Saturated fatty acid, reaction products with cadmium zinc selenide sulfide and polymeric amine.
P–18–0075	Initial submission	1	12/21/17	CBI	(S) Precursor component to make an optical convertor in the next step of manufacturing.	(G) Saturated fatty acid, reaction products with cadmium zinc selenide sulfide, alkylamine and polymeric amine.
P–18–0076	Initial submission	1	12/23/17	CBI	(G) Plastic additive	(G) 1,3,5-Triazine-2,4-Diamine Derivative.
P–18–0077	Initial submission	1	12/27/17	Koch Agronomic Services.	(S) Additive for urea-containing fertilizer.	(S) Urea, reaction products with *N*-butylphosphorothioic triamide and formaldehyde.
P–18–0078	Initial submission	1	12/27/17	CBI	(G) Paint	(G) 2-Alkenoic acid, 2-alkyl-, 2-alkyl ester, polymer with alkyl 2-alkenoate, 2-substitutedalkyl 2-alkenoate and 2-substitutedalkyl 2-alkyl-2-alkenoate, tert alkylperoxoate initiated.
P–18–0079	Initial submission	1	12/28/17	CBI	(G) Engineering thermoplastic	(G) Aromatic dicarboxylic acid, compound with alkyl diamines, homopolymer.
P–18–0080	Initial submission	1	12/29/17	Van Horn, Metz & Co., Inc..	(S) Used as a binder to formulate isolating primers intended for use on interior walls and wood.	(S) 2-Propenoic acid. 2-methyl-, 2-(dimethylamino)ethyl ester, polymer with ethyl 2-propenoate and methyl 2-methyl-2-propenoate, formate (salt).
P–18–0081	Initial submission	1	12/29/17	MATERIA, Inc.	(S) Organophosphine intermediate	(S) Phosphine, diethylphenyl-.
SN–17–0012–0013	Amendment	2	12/19/17	CBI	(G) Organic peroxide polymerization initiator; organic peroxide polymerization initiator.	(S) 1,2,4,5,7,8-Hexoxonane, 3,6,9-triethyl-3,6,9-trimethyl-; 1,2,4,5,7,8-Hexoxonane, 3,6,9-trimethyl-, 3,6,9-tris (Et and Pr) derivs.
SN–18–0001	Amendment	4	12/04/17	CBI	(S) Solution based (<1% concentration) oxidation catalyst for the composite market (fiber glass: Insulation, filtration media, reinforcements, optical fibers) oxidation catalyst for composite industry (e.g., for application to gelcoat-type finished goods such as boats, bowling balls, shower stalls and bathtubs, etc.).	(G) Alkyl-dihydroxy-methyl pyridincarboxylate Iron chloride complex.
J–18–0001	Initial submission	1	12/08/17	Zea 2, LLC	(S) For the production of L-alanine	(G) Modified *Corynebacterium glutamicum*.

In Table II. of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the NOCs received by EPA during this period: The EPA case number assigned to the NOC, the submission document type (initial or amended), the date the NOC was received by EPA, the date of commencement provided by the submitter in the NOC, a notation of the type of amendment (*e.g.,* amendment to generic name, specific name, technical contact information, etc.) and chemical substance identity.

TABLE II—NOCS RECEIVED FROM 12/1/2017 TO 12/31/2017

Case No.	Submission document type	Received date	Commencement date	If amendment, type of amendment	Chemical substance
P–85–1430	Initial Submission	12/07/17	10/23/2017		(G) Aromatic isocyanate terminated polyester with alkanolamine.
P–06–0728	Initial Submission	12/14/17	12/15/2006		(G) Cyclohexane, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethyl-, polymer with hexanedioic acid, 1,4-butanediol, 2,2-dimethyl-1,3-propanediol and polypropyleneglycol.

TABLE II—NOCS RECEIVED FROM 12/1/2017 TO 12/31/2017—Continued

Case No.	Submission document type	Received date	Commencement date	If amendment, type of amendment	Chemical substance
P–06–0729	Initial Submission	12/14/17	12/15/2006		(G) Cyclohexane, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethyl-, polymer with hexanedioic acid, 3-methyl-1,5-pentanediol, polypropyleneglycol and cyclohexanemethanamine, 5-amino-1,3,3-trimethyl-.
P–06–0730	Initial Submission	12/22/17	12/15/2006		(G) Cyclohexane, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethyl-, polymer with hexanedioic acid, 3-methyl-1,5-pentanediol, and cyclohexanemethanamine, 5-amino-1,3,3-trimethyl-.
P–09–0399	Initial Submission	12/18/17	12/1/2017		(S) Butanedioic acid, 2-methylene-, polymer with 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonic acid, sodium salt.
P–12–0124	Initial Submission	12/22/17	12/22/2017		(G) Cyclohexanedicarboxylic acid, dialkyl ester.
P–12–0582	Initial Submission	12/19/17	12/1/2017		(S) Fatty acids, $C_{14–22}$, 2-ethylhexyl esters, epoxidized.
P–14–0681	Initial Submission	12/19/17	12/19/2017		(G) 2-Propenoic acid, monoester with alkanediol, mixed triesters with 2-oxepanone homopolymer 2-[(1-halosubstituted-alkenyl)oxy]alkyl ester and *N,N,'N''*-[(2,4,6-trihalosubstituted-1,3,5-triazine-1,3,5(2H,4H,6H)-triyl)tri-6,1-alkanediyl]tris[carbamic acid].
P–15–0103	Initial Submission	12/07/17	12/1/2017		(G) Copolymer of Vinyl chloride, vinyl carboxylate, acrylic acid, and acrylamide.
P–15–0320	Initial Submission	12/6/2017	12/6/2017		(S) Propanenitrile, 2,3,3,3-tetrafluoro-2-(trifluoromethyl)-.
P–15–0585	Initial Submission	12/28/17	12/6/2017		(G) Polyacrylic amide polymer.
P–16–0366	Initial Submission	12/4/17	11/28/2017		(G) Blocked polyisocyanate.
P–16–0366A	Amendment	12/14/17	11/28/2017	Generic Name	(G) Isocyanic acid, polymethylenepolyphenylene ester, polymer with alkanolamine and alkylcarbonate, alkoxyethanol-blocked.
P–16–0376	Initial Submission	12/20/17	12/6/2017		(G) Substituted alkyl reaction products with modified 1-(1,1-dimethylethoxy)-4-ethenylbenzene-styrene polymer.
P–17–0024	Initial Submission	12/21/17	12/15/2017		(G) Aromatic isocyanate, polymer with alkyloxirane polymer with oxirane ether with alkyldiol (2:1), and alkyloxirane polymer with oxirane ether with alkyltrioll (3:1).
P–17–0175	Initial Submission	12/18/17	11/21/2017		Proprietary chemical, chemical name and CAS# not known by submitter.
P–17–0241	Initial Submission	12/05/17	11/22/2017		(G) Acid, reaction products with cadmium selenide (CdSe), trioctylphosphine and trioctylphosphine oxide.
P–17–0242	Initial Submission	12/05/17	11/22/2017		(G) Acid, reaction products with cadmium selenide sulfide, acid, trioctylphosphine and trioctylphosphine oxide.
P–17–0243	Initial Submission	12/05/17	11/22/2017		(G) Acid reaction products with cadmium zinc selenide sulfide, trioctylphosphine and trioctylphosphine oxide.
P–17–0244	Initial Submission	12/05/17	11/22/2017		(G) Metal oxide reaction products with cadmium metal selenide sulfide and amine.
P–17–0296	Initial Submission	12/19/17	12/4/2017		(S) Siloxanes and Silicones, di-Me, hydrogen-terminated, reaction products with acrylic acid and 2-ethyl-2-[(2-propen-1-yloxy)methyl]-1,3-propanediol, polymers with chlorotrimethylsilane-iso-Pr alc.-sodium silicate reaction products.
P–17–0323	Initial Submission	12/27/17	12/3/2017		(G) 2-Propenoic acid, alkyl-2-(alkylalkyl)alkyl ester.

In Table III. of this unit, EPA provides the following information (to the extent such information is not subject to a CBI claim) on the test information received by EPA during this time period: The EPA case number assigned to the test information; the date the test information was received by EPA, the type of test information submitted, and chemical substance identity.

TABLE III—TEST INFORMATION RECEIVED FROM 12/1/2017 TO 12/31/2017

Case No.	Received date	Type of test information	Chemical substance
P–10–0186	12/11/17	Routine/Annual Testing and Reporting: Certifications of Analysis for incoming starting materials and Impurity level recording.	(G) Alkyl phosphate salt.
P–10–0317	12/17/17	Measured amounts of [CBI] in representative samples of [CBI] 2016 production of the [CBI] covered by the consent order.	(G) Fluoroalkyl acrylate copolymer.
P–11–0483	12/11/17	Routine/Annual Testing and Reporting: Certifications of Analysis for incoming starting materials and Impurity level recording.	(G) Alkyl thiol.
P–11–0484	12/11/17	Routine/Annual Testing and Reporting: Certifications of Analysis for incoming starting materials and Impurity level recording.	(G) Alkyl sulfate salt.
P–11–0487	12/11/17	Routine/Annual Testing and Reporting: Certifications of Analysis for incoming starting materials and Impurity level recording.	(G) Alkyl polyamide.
P–11–0527	12/11/17	Routine/Annual Testing and Reporting: Certifications of Analysis for incoming starting materials and Impurity level recording.	(G) Substituted fluoroalkane.
P–11–0528	12/11/17	Routine/Annual Testing and Reporting: Certifications of Analysis for incoming starting materials and Impurity level recording.	(G) Fluorinated thiol.
P–11–0533	12/11/17	Routine/Annual Testing and Reporting: Certifications of Analysis for incoming starting materials and Impurity level recording.	(G) Non-ionic fluorosurfactant.

TABLE III—TEST INFORMATION RECEIVED FROM 12/1/2017 TO 12/31/2017—Continued

Case No.	Received date	Type of test information	Chemical substance
P–11–0543	12/11/17	Routine/Annual Testing and Reporting: Certifications of Analysis for incoming starting materials and Impurity level recording.	(G) Polyfluorinated alkyl quaternary amine chloride.
P–13–0679	12/17/17	Measured amounts of impurities in representative samples (routine analysis of the starting material, quarterly analysis of the monomer and annual analysis of the product) of [CBI] 2016 production and importation of the [CBI] covered by the consent order.	(G) Fluoroalkyl acrylate copolymer.
P–13–0930	12/20/17	90-Day Dietary Toxicity Study in Sprague Dawley Rats with a 28-Day Recovery Period. (OECD Guideline 408).	(G) Substituted phenol.
P–14–0865	12/15/17	*In Vitro* Mammalian Cell Forward Gene Mutation (CHO/HPRT) Assay with Duplicate Cultures (OECD Guideline 476) and Dermal Sensitization Test in Guinea Pigs—Buehler Method (OECD Guideline 406/EPA Guideline OPPTS 870.2600).	(G) Aromatic amide oxime.
P–16–0540	12/22/17	Support documentation from submitter's customer including air monitoring data	(G) Diphenolic compound, polymer with 2-(chloromethyl)oxirane and 4,4′-methylenebis[di-alkyl-substituted phenol].
P–16–0543	12/21/17	Air and Wipe Sample Monitoring Report	(G) Halogenophosphoric acid metal salt.
P–16–0577	12/19/17	Absorption and Excretion of [CBI] after Oral Single and Repeated Administration in Male Wistar Rats (OECD Guideline 417).	(G) Alkyl Polyamine.

If you are interested in information that is not included in these tables, you may contact EPA's technical information contact or general information contact as described under **FOR FURTHER INFORMATION CONTACT** to access additional non-CBI information that may be available.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: May 4, 2018.

Pamela Myrick,

Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 2018–10791 Filed 5–21–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2017–0713; FRL–9972–08]

Certain New Chemical Substances; Receipt and Status Information for November 2017

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is required under the Toxic Substances Control Act (TSCA), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to make information publicly available and to publish information in the **Federal Register** pertaining to submissions under TSCA Section 5, including notice of receipt of a Premanufacture notice (PMN), Significant New Use Notice (SNUN) or Microbial Commercial Activity Notice (MCAN), including an amended notice or test information; an exemption application (Biotech exemption); an application for a test marketing exemption (TME), both pending and/or concluded; a notice of commencement (NOC) of manufacture (including import) for new chemical substances; and a periodic status report on new chemical substances that are currently under EPA review or have recently concluded review. This document covers the period from November 1, 2017 to November 30, 2017.

DATES: Comments identified by the specific case number provided in this document must be received on or before June 21, 2018.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2017–0713, and the specific case number for the chemical substance related to your comment, 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:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 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:

For technical information contact: Jim Rahai, Information Management Division (MC 7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–8593; email address: *rahai.jim@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. Executive Summary

A. What action is the Agency taking?

This document provides the receipt and status reports for the period from November 1, 2017 to November 30, 2017. The Agency is providing notice of receipt of PMNs, SNUNs and MCANs (including amended notices and test information); an exemption application under 40 CFR part 725 (Biotech exemption); TMEs, both pending and/or concluded; NOCs to manufacture a new chemical substance; and a periodic status report on new chemical substances that are currently under EPA review or have recently concluded review.

EPA is also providing information on its website about cases reviewed under the amended TSCA, including the section 5 PMN/SNUN/MCAN and exemption notices received, the date of receipt, the final EPA determination on the notice, and the effective date of EPA's determination for PMN/SNUN/MCAN notices on its website at: *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices.* This information is updated on a weekly basis.

B. What is the Agency's authority for taking this action?

Under the Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 *et seq.,* a chemical substance may be either an

''existing'' chemical substance or a ''new'' chemical substance. Any chemical substance that is not on EPA's TSCA Inventory of Chemical Substances (TSCA Inventory) is classified as a ''new chemical substance,'' while a chemical substance that is listed on the TSCA Inventory is classified as an ''existing chemical substance.'' (See TSCA section 3(11).) For more information about the TSCA Inventory go to: *https://www.epa.gov/tsca-inventory*.

Any person who intends to manufacture (including import) a new chemical substance for a non-exempt commercial purpose, or to manufacture or process a chemical substance in a non-exempt manner for a use that EPA has determined is a significant new use, is required by TSCA section 5 to provide EPA with a PMN, MCAN or SNUN, as appropriate, before initiating the activity. EPA will review the notice, make a risk determination on the chemical substance or significant new use, and take appropriate action as described in TSCA section 5(a)(3).

TSCA section 5(h)(1) authorizes EPA to allow persons, upon application and under appropriate restrictions, to manufacture or process a new chemical substance, or a chemical substance subject to a significant new use rule (SNUR) issued under TSCA section 5(a)(2), for ''test marketing'' purposes, upon a showing that the manufacture, processing, distribution in commerce, use, and disposal of the chemical will not present an unreasonable risk of injury to health or the environment. This is referred to as a test marketing exemption, or TME. For more information about the requirements applicable to a new chemical go to: *http://www.epa.gov/oppt/newchems*.

Under TSCA sections 5 and 8 and EPA regulations, EPA is required to publish in the **Federal Register** certain information, including notice of receipt of a PMN/SNUN/MCAN (including amended notices and test information); an exemption application under 40 CFR part 725 (biotech exemption); an application for a TME, both pending and concluded; NOCs to manufacture a new chemical substance; and a periodic status report on the new chemical substances that are currently under EPA review or have recently concluded review.

C. Does this action apply to me?

This action provides information that is directed to the public in general.

D. Does this action have any incremental economic impacts or paperwork burdens?

No.

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

1. *Submitting confidential business information (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.*

II. Status Reports

In the past, EPA has published individual notices reflecting the status of TSCA section 5 filings received, pending or concluded. In 1995, the Agency modified its approach and streamlined the information published in the **Federal Register** after providing notice of such changes to the public and an opportunity to comment (See the **Federal Register** of May 12, 1995, (60 FR 25798) (FRL–4942–7). Since the passage of the Lautenberg amendments to TSCA in 2016, public interest in information on the status of section 5 cases under EPA review and, in particular, the final determination of such cases, has increased. In an effort to be responsive to the regulated community, the users of this information, and the general public, to comply with the requirements of TSCA, to conserve EPA resources and to streamline the process and make it more timely, EPA is providing information on its website about cases reviewed under the amended TSCA, including the section 5 PMN/SNUN/MCAN and exemption notices received, the date of receipt, the final EPA determination on the notice, and the effective date of EPA's determination for PMN/SNUN/MCAN notices on its website at: *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices.* This information is updated on a weekly basis.

III. Receipt Reports

For the 49 PMN/SNUN/MCANs received by EPA during this period, Table I provides the following information (to the extent that such information is not subject to a CBI claim) on the notices received by EPA during this period: The EPA case number assigned to the notice, a notation of whether the submission is an initial submission, or an amendment, a notation of which version was received, the date the notice was received by EPA, the submitting manufacturer (*i.e.,* domestic producer or importer), the potential uses identified by the manufacturer in the notice, and the chemical substance identity.

As used in each of the tables in this unit, (S) indicates that the information in the table is the specific information provided by the submitter, and (G) indicates that this information in the table is generic information because the specific information provided by the submitter was claimed as CBI. Submissions which are initial submissions will not have a letter following the case number and the version column will note ''Initial''. Submissions which are amendments to previous submissions will have a case number followed by the letter ''A'' (*e.g.* P–18–1234A). The version column designates amendments in sequence as ''1'', ''2'', ''3'', etc.

TABLE I—PMN/SNUN/MCANS RECEIVED FROM 11/1/2017 TO 11/30/2017

Case No.	Submission document type	Version	Received date	Manufacturer	Use	Chemical substance
P–16–0531A	Amendment	2	11/17/17	Clariant Corporation.	(G) Additive for use in mineral processing.	(G) Alkyloxy propanamine.
P–17–0003A	Amendment	7	11/01/17	CBI	(G) Printing ink applications	(G) Styrene(ated) copolymer with alkyl(meth)acrylate, and (meth)acrylic acid.

TABLE I—PMN/SNUN/MCANS RECEIVED FROM 11/1/2017 TO 11/30/2017—Continued

Case No.	Submission document type	Version	Received date	Manufacturer	Use	Chemical substance
P–17–0152A	Amendment	7	11/16/17	CBI	(G) Additive in home care products.	(G) Poly-(2-methyl-1-oxo-2-propen-1-yl) ester with ethanaminium, N,N,N-trialkyl, chloride and methoxypoly(oxy-1,2-ethanediyl).
P–17–0153A	Amendment	3	11/17/17	Clariant Corporation.	(S) Neutralizing agent for paints and coatings.	(S) D-Glucitol, 1-deoxy-1-(dimethylamino)-.
P–17–0195A	Amendment	4	11/28/17	CBI	(G) For manufacturing modified Ethylene vinyl alcohol copolymer.	(G) 1,3-Propanediol,2-methylene-, substituted,
P–17–0214A	Amendment	2	11/16/17	Clariant Corporation.	(S) Pour point depressant for use in petroleum products.	(G) 2-Propenoic acid, polymer with alkene and alkenyl acetate, alkyl 2-alkyl isoalkyl esters.
P–17–0215A	Amendment	2	11/25/17	Clariant Corporation.	(S) Lubricant for use in metal working fluids.	(G) Copolymer of alpha-olefin and dibutyl maleate.
P–17–0283A	Amendment	6	11/21/17	CBI	(G) Lubricating oil additive for automotive engine oils.	(G) Arenesulfonic acid, alkyl derivatives, metal salts.
P–17–0336A	Amendment	5	11/14/17	CBI	(S) Cathode material for lithium ion batteries.	(S) Aluminum cobalt lithium nickel oxide.
P–17–0337A	Amendment	5	11/14/17	CBI	(S) Cathode material for lithium ion batteries.	(S) Aluminum boron cobalt lithium nickel oxide.
P–17–0338A	Amendment	5	11/14/17	CBI	(S) Cathode material for lithium ion batteries.	(S) Aluminum boron cobalt lithium magnesium nickel oxide.
P–17–0346A	Amendment	3	11/13/17	CBI	(G) Destructive use	(G) Triarylalkyl phosphonium halide salt.
P–17–0375A	Amendment	2	11/30/17	Asahi Kasei America, Inc.	(G) Paint additive	(G) 2-Oxepanone, polymer with diisocyanatohexane, alkyl-((hydroxyalkyl)-alkanediol and isocyanato-(isocyanatoalkyl)-trialkylcyclohexane, di-alkyl malonate- and polyalkylene glycol mono-Me ether-blocked, reaction products with (methylalkyl)-propanamine.
P–17–0396A	Amendment	3	11/02/17	CBI	(S) Intermediate for a polyurethane catalyst.	(G) Aminoalkylated imidazole.
P–18–0001A	Amendment	6	11/10/17	Nexus Fuels	(G) Additive	(G) Carbon compound derived from plastic depolymerization.
P–18–0003A	Amendment	4	11/30/17	CBI	(S) Lubricant for metal working applications.	(G) Fatty acids, diesters with dihydroxyalkane, Fatty acids, esters with dihydroxyalkane.
P–18–0009A	Amendment	2	11/07/17	CBI	(G) Lubricant additive	(G) Phosphonic acid, dimethyl ester, polymer with alkyl diols.
P–18–0013A	Amendment	2	11/02/17	Shin-Etsu Microsi	(G) Microlithography for electronic device manufacturing.	(G) Substituted-triphenylsulfonium, inner salt.
P–18–0014A	Amendment	2	11/02/17	Shin-Etsu Microsi	(G) Microlithography for electronic device manufacturing.	(G) Sulfonium, triphenyl-, salt with disubstituted-heterocyclic compound (1:1).
P–18–0016A	Amendment	2	11/21/17	CBI	(G) Additives used in Semiconductor chip manufacturing.	(G) Aromatic sulfonium tricyclo fluoroalkyl sulfonic acid salt.
P–18–0024A	Amendment	2	11/15/17	CBI	(S) Epoxy hardner/curative	(G) Substituted cashew, nutshell liquid, polymer with epichlorohydrin, phosphate.
P–18–0031A	Amendment	3	11/06/17	CBI	(G) Ingredient for industrial coating.	(G) Substituted dicarboxylic acid, polymer with various alkanediols.
P–18–0035A	Amendment	2	11/01/17	Evonik Corporation.	(G) Monomer for polymer applications.	(G) Methacrylic acid heterocyclic alkyl ester, methacrylic acid heterocyclic alkyl ester.
P–18–0038A	Amendment	3	11/04/17	Highland Logistics LLC.	(S) Solution polymer incorporating catalyst monomer for generation of singlet oxygen.	(G) Acrylic acid, copolymer with itaconic acid, alkenyloxyethoxylate, hydroxyalkyl methacrylate. alkyl alkenyylocyethoxylate ammonium sulfate salt and polyhalovinylbenzyloxoxanthen sodium salt benzoate.
P–18–0039A	Amendment	3	11/14/17	CBI	(G) Curing agent	(G) 2-propenenitrile, reaction products with cycloaliphatic diamine, araliphatic diamine, bisphenol A-epichlorohydrin-polyethylene glycol polymer and N-alkyl substituted alkyl. amine.

TABLE I—PMN/SNUN/MCANS RECEIVED FROM 11/1/2017 TO 11/30/2017—Continued

Case No.	Submission document type	Version	Received date	Manufacturer	Use	Chemical substance
P–18–0040	Initial submission	1	11/06/17	Allnex USA Inc	(S) Binder for ultra violet (UV) curable coating resin.	(G) Alkanedioic acid, polymers with alkanoic acid-dipentaerythritol reaction products, substituted alkanedioc acid, substituted alkanoic acid, isocyanato-(isocyanatoalkyl)-alkyl substituted carbomoncycle and alkyl substituted alkanediol.
P–18–0041	Initial submission	1	11/06/17	CBI	(G) Intermediate polyol for further reaction.	(S) 2,5-furandione, polymer with 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, 3a,4,5,6,7,7a-hexahydro-4,7-methano-1H-inden-5(or 6)-yl ester, ester with 2,3-dihydroxypropyl neodecanoate.
P–18–0042	Initial submission	1	11/06/17	CBI	(G) Industrial coating	(S) 2,5-furandione, polymer with 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, 3a,4,5,6,7,7a-hexahydro-4,7-methano-1H-inden-5(or 6)-yl ester, ester with 2,3-dihydroxypropyl neodecanoate, polymer with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, 2-hydroxyethyl acrylate- and 2-hydroxyethyl methacrylate-blocked.
P–18–0042A	Amendment	2	11/12/17	CBI	(G) Industrial coating	(S) 2,5-furandione, polymer with 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, 3a,4,5,6,7,7a-hexahydro-4,7-methano-1H-inden-5(or 6)-yl ester, ester with 2,3-dihydroxypropyl neodecanoate, polymer with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, 2-hydroxyethyl acrylate- and 2-hydroxyethyl methacrylate-blocked.
P–18–0043	Initial submission	1	11/07/17	Evonik Corporation.	(S) As plasticizer or fast fuser in PVC-plastisols; for flooring, wall paper, coated fabrics, underbodycoating. (S) Use as a laboratory agent (S) Use in formulation or re-packing (S) Additives for flexibilization of paints and lacquers (S) As processing aid or fast fuser in PVC dry blends; for flooring, coated fabrics films sheets tubes hoses	(S) 1,4-benzenedicarboxylic acid, 1,4-dipentyl ester, branched and linear.
P–18–0044	Initial submission	1	11/07/17	CBI	(G) Intermediate species	(G) Fatty acids.
P–18–0045	Initial submission	1	11/07/17	CBI	(G) Application coating	(G) Fatty acids, alkyl esters.
P–18–0046	Initial submission	2	11/14/17	Allnex USA Inc	(S) UV curable coating resin	(G) Substituted carbomonocycle, polymer with diisocyanatoalkane, substituted alkylacrylate-blocked.
P–18–0047	Initial submission	2	11/09/17	CBI	(S) EGDB will be a safety enhancing stabilizer for peroxides as well as a replacement for a more hazardous phthalate in current market products (S) Used for the curing of unsaturated polyester resins and methacrylic resins mainly in the temperature range of 60°C and higher	(S) 1,2-ethanediol, 1,2-dibenzoate.
P–18–0048	Initial submission	1	11/13/17	Colonial Chemical, Inc.	(S) Metal working	(S) Acetic acid, 2-(2-butoxyethoxy)-.
P–18–0049	Initial submission	1	11/16/17	Solvay Fluorides LLC.	(G) Coating component/processing aid.	(G) Mixed metal halide.
P–18–0050	Initial submission	1	11/16/17	CBI	(G) Raw material in industrial coatings.	(G) Alkane, diisocyanato-, homopolymer, alkyl dihydrogen phosphate- and polyalkylene glycol mono-alkyl ether-.

TABLE I—PMN/SNUN/MCANS RECEIVED FROM 11/1/2017 TO 11/30/2017—Continued

Case No.	Submission document type	Version	Received date	Manufacturer	Use	Chemical substance
P–18–0051	Initial submission	2	11/21/17	Allnex USA Inc.	(S) Waterborne UV curable coating resin binder for inkjet, ink or overprint varnish.	(G) Alkenoic acid, reaction products with [oxybis(alkylene)]bis[(substituted alkyl)-alkanediol], polymers with isocyanatoalkane and substituted alkanoic acid, substituted monoacrylate alkanoate-blocked.
P–18–0052	Initial submission	1	11/20/17	Shin Etsu Silicones of America.	(G) Coating agent	(G) Perfluoroalkylethyl- and vinyl-modified organopolysiloxane.
P–18–0053	Initial submission	1	11/20/17	Shin Etsu Silicones of America.	(G) Coating agent	(G) Perfluoroalkylethyl- and vinyl-modified organopolysiloxane.
P–18–0054	Initial submission	1	11/20/17	CBI	(G) Paint	(G) 2-alkenoic acid, 2-alkyl-, 2-alkyl ester, polymer with alkyl 2-alkenoate, 2-substitutedalkyl 2-alkenoate and 2-substitutedalkyl 2-alkyl-2-alkenoate, esters with carboxylic acids, tert alkylperoxoate initiated.
P–18–0055	Initial submission	1	11/22/17	CBI	(G) Catalyst	(G) Mixed metal oxide.
P–18–0056	Initial submission	2	11/29/17	CBI	(S) Drier for paints and coatings	(S) Cobalt neodecanoate propionate complex.
P–18–0056A	Amendment	3	11/30/17	CBI	(S) Drier for paints and coatings	(S) Cobalt neodecanoate propionate complex.
P–18–0059	Initial submission	1	11/30/17	EASTMAN Chemical Company, Inc.	(S) Chemical intermediate	(S) Butanoic acid, 4-(dimethylamino)-, ethyl ester.
P–18–0060	Initial submission	1	11/30/17	EASTMAN Chemical Company, Inc.	(S) Surfactant for liquid dish, liquid laundry and industrial hand wash; FDA related uses; export only volume of the TSCA manufactured NCS.	(S) 1-Butanaminium, 4-amino-N-(2-hydroxy-3-sulfopropyl)-N, N-dimethyl-4-oxo-, N-coco alkyl derivs., inner salts.
P–18–0061	Initial submission	2	11/30/17	CBI	(G) Industrial coating hardners	(G) Alkyl methacrylates, polymer with alkyl acrylates, styrene hydroxyalkyl acrylates, novalac epoxy and epoxy modified acrylic.
SN–17–0014A	Amendment	2	11/02/17	CBI	(G) Oilfield additive	(S) Oxazolidine, 3,3'-methylenebis[5-methyl-.
SN–18–0001	Initial submission	2	11/29/17	CBI	(S) Solution based (<1% concentration) oxidation catalyst for the composite market (fiber glass: insulation, filtration media, reinforcements, optical fibers) (oxidation catalyst for composite industry (e.g., for application to gelcoat-type finished goods such as boats, bowling balls, shower stalls and bathtubs, etc.).	(G) Alkyl-dihydroxy-methyl pyridin-carboxylate Iron chloride complex.

In Table II. of this unit, EPA provides the following information (to the extent that such information is not subject to a CBI claim) on the TMEs and/or Biotech Exemptions received by EPA during this period: The EPA case number assigned to the TME and/or Biotech Exemption, the submission document type (initial or amended), the version number, the date the TME and/or Biotech Exemption was received by EPA, the submitting manufacturer (*i.e.,* domestic producer or importer), the potential uses identified by the manufacturer in the TME and/or Biotech Exemption, and the chemical substance identity.

TABLE II—TMES AND BIOTECH EXEMPTIONS RECEIVED FROM 11/1/2017 TO 11/30/2017

Case No.	Submission document type	Version	Received date	Manufacturer	Use	Chemical substance
T–18–0001	Initial submission	1	11/16/17	CBI	(S) Component in automotive gasoline/transportation fuel for consumer use..	(G) Renewable naptha.
H–18–0001A	Amendment	2	11/06/17	CBI	(G) Production of Chemical	(G) Modified transgenic microorganism.

In Table III. of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the NOCs received by EPA during this period: The EPA case number assigned to the NOC, the submission document type (initial or amended), the date the NOC was received by EPA, the date of commencement provided by the submitter in the NOC, a notation of the type of amendment (*e.g.,* amendment to generic name, specific name, technical contact information, etc.) and chemical substance identity.

TABLE III— NOCS RECEIVED FROM 11/1/2017 TO 11/30/2017

Case No.	Submission document type	Received date	Commencement date	If amendment, type of amendment	Chemical substance
P–05–0834	Initial submission	11/15/17	8/1/2006		(S) 1,3-benzenedicarboxylic acid, polymer with 1,4-butanediol, hexanedioic acid, 1,6-hexanediol, hydrazine, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and 1,1′-methylenebis[4-isocyanatocyclohexane], polyethylene glycol mono-me ether-blocked, amine-terminated.
P–06–0039	Initial submission	11/15/17	9/28/2006		(S) Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl-, polymers with hydrazine, 2-hydroxymethylethyl-terminated polybutadiene, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and polypropylene glycol, compounds with triethylamine.
P–06–0306	Initial submission	11/15/17	6/15/2006		(S) 1,3-benzenedicarboxylic acid, polymer with 1,2-ethanediamine, hexanedioic acid, 1,6-hexanediol, hydrazine and 1,1′-methylenebis[4-isocyanatocyclohexane], polyethylene glycol mono-me ether-blocked.
P–07–0022	Initial submission	11/15/17	1/11/2007		(S) 1,3-propanediol, 2-ethyl-2-(hydroxymethyl)-, polymer with hydrazine, alpha-hydro-omega-hydroxypoly(oxy-1,4-butanediyl) and 1,1′-methylenebis[4-isocyanatocyclohexane], polyethylene glycol mono-me ether-blocked.
P–11–0266	Initial submission	11/14/17	10/2/2017		(G) Polypentaerythritol, mixed esters with straight and branched monoacids.
P–14–0729	Initial submission	11/27/17	11/21/2014		(G) 'buta-1,3-diene reaction product with alkyl nitrile, alkyl benzene and alkyl acrylic acid'.
P–16–0095	Amendment	11/17/17	10/19/2017	Specific Name	(G) Phenol-formaldehyde resin.
P–16–0236	Initial submission	11/02/17	10/18/2017		(S) Imidazo[4,5-d]imidazole-2,5(1h,3h)-dione, tetrahydro-1,3,4,6-tetrakis(methoxymethyl)-, polymer with alpha-hydro-omega-hydroxypoly(oxy-1,2-ethanediyl), reaction product with polyethylene glycol mono[2,4,6-tris(1-phenylethyl)phenyl] ether.
P–16–0359	Initial submission	11/09/17	11/9/2017		(G) Carbopolycycle-bis(diazonium), dihalo-, chloride (1:2), reaction products with metal hydroxide, 4-[(dioxoalkyl)amino]substituted benzene, 2-[(dioxoalkyl)amino]substituted benzene, 5-[(dioxoalkyl)amino]-2-hydroxy-substituted benzene and oxo-*N*-phenylalkanamide,.
P–16–0407	Initial submission	11/02/17	10/13/2017		(G) Functionalized polyimide and functionalized polyamide.
P–16–0576	Initial submission	11/10/17	11/07/2017		(G) Modified alkyl polyamine.
P–16–0577	Initial submission	11/10/17	11/09/2017		(G) Alkyl polyamine.
P–17–0301A	Amendment	11/27/17	6/01/2017	Contact Information	(G) Manganese bypyridine carboxylate complex.
P–96–0272	Initial submission	11/15/17	3/26/1996		(S) 2,5-furandione, dihydro-, polymer with 1,2-ethanediol, 1,1′-methylenebis[4-isocyanatobenzene] and 2,2′-oxybis[ethanol].

In Table IV of this unit, EPA provides the following information (to the extent such information is not subject to a CBI claim) on the test information received by EPA during this time period: The EPA case number assigned to the test information; the date the test information was received by EPA, the type of test information submitted, and chemical substance identity.

TABLE IV—TEST INFORMATION RECEIVED FROM 11/1/2017 TO 11/30/2017

Case No.	Received date	Type of test information	Chemical substance
P–10–0470	11/20/17	Analytical data summary of impurities of interest	(G) Fluoro modified, polyether modified and alkyl modified polymethylsiloxane.
P–10–0471	11/20/2017	Analytical data summary of impurities of interest	(G) Fluoro modified polyether modified polyacrylate.
P–10–0472	11/20/2017	Analytical data summary of impurities of interest	(G) Fluoro modified polyether modified polyacrylate.
P–11–0063	11/3/2017	Aerobic Transformation in Soil (OECD 307)	(G) Perfluoroalkyl acrylate copolymer.
P–13–0930	11/1/2017	(1) Short-Term Reproduction Assay with Fathead Minnow (*Pimephales promelas*) (OECD 229). (2) Amphibian Metamorphosis Assay with African Clawed Frog (*Xenopus laevis*) (OECD 231).	(G) Substituted phenol.
P–14–0323	11/6/2017	(1) A 2-Week Study of P–14–0323 by Whole-Body Inhalation in Sprague Dawley Rats (OCED 412). (2) A 2-Week Study of P–14–0323 by Whole-Body Inhalation in Albino Rabbits (OCED 412)..	(G) Hydrochlorofluoropropene.
P–15–0121	11/13/2017	Daphia 48 hr Acute Immobilization Test (OCSPP 850.1010).	(S) Formaldehyde, polymer with 2-aminocyclopentanemethanamine, 1,4-butanediamine, 1,2-cyclohexanediamine, 1,6-hexanediamine, hexahydro-1H-azepine and 2-methyl-1,5,-pentanediamine.

TABLE IV—TEST INFORMATION RECEIVED FROM 11/1/2017 TO 11/30/2017—Continued

Case No.	Received date	Type of test information	Chemical substance
P–16–0393	11/9/2017	(1) Single Cell Gel Electrophoresis (Comet) ..... (2) Assay in the Male Rat: *in vivo*(OECD 489) ..... (3) *(3)* V79 HPRT Gene Mutation Assay (OECD 476)	(G) Di-substituted benzenedicarboxylic acid ester.
P–16–0393	11/9/2017	Toxicity to Activated Sludge in a Respiration Inhibition Test (OECD 209).	(G) Di-substituted benzenedicarboxylic acid ester.
P–16–0393	11/9/2017	(1) Determination of Density (OECD 109) ..... (2) Determination of Adsorption Coefficient (OECD 121). (3) Acute Dermal Toxicity (Limit Test) in the rat ..... (4) Preliminary Toxicity Study by Oral Gavage Adminstration to Han Wistar Rats for 2 Weeks.	(G) Di-substituted benzenedicarboxylic acid ester.
P–16–0393	11/9/2017	Extraction Data	(G) Di-substituted benzenedicarboxylic acid ester.
P–16–0393	11/9/2017	(1) Acute Toxicity Test to Earthworm ..... (2) Daphnia sp., Reproduction Test (OECD 211) ..... (3) Juvenile Growth Test of CBI (OECD 215) ..... (4) Seed Germination/Root Elongation Toxicity of CBI (5) Inherent Biodegradation Test of CBI	(G) Di-substituted benzenedicarboxylic acid ester.
P–16–0543	11/27/2017	Industrial Hygiene Exposure Assessment Report	(G) Halogenophosphoric acid metal salt.
P–17–0153	11/17/2017	Dose Range Finding Study for Reproduction/Developmental Toxicity Screening Test of Genamin DMG By Oral Gavage in Sprague Dawley Rats.	(S) D-Glucitol, 1-deoxy-1-(dimethylamino)-.
P–17–0187	11/2/2017	Surface Tension Data	(G) Polymer with benzoic acid tetra halogen hydroxy tetrahalogen oxo H xanthenyl alkenylaryl alkyl ester alkalai metal salt, butyl-2-propenoate, ethenyl neodecanoate, methyl-2-methyl-2- propenoate and 2-methyl-2-propenoic acid.
P–17–0218	11/8/2017	Local Lymph Node Assay in Mice (OECD 429)	(S) Bicyclo[2.2.1]heptane-1-methanesulfonic acid, 7,7-dimethyl-2-oxo-, compd. with N,N-diethylethanamine (1:1).
P–17–0252	11/2/2017	Particle Abatement System	(S) 1H,3H-Naphtho[1,8-cd]pyran-1,3-dione, 5-Nitro.
P–17–0380	11/27/2017	Water Extractability in pH 2 buffer study	(G) Amine- and hydroxy-functional acrylic polymer.
P–17–0380	11/27/2017	Growth Inhibition Test with the Unicellular Green Alga, *Pseudokirchneriella subcapitata* (OECD 201).	(G) Amine- and hydroxy-functional acrylic polymer.
SN–15–0009 ...	11/30/2017	Determination of effects in sediment on emergence of the midge, *Chironomus riparius* (OECD 218).	(G) Fatty Acid amide.

If you are interested in information that is not included in these tables, you may contact EPA's technical information contact or general information contact as described under **FOR FURTHER INFORMATION CONTACT** to access additional non-CBI information that may be available.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: May 4, 2018.

Pamela Myrick,

Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 2018–10789 Filed 5–21–18; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0806]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before July 23, 2018. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele at (202) 418–2991.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the

following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060–0806.

Title: Universal Service-Schools and Libraries Universal Service Program, FCC Forms 470 and 471.

Form Number(s): FCC Forms 470 and 471.

Type of Review: Extension of a currently approved collection.

Respondents: State, local or tribal government institutions, and other not-for-profit institutions.

Number of Respondents and Responses: 27,000 respondents; 42,150 responses.

Estimated Time per Response: 3.5 hours for FCC Form 470 (3 hours for response; 0.5 hours for recordkeeping; 4.5 hours for FCC Form 471 (4 hours for response; 0.5 hours for recordkeeping).

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

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151–154, 201–205, 218–220, 254, 303(r), 403, and 405.

Total Annual Burden: 172,175 hours.

Total Annual Cost: No Cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no assurance of confidentiality provided to respondents concerning this information collection. However, respondents may request materials or information submitted to the Commission or to the Administrator be withheld from public inspection under 47 CFR 0.459 of the FCC's rules.

Needs and Uses: The Commission seeks approval to extend the existing collection 3060–0806 (FCC Forms 470 and 471). Collection of the information on FCC Forms 470 and 471 is necessary so that the Commission and USAC have sufficient information to determine if entities are eligible for funding pursuant to the schools and libraries support mechanism, to determine if entities are complying with the Commission's rules, and to prevent waste, fraud, and abuse. In addition, the information is necessary for the Commission to evaluate the extent to which the E-rate program is meeting the statutory objectives specified in section 254(h) of the 1996 Act, and the Commission's performance goals established in the *E-rate Modernization Order* and *Second E-rate Modernization Order*.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2018–10944 Filed 5–21–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0931]

Information Collection Being Submitted for Review and Approval to the Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before June 21, 2018. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via email *Nicholas_A._Fraser@omb.eop.gov;* and to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page <*http://www.reginfo.gov/public/do/PRAMain*>, (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060–0931.

Title: Section 80.103, Digital Selective Calling (DSC) Operating Procedures—Maritime Mobile Identity (MMSI).

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; business or other for-profit entities and Federal Government.

Number of Respondents and Responses: 40,000 respondents; 40,000 responses.

Estimated Time per Response: .25 hours.

Frequency of Response: On occasion reporting requirement and third-party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this Information collection is in 47 U.S.C. 154, 303, 307(e), 309 and 332 of the Communications Act of 1934, as amended. The reporting requirement is contained in international agreements and ITU–R M.541.9.

Total Annual Burden: 10,000 hours.

Total Annual Cost: No cost.

Privacy Impact Assessment: Yes. The FCC maintains a system of records notice (SORN), FCC/WTB–1, ''Wireless Services Licensing Records'' that covers the collection, purpose(s), storage, safeguards, and disposal of the PII that marine VHF radio licensees maintain under 47 CFR 80.103.

Nature and Extent of Confidentiality: There is a need for confidentiality with respect to all owners of Marine VHF radios with Digital Selective Calling (DSC) capability in this collection. The licensee records will be publicly available and routinely used in accordance with subsection (b) of the Privacy Act of 1974. FRN numbers and material which is afforded confidential treatment pursuant to a request made under 47 CFR 0.459 of the Commission's rules will not be available for public inspection. Any personally identifiable information (PII) that individual applicants provide is covered by a system of records, FCC/WTB–1, ''Wireless Services Licensing Records'', and these and all other records may be disclosed pursuant to the Routine Uses as stated in the SORN.

Needs and Uses: The information collected is necessary to require owners of marine VHF radios with Digital Selective Calling (DSC) capability to register information such as the name, address, type of vessel with a private entity issuing marine mobile service identities (MMSI). The information would be used by search and rescue personnel to identify vessels in distress and to select the proper rescue units and search methods.

The requirement to collect this information is contained in international agreements with the U.S. Coast Guard and private sector entities that issue MMSI's.

The information is used by private entities to maintain a database used to provide information about the vessel owner in distress using marine VHF radios with DSC capability. If the data were not collected, the U.S. Coast Guard would not have access to this information which would increase the time and effort needed to complete a search and rescue operation.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2018–10945 Filed 5–21–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1046]

Information Collection Being Submitted for Review and Approval to the Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before June 21, 2018. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via email *Nicholas_A._Fraser@omb.eop.gov;* and to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Nicole Ongele at (202) 418–2991. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page <*http://www.reginfo.gov/public/do/PRAMain*>, (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection.

Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to

further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060–1046.

Title: Part 64, Modernization of Payphone Compensation Rules, et al., WC Docket No. 17–141, et al.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 329 respondents; 2,257 responses.

Estimated Time per Response: 0.50 hours–122 hours.

Frequency of Response: On occasion, one-time, and quarterly reporting requirements; third party disclosure requirements; and recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151, 154 and 276.

Total Annual Burden: 34,720 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: The Commission is not requesting respondents to submit confidential information. Respondents may request confidential treatment of their information that they believe to be confidential pursuant to 47 CFR 0.459 of the Commission's rules.

Needs and Uses: Section 276 of the Communications Act, as amended (the Act), requires that the Federal Communications Commission (Commission or FCC) establish rules ensuring that payphone service providers or PSPs are ''fairly compensated'' for each and every completed payphone-originated call. The Commission's Payphone Compensation Rules satisfy section 276 by identifying the party liable for compensation and establishing a mechanism for PSPs to be paid. A 2003 Report and Order (FCC 03–235) established detailed rules (Payphone Compensation Rules) ensuring that payphone service providers or PSPs are ''fairly compensated'' for each and every completed payphone-originated call pursuant to section 276 of the Communications Act, as amended (the Act). The Payphone Compensation Rules satisfy section 276 by identifying the party liable for compensation and establishing a mechanism for PSPs to be paid. The Payphone Compensation Rules: (1) Place liability to compensate PSPs for payphone-originated calls on the facilities-based long distance carriers or switch-based resellers (SBRs) from whose switches such calls are completed; (2) define these responsible carriers as ''Completing Carriers'' and require them to develop their own system of tracking calls to completion; (3) require Completing Carriers to file with PSPs a quarterly report and also submit an attestation by the chief financial officer (CFO) that the payment amount for that quarter is accurate and is based on 100% of all completed calls; (4) require quarterly reporting obligations for other facilities-based long distance carriers in the call path, if any, and define these carriers as ''Intermediate Carriers;'' and (5) give parties flexibility to agree to alternative compensation arrangements (ACA) so that small Completing Carriers may avoid the expense of instituting a tracking system. and undergoing an audit. On February 22, 2018, the Commission adopted a Report and Order, FCC 18–21 (*2018 Payphone Order*), that: (1) Eliminated the payphone call tracking system audit and associated reporting requirements; (2) permitted a company official, including but no longer limited to, the chief financial officer (CFO), to certify that a Completing Carrier's quarterly compensation payments to PSPs are accurate and complete; and (3) eliminated expired interim and intermediate per-payphone compensation rules that no longer apply to any entity. We believe that the revisions adopted in the *2018 Payphone Order* significantly decrease the paperwork burden on carriers.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2018–10813 Filed 5–21–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[WTB Docket No. 18–133; DA 18–454]

Metro Two-Way, LLC; Notice of Hearing

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document commences a hearing to determine whether Metro Two-Way, LLC (Metro) is qualified to be and to remain a Federal Communications Commission (Commission) licensee, and as a consequence thereof, whether any or all of its licenses should be revoked, and whether its pending application should be denied. As discussed more fully below, based on the totality of the evidence, there are substantial and material questions of fact as to whether Metro repeatedly made misrepresentations to and lacked candor with the Commission in its submission of several applications in connection with various Wireless Radio Service authorizations.

DATES: Each party to the proceeding (except for the Chief, Enforcement Bureau), in person or by counsel, shall file with the Commission, by May 23, 2018, a written appearance stating that the party will appear on the date fixed for hearing and present evidence on the issues specified herein.

FOR FURTHER INFORMATION CONTACT: Pamela Kane, Special Counsel, Enforcement Bureau, (202) 418–2393.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order to Show Cause, Hearing Designation Order and Notice of Opportunity for Hearing (Order) in WTB Docket No. 18–133, DA 18–454, adopted on May 2, 2018, and released on May 3, 2018. The full text of the Order is available for inspection and copying during regular business hours in the FCC Reference Center, 445 12th Street SW, Room CY–A257, Portals II, Washington, DC 20554. This document is available in alternative formats (computer diskette, large print, audio record, and Braille). Persons with disabilities who need documents in these formats may contact the FCC by email: *FCC504@fcc.gov* or phone: 202–418–0530 or TTY: 202–418–0432.

Synopsis

1. In this Order, the Commission commences a hearing proceeding before a Commission Administrative Law Judge to determine whether the pending application of Metro Two-Way, LLC should be granted, and whether Metro's licenses should be revoked. Metro represented to the Commission in five license applications that no party directly or indirectly controlling Metro has ever been convicted of a felony by any state or federal court. The information before us indicates that Hector Manuel Mosquera, a party directly or indirectly controlling Metro, was convicted of a felony by a state court in California.

2. Accordingly, it is ordered, pursuant to sections 309(e), 312(a)(1), 312(a)(2), 312(a)(4), and 312(c) of the Act, 47 U.S.C. 309(e), 312(a)(1), 312(a)(2), 312(a)(4), 312(c), that Metro Two-Way, LLC shall show cause why the authorizations for which it is the licensee set forth in Attachment A should not be revoked, and that the

above-captioned application filed by Metro Two-Way, LLC is designated for a hearing in a consolidated proceeding before an FCC Administrative Law Judge, at a time and place to be specified in a subsequent Order, upon the following issues:

(a) To determine whether Hector Manuel Mosquera directly or indirectly controls Metro.

(b) To determine whether Metro engaged in misrepresentation and/or lack of candor in its applications with the Commission.

(c) To determine whether Metro failed to amend its pending application, in willful and/or repeated violation of section 1.65 of the Commission's rules.

(d) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether Metro is qualified to be and remain a Commission licensee.

(e) To determine, in light of the foregoing issues, whether the authorizations for which Metro is the licensee should be revoked.

(f) To determine, in light of the foregoing issues, whether the captioned application filed by or on behalf of Metro should be granted.

3. It is further ordered that, in addition to the resolution of the foregoing issues, it shall be determined, pursuant to section 503(b)(1) of the Act, 47 U.S.C. 503(b)(1), whether an order of forfeiture should be issued against Metro in an amount not to exceed the statutory limit for the willful and/or repeated violation of each rule section above for which the statute of limitations in section 503(b)(6) of the Act, 47 U.S.C. 503(b)(6), has not lapsed.

4. It is further ordered that, pursuant to section 312(c) of the Act and sections 1.91(c) and 1.221 of the rules, 47 U.S.C. 312(c) and 47 CFR 1.91(c), 1.221, to avail itself of the opportunity to be heard and to present evidence at a hearing in this proceeding, Metro, in person or by an attorney, shall file with the Commission, within 20 calendar days of the release of this Order, a written appearance stating that it will appear at the hearing and present evidence on the issues specified above.

5. It is further ordered that, pursuant to section 1.91 of the rules, 47 CFR 1.91, if Metro fails to file a timely appearance, its right to a hearing shall be deemed to be waived. In the event the right to a hearing is waived, the Chief Administrative Law Judge (or presiding officer if one has been designated) shall, at the earliest practicable date, issue an order reciting the events or circumstances constituting a waiver of hearing, terminating the hearing proceeding, and certifying the case to the Commission. In addition, pursuant to section 1.221 of the Commission's rules, 47 CFR 1.221, if any applicant to the captioned application fails to file a timely written appearance, the captioned application shall be dismissed with prejudice for failure to prosecute.

6. It is further ordered that the Chief, Enforcement Bureau, shall be made a party to this proceeding without the need to file a written appearance.

7. It is further ordered that pursuant to section 312(d) of the Act, 47 U.S.C. 312(d), and section 1.91(d) of the Commission's rules, 47 CFR 1.91(d), the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Enforcement Bureau as to the issues at 15(a)–(e), above, and that, pursuant to section 309(e) of the Act, 47 U.S.C. 309(e), and section 1.254 of the Commission's rules, 47 CFR 1.254, the burden of proceeding with the introduction of evidence and the burden of proof shall be upon Metro as to the issue at 15(f), above.

8. It is further ordered that Mobile Relay Associates shall be made a party to this hearing in its capacity as a petitioner to the captioned application.

9. It is further ordered that a copy of this document, or a summary thereof, shall be published in the **Federal Register**.

Federal Communications Commission.

Scot Stone,

Deputy Chief, Mobility Division.

[FR Doc. 2018–10925 Filed 5–21–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1186]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before July 23, 2018. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele at (202) 418–2991.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060–1186.

Title: Rural Call Completion, WC Docket No. 13–39.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 56 respondents; 112 responses.

Estimated Time per Response: 1–48 hours.

Frequency of Response: Third-party disclosure and recordkeeping requirements.

Obligation to Respond: Mandatory. Statutory authority for this collection is contained in sections 201, 202, 217, 218, 220(a), 251(a), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 201, 202, 217, 218, 220(a), 251(a), 403.

Total Annual Burden: 2,744 hours.

Total Annual Cost: $350,000.00.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: The Commission is not requesting that the respondents submit confidential information to the FCC. Respondents may, however, request confidential treatment for information they believe to be confidential under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: The Commission has found that rural call completion is a continuing problem imposing needless economic and personal costs on local communities, and that continued Commission focus on the issue is warranted. The information collected through these data collections will be used by the Commission to determine whether long distance providers are complying with their sections 201 and 202 obligations to provide telephone service to both rural and nonrural customers on a just, reasonable, and nondiscriminatory basis. The rural call completion contact information will be used to facilitate industry collaboration to address call completion issues.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2018–10812 Filed 5–21–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

TIME AND DATE: Thursday, May 24, 2018 at 10:00 a.m.

PLACE: 1050 First Street NE, Washington, DC (12th Floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Correction and Approval of Minutes for March 14, 2018

Correction and Approval of Minutes for April 26, 2018

Draft Advisory Opinion 2018–07: Mace

Rulemaking Proposal to Combat Foreign Influence in U.S. Elections

Management and Administrative Matters

CONTACT PERSON FOR MORE INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

Individuals who plan to attend and require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Dayna C. Brown, Secretary and Clerk, at (202) 694–1040, at least 72 hours prior to the meeting date.

Dayna C. Brown,

Secretary and Clerk of the Commission.

[FR Doc. 2018–10989 Filed 5–18–18; 11:15 am]

BILLING CODE 6715–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, without revision, the Recordkeeping Requirements Associated with Changes in Foreign Investments (Made Pursuant to Regulation K) (FR 2064; OMB No. 7100–0109).

DATES: Comments must be submitted on or before July 23, 2018.

ADDRESSES: You may submit comments, identified by *FR 2064,* by any of the following methods:

- *Agency website: http://www.federalreserve.gov.* Follow the instructions for submitting comments at *http://www.federalreserve.gov/apps/foia/proposedregs.aspx.*
- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: regs.comments@federalreserve.gov.* Include OMB number in the subject line of the message.
- *Fax:* (202) 452–3819 or (202) 452–3102.
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments are available from the Board's website at *http://www.federalreserve.gov/apps/foia/proposedregs.aspx* as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper form in Room 3515, 1801 K Street (between 18th and 19th Streets NW) Washington, DC 20006 between 9:00 a.m. and 5:00 p.m. on weekdays. For security reasons, the Board requires that visitors make an appointment to inspect comments. You may do so by calling (202) 452–3684. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

Additionally, commenters may send a copy of their comments to the OMB Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: A copy of the PRA OMB submission, including the proposed reporting form and instructions, supporting statement, and other documentation will be placed into OMB's public docket files, once approved. These documents will also be made available on the Federal Reserve Board's public website at: *http://www.federalreserve.gov/apps/reportforms/review.aspx* or may be requested from the agency clearance officer, whose name appears below.

Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202) 452–3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263–4869, Board of Governors of the Federal Reserve System, Washington, DC 20551.

SUPPLEMENTARY INFORMATION: On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all

comments received from the public and other agencies.

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions; including whether the information has practical utility;

b. The accuracy of the Board's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

c. Ways to enhance the quality, utility, and clarity of the information to be collected;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal prior to giving final approval.

Proposal to approve under OMB delegated authority the extension for three years, without revision, of the following report:

Report title: Recordkeeping Requirements Associated with Changes in Foreign Investments (Made Pursuant to Regulation K).

Agency form number: FR 2064.

OMB control number: 7100–0109.

Frequency: On occasion.

Respondents: Internationally active U.S banking organizations (member banks, Edge Act and agreement corporations, and bank holding companies).

Estimated number of respondents: 20.

Estimated average hours per response: 2.

Estimated annual burden hours: 160.

General description of report: Internationally active U.S. banking organizations are required to maintain adequate internal records to demonstrate compliance with the investment provisions contained in Subpart A of International Banking Operations (Regulation K).

Legal authorization and confidentiality: This collection of information is authorized pursuant to section 5(c) of the BHC Act (12 U.S.C. 1844(c)); sections 25 and 25A of the FRA (12 U.S.C. 602 and 625). The recordkeeping requirements are mandatory. Because the Federal Reserve does not collect these records, an issue of confidentiality under the Freedom of Information Act (FOIA) is unlikely to arise. FOIA, however, may be implicated if the Federal Reserve's examiners retain a copy of the records in their examination or supervision of the institution. Any such records would be exempt from disclosure pursuant to exemption 8 of FOIA (5 U.S.C. 552(b)(b)(8)). Exemption 4 to FOIA, which protects confidential financial information, may also be applicable. (5 U.S.C. 552(b)(4)).

Board of Governors of the Federal Reserve System, May 16, 2018.

Michele Taylor Fennell,

Assistant Secretary of the Board.

[FR Doc. 2018–10912 Filed 5–21–18; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than June 5, 2018.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. The Merle Wait Trust, Protection, Kansas, and co-trustees Brenda Martin and Candace Murphy, Protection, Kansas, Merle Wait, Jr., Watauga, Texas, and Elaine Philips, Arkansas City, Kansas, individually and as members of the Wait Family Control Group; to acquire The Protection Bank Holding Company, Inc. and thereby indirectly acquire The Bank of Protection, Protection, Kansas. Additionally, Tom Murphy and Hilary Murphy, both of Protection, Kansas, to be approved as members of the Wait Family Control Group.

Board of Governors of the Federal Reserve System, May 16, 2018.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2018–10832 Filed 5–21–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects:

Title: Federal Child Support Portal Registration.

OMB No.: 0970–0370.

Description: The federal Office of Child Support Enforcement (OCSE), Division of Federal Systems, maintains the Child Support Portal (CSP), through which authorized users may view, update, or upload information for child support purposes. To securely access the Child Support Portal, authorized users must complete a one-time CSP registration form. OCSE uses information collected at the time of registration to verify the user's authorization to access the portal and to establish a secure account.

The federal Child Support Portal Registration information collection activities are authorized by 42 U.S.C. 653(m)(2), which requires the Secretary to establish and implement safeguards to restrict access to confidential information in the Federal Parent Locator Service to authorized persons, and to restrict use of such information to authorized purposes.

Respondents: Employers, Financial Institutions, Insurers, and Child Support Agencies.

ANNUAL BURDEN ESTIMATES

Information collection instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Registration Screens	648	1	0.15	97.20

Estimated Total Annual Burden Hours: 97.20.

In compliance with the requirements of the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. Chap 35), the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 330 C Street SW, Washington, DC 20201. Attn: ACF Reports Clearance Officer. Email address: *infocollection@acf.hhs.gov.* All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2018–10888 Filed 5–21–18; 8:45 am]

BILLING CODE 4184–41–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[OMB No.: 0970–0204]

Submission for OMB Review; Comment Request; Grants to States for Access and Visitation

Description: On an annual basis, States must provide OCSE with data on programs that the Grants to States for Access and Visitation Program has funded. These program reporting requirements include, but are not limited to, the collection of data on the number of parents served, types of services delivered, program outcomes, client socio economic data, referrals sources, and other relevant data.

Respondents: State Child Access and Visitation Programs and State and/or Local Service Providers.

ANNUAL BURDEN ESTIMATES

Instruments: state and local child access program survey	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Part I: 54 states/jurisdictions	54	1	16	864
Part II: 296 local service grantees (estimated)	296	1	16	4736

Estimated Total Annual Burden Hours: 5600.

Additional Information:

Copies of the proposed collection may be obtained by writing to the Administration for Children and Families, Office of Planning Research and Evaluation, 330 C Street SW, Washington, DC, 20201. Attention Reports Clearance Officer. All requests should be identified by title of the information collection. Email address: *infocollection@acf.hhs.gov.*

OMB Comment:

OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget Paperwork Reduction Project Email: *OIRA_SUBMISSION@OMB.EOP.GOV.*

Attn.: Desk Officer for the Administration for Children and Families

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2018–10820 Filed 5–21–18; 8:45 am]

BILLING CODE 4184–41–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects:

Title: Federal Child Support Portal Registration.

OMB No.: 0970–0370.

Description: The federal Office of Child Support Enforcement (OCSE), Division of Federal Systems, maintains the Child Support Portal (CSP), through which authorized users may view, update, or upload information for child support purposes. To securely access the Child Support Portal, authorized users must complete a one-time CSP registration form. OCSE uses information collected at the time of registration to verify the user's authorization to access the portal and to establish a secure account.

The federal Child Support Portal Registration information collection activities are authorized by 42 U.S.C. 653(m)(2), which requires the Secretary to establish and implement safeguards to restrict access to confidential information in the Federal Parent Locator Service to authorized persons,

and to restrict use of such information to authorized purposes.

Respondents: Employers, Financial Institutions, Insurers, and Child Support Agencies

ANNUAL BURDEN ESTIMATES

Information collection instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Registration Screens	648	1	0.15	97.20

Estimated Total Annual Burden Hours: 97.20

In compliance with the requirements of the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. Chap 35), the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 330 C Street SW, Washington DC 20201. Attn: ACF Reports Clearance Officer. Email address: *infocollection@acf.hhs.gov*. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2018–10910 Filed 5–21–18; 8:45 am]

BILLING CODE 4184–41–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–N–1787]

Advisory Committee; Blood Products Advisory Committee; Renewal

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; renewal of advisory committee.

SUMMARY: The Food and Drug Administration (FDA) is announcing the renewal of the Blood Products Advisory Committee by the Commissioner of Food and Drugs (the Commissioner). The Commissioner has determined that it is in the public interest to renew the Blood Products Advisory Committee for an additional 2 years beyond the charter expiration date. The new charter will be in effect until May 13, 2020.

DATES: Authority for the Blood Products Advisory Committee will expire on May 13, 2020, unless the Commissioner formally determines that renewal is in the public interest.

FOR FURTHER INFORMATION CONTACT: Bryan Emery, Division of Scientific Advisors and Consultants, Center for Biologics Evaluation and Research, Food and Drug Administration, 10993 New Hampshire Ave., Bldg. 71, Rm. 6268, Silver Spring, MD 20993–0002, 240–402–8054, *Bryan.emery@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 41 CFR 102–3.65 and approval by the Department of Health and Human Services pursuant to 45 CFR part 11 and by the General Services Administration, FDA is announcing the renewal of the Blood Products Advisory Committee. The committee is a discretionary Federal advisory committee established to provide advice to the Commissioner.

The Blood Products Advisory Committee advises the Commissioner or designee in discharging responsibilities as they relate to helping to ensure safe and effective drugs for human use and, as required, any other product for which FDA has regulatory responsibility.

The Committee shall consist of a core of 17 voting members including the Chair. Members and the Chair are selected by the Commissioner or designee from among authorities knowledgeable in the fields of clinical and administrative medicine, hematology, immunology, blood banking, surgery, internal medicine, biochemistry, engineering, biological and physical sciences, biotechnology, computer technology, statistics, epidemiology, sociology/ethics, and other related professions. Members will be invited to serve for overlapping terms of up to 4 years. Almost all non-Federal members of this committee serve as Special Government Employees. The core of voting members may include one technically qualified member, selected by the Commissioner or designee, who is identified with consumer interests and is recommended by either a consortium of consumer-oriented organizations or other interested persons. In addition to the voting members, the Committee may include one non-voting member who is identified with industry interests.

The Commissioner or designee shall have the authority to select members of other scientific and technical FDA advisory committees (normally not to exceed 10 members) to serve temporarily as voting members and to designate consultants to serve temporarily as voting members when: (1) Expertise is required that is not available among current voting standing members of the Committee (when additional voting members are added to the Committee to provide needed expertise, a quorum will be based on the combined total of regular and added members), or (2) to comprise a quorum when, because of unforeseen circumstances, a quorum is or will be lacking. Because of the size of the Committee and the variety in the types of issues that it will consider, FDA may, in connection with a particular committee meeting, specify a quorum that is less than a majority of the current

voting members. The Agency's regulations (21 CFR 14.22(d)) authorize a committee charter to specify quorum requirements.

If functioning as a medical device panel, a non-voting representative of consumer interests and a non-voting representative of industry interests will be included in addition to the voting members.

Further information regarding the most recent charter and other information can be found at *https://www.fda.gov/AdvisoryCommittees/CommitteesMeetingMaterials/BloodVaccinesandOtherBiologics/BloodProductsAdvisoryCommittee/ucm121602.htm* or by contacting the Designated Federal Officer (see **FOR FURTHER INFORMATION CONTACT**). In light of the fact that no change has been made to the committee name or description of duties, no amendment will be made to 21 CFR 14.100.

This document is issued under the Federal Advisory Committee Act (5 U.S.C. app.). For general information related to FDA advisory committees, please visit us at *https://www.fda.gov/AdvisoryCommittees/default.htm.*

Dated: May 15, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–10848 Filed 5–21–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA–2017–M–3372, FDA–2017–M–3951, FDA–2017–M–3990, FDA–2017–M–4022, FDA–2017–M–4271, FDA–2017–M–4498, FDA–2017–M–4756, FDA–2017–M–4757, FDA–2017–M–4711, FDA–2017–M–4904, FDA–2017–M–5320, FDA–2017–M–5262, FDA–2017–M–5334, FDA–2017–M–5438, FDA–2017–M–5813, FDA–2017–M–5863, FDA–2017–M–5864, FDA–2017–M–5884, FDA–2017–M–5929, FDA–2017–M–5969, FDA–2017–M–5968, FDA–2017–M–5997, FDA–2017–M–6223, FDA–2017–M–6232, FDA–2017–M–6290, FDA–2017–M–6524, FDA–2017–M–6525, FDA–2017–M–6550, FDA–2017–M–6614, FDA–2017–M–6650, FDA–2017–M–6799, FDA–2017–M–6800, and FDA–2017–M–6896]

Medical Devices; Availability of Safety and Effectiveness Summaries for Premarket Approval Applications

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is publishing a list of premarket approval applications (PMAs) that have been approved. This list is intended to inform the public of the availability of safety and effectiveness summaries of approved PMAs through the internet and the Agency's Dockets Management Staff.

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 Nos. FDA–2017–M–3372, FDA–2017–M–3951, FDA–2017–M–3990, FDA–2017–M–4022, FDA–2017–M–4271, FDA–2017–M–4498, FDA–2017–M–4756, FDA–2017–M–4757, FDA–2017–M–4711, FDA–2017–M–4904, FDA–2017–M–5320, FDA–2017–M–5262, FDA–2017–M–5334, FDA–2017–M–5438, FDA–2017–M–5813, FDA–2017–M–5863, FDA–2017–M–5864, FDA–2017–M–5884, FDA–2017–M–5929, FDA–2017–M–5969, FDA–2017–M–5968, FDA–2017–M–5997, FDA–2017–M–6223, FDA–2017–M–6232, FDA–2017–M–6290, FDA–2017–M–6524, FDA–2017–M–6525, FDA–2017–M–6550, FDA–2017–M–6614, FDA–2017–M–6650, FDA–2017–M–6799, FDA–2017–M–6800, and FDA–2017–M–6896 for ''Medical Devices; Availability of Safety and Effectiveness Summaries for Premarket Approval Applications.'' 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.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Joshua Nipper, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 1650, Silver Spring, MD 20993–0002, 301–796–6524.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with section 515(d)(4) and (e)(2) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360e(d)(4) and (e)(2)), notification of an order approving, denying, or withdrawing approval of a PMA will continue to include a notice of opportunity to request review of the order under section 515(g) of the FD&C Act. The 30-day period for requesting reconsideration of an FDA action under § 10.33(b) (21 CFR 10.33(b)) for notices announcing approval of a PMA begins on the day the notice is placed on the internet. Section 10.33(b) provides that FDA may, for good cause, extend this 30-day period. Reconsideration of a denial or withdrawal of approval of a PMA may be sought only by the applicant; in these cases, the 30-day period will begin when the applicant is notified by FDA in writing of its decision.

The regulations provide that FDA publish a list of available safety and effectiveness summaries of PMA approvals and denials that were announced during that quarter. The following is a list of approved PMAs for which summaries of safety and effectiveness were placed on the internet from July 1, 2017, through December 31, 2017. There were no denial actions during this period. The list provides the manufacturer's name, the product's generic name or the trade name, and the approval date.

TABLE 1—LIST OF SAFETY AND EFFECTIVENESS SUMMARIES FOR APPROVED PMAS MADE AVAILABLE FROM JULY 1, 2017, THROUGH DECEMBER 31, 2017

PMA No., Docket No.	Applicant	Trade name	Approval date
P160015, FDA–2017–M–3372	Zoll Medical Corporation	AED Plus® and Fully Automatic AED Plus®	5/26/2017
P970003/S207, FDA–2017–M–3951.	Cyberonics, Inc	VNS Therapy System	6/23/2017
P150048, FDA–2017–M–3990	Edwards Lifesciences, LLC	Edwards Pericardial Aortic Bioprosthesis and Edwards INSPIRIS RESILIA Aortic Valve.	6/29/2017
P930016/S048, FDA–2017–M–4022.	AMO Manufacturing USA, LLC	STAR S4 IR Excimer Laser System and iDesign Advanced WaveScan Studio System.	6/30/2017
P130021/S033, FDA–2017–M–4271.	Medtronic CoreValve LLC	Medtronic CoreValve™ System, Medtronic CoreValve™ Evolut™ R System and Medtronic CoreValve™ Evolut™ PRO Systems.	7/10/2017
P160049, FDA–2017–M–4498	Spectranetics Corp	Stellarex 0.035″ OTW Drug-coated Angioplasty Balloon	7/26/2017
P170006, FDA–2017–M–4756	Medtronic, Inc	Avalus™ Bioprosthesis	7/31/2017
P170005, FDA–2017–M–4757	Abbott Molecular, Inc	Abbott RealTi*me* IDH2	8/1/2017
P160042, FDA–2017–M–4711	Prollenium Medical Technologies, Inc.	Ravanesse Ultra	8/4/2017
P030017/S275, FDA–2017–M–4904.	Boston Scientific Neuromodulation Corporation.	Precision™ Spinal Cord Stimulator System, Precision Spectra™ Spinal Cord Stimulator System, Precision™ Novi™ Spinal Cord Stimulator System, Precision™ Montage™ MRI Spinal Cord Stimulator System, Precision™ Montage™ Spinal Cord Stimulator System and Spectra WaveWriter™ Spinal Cord Stimulator System.	8/11/2017
P160054, FDA–2017–M–5320	Thoratec Corporation	HeartMate 3™ Left Ventricular Assist System	8/23/2017
P140015/S020, FDA–2017–M–5262.	Tandem Diabetes Care, Inc	t:slim X2 Insulin Pump with Dexcom G5 Mobile CGM	8/25/2017
P170003, FDA–2017–M–5334	Lutonix, Inc	Lutonix® 035 Drug Coated Balloon PTA Catheter, Model 9010.	8/25/2017
P170007, FDA–2017–M–5438	Bioventus LLC	DUROLANE®	8/29/2017
P150025/S003, FDA–2017–M–5813.	Dako North America, Inc	PD–L1 IHC 28–8 pharmDx	9/15/2017
P150042, FDA–2017–M–5863	ZEUS Scientific, Inc	ZEUS ELISA Parvovirus B19 IgM Test System	9/19/2017
P150045, FDA–2017–M–5864	ZEUS Scientific, Inc	ZEUS ELISA Parvovirus B19 IgG Test System	9/19/2017
P170011, FDA–2017–M–5884	ABIOMED, Inc	Impella RP® System	9/20/2017
P150013/S006, FDA–2017–M–5929.	Dako North America, Inc	PD–L1 IHC 22C3 pharmDx	9/22/2017
P160030, FDA–2017–M–5969	Abbott Diabetes Care, Inc	Freestyle Libre Flash Glucose Monitoring System	9/27/2017
P100047/S090, FDA–2017–M–5968.	Medtronic, Inc	HeartWare™ HVAD™ System	9/27/2017
P100021/S063, FDA–2017–M–5997.	Medtronic Vascular	Endurant II/Endurant IIs Stent Graft System	9/29/2017
P160039, FDA–2017–M–6223	Respicardia, Inc	remedē® System	10/6/2017
P170002, FDA–2017–M–6232	Teoxane S.A	RHA® 2, RHA® 3 and RHA® 4	10/19/2017
P150028/S001, FDA–2017–M–6290.	NuMED, Inc	Cheatham Platinum (CP) Stent System (Covered CP Stent, Model 427; Covered Mounted (CP) Stent, Model 428; CP Stent, Model 425; Mounted CP Stent, Model 426).	10/24/2017
H020002/S046, FDA–2017–M–6524.	Stryker Neurovascular	Neuroform Atlas™ Stent System	11/2/2017
P160057, FDA–2017–M–6525	OrthogenRx, Inc	TriVisc	11/13/2017
P160043/S001, FDA–2017–M–6550.	Medtronic Vascular	Resolute Onyx™ Zotarolimus-Eluting Coronary Stent System	11/16/2017
P160055, FDA–2017–M–6614	RxSight, Inc	Light Adjustable Lens (LAL) and Light Delivery Device (LDD)	11/22/2017
P170008, FDA–2017–M–6650	Medinol Ltd	EluNIR® Ridaforolimus Eluting Coronary Stent System	11/28/2017
P170019, FDA–2017–M–6799	Foundation Medicine, Inc	FoundationOne CDx	11/30/2017

TABLE 1—LIST OF SAFETY AND EFFECTIVENESS SUMMARIES FOR APPROVED PMAS MADE AVAILABLE FROM JULY 1, 2017, THROUGH DECEMBER 31, 2017—Continued

PMA No., Docket No.	Applicant	Trade name	Approval date
P150031, FDA–2017–M–6800	Boston Scientific Corporation	Vercise Deep Brain Stimulation (DBS) System	12/8/2017
P170012, FDA–2017–M–6896	Biom'Up SA	HEMOBLAST™ Bellows	12/15/2017

II. Electronic Access

Persons with access to the internet may obtain the documents at *http://www.fda.gov/MedicalDevices/ProductsandMedicalProcedures/DeviceApprovalsandClearances/PMAApprovals/default.htm*.

Dated: May 17, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–10924 Filed 5–21–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–N–1820]

Framework for Assessing pH-Dependent Drug-Drug Interactions; Establishment of a Public Docket; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; establishment of a public docket; request for comments.

SUMMARY: The Food and Drug Administration (FDA) is establishing a public docket to assist with the development of a policy or guidance document on the assessment of pH-dependent drug-drug interactions (DDIs). In October 2017, FDA published two draft guidance documents on DDIs entitled ''In Vitro Metabolism- and Transporter-Mediated Drug-Drug Interaction Studies'' (In Vitro Studies Draft Guidance) and ''Clinical Drug Interaction Studies—Study Design, Data Analysis, and Clinical Implications'' (Clinical Drug Interaction Studies Draft Guidance). These two draft guidances focus on enzyme- and transporter-based DDIs and do not include a framework to assess pH-dependent DDIs. FDA is seeking public input on best practices in the planning and evaluation of pH-dependent DDIs.

DATES: Submit either electronic or written comments on this notice by July 23, 2018.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before July 23, 2018. The *https://www.regulations.gov* electronic filing system will accept comments until midnight Eastern Time at the end of July 23, 2018. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov*. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov*.
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2018–N–1820 for ''Framework for Assessing pH-dependent Drug-Drug Interactions; Establishment of Public Docket; Request for Comments.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov*. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf*.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts

and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Xinning Yang, Office of Clinical Pharmacology, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, 301–796–7412, *Xinning.Yang@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA is establishing a public docket to assist with the development of a policy or guidance document on the assessment of pH-dependent DDIs. In October 2017, FDA published the In Vitro Studies draft guidance and the Clinical Drug Interaction Studies draft guidance (Refs. 1 and 2). These draft guidance documents assist drug developers in the planning and evaluation of DDI studies during drug development. These draft guidance documents also focus on enzyme- and transporter-based DDIs but do not include a framework for assessing DDIs caused by drug-induced changes in gastric pH.

Acid-reducing agents (ARAs) such as antacids, histamine H_2-receptor antagonists (H_2 blockers), and proton pump inhibitors (PPIs) are widely used, and many of these products are available over the counter (Refs. 3 and 4). For a drug whose solubility is pH-dependent, concomitant administration with an ARA may affect its absorption and systemic exposure, potentially resulting in loss of efficacy or, in some cases, increased toxicity. Therefore, it is important to assess a drug's susceptibility to pH-dependent DDIs during drug development, characterize the DDI effect with clinical studies when needed, and communicate study results in the drug labeling (Ref. 4). FDA is seeking public input to inform a framework to assess pH-dependent DDIs.

II. Request for Information and Comments

Interested persons are invited to provide detailed information and comments on approaches to assess pH-dependent DDIs. You may also submit information and comments in a confidential manner (see *Instructions* in the **ADDRESSES** section). FDA is particularly interested in responses to the following overarching questions:

1. What are the characteristics of drugs that are susceptible to pH-dependent DDIs? Can a stepwise approach be applied to evaluate the interaction potential? Please provide the rationale for your suggestions.

2. When conducting pH-dependent DDI assessments:

a. What are the utilities and limitations of different approaches to evaluating DDIs (*e.g.,* in silico, in vitro, and dedicated clinical studies, as well as population pharmacokinetic analyses)?

b. What are the study design considerations (*e.g.,* study population, choice of ARAs, dosing regimen and administration, and pharmacokinetic sampling) for the in vivo assessments discussed in 2a above? Please describe the rationale for any design considerations proposed.

c. Can we extrapolate the findings from a clinical DDI study with one ARA drug (a PPI, H_2 blocker, or antacid) to anticipate the DDI potential for other ARAs in the same class or in a different class? Please provide the rationale for your proposal.

FDA will consider all information and comments submitted in a timely manner (see **ADDRESSES**).

III. 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. FDA Draft Guidance for Industry, ''In Vitro Metabolism- and Transporter-Mediated Drug-Drug Interaction Studies,'' October 2017. Available at *https://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM581965.pdf.*
2. FDA Draft Guidance for Industry, ''Clinical Drug Interaction Studies—Study Design, Data Analysis, and Clinical Implications,'' October 2017. Available at *https://www.fda.gov/downloads/drugs/guidances/ucm292362.pdf.*
3. Centers for Disease Control and Prevention's (CDC's) National Health and Nutrition Examination Survey. Available at *https://www.cdc.gov/nchs/data/hus/hus16.pdf#079* (accessed May 16, 2018).
4. Zhang, L., F. Wu, S.C. Lee, et al., ''pH-Dependent Drug-Drug Interactions for Weak Base Drugs: Potential Implications for New Drug Development,'' *Clinical Pharmacology and Therapeutics,* 96(2):266–277, 2014.

Dated: May 17, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–10927 Filed 5–21–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2005–D–0461]

Acne Vulgaris: Establishing Effectiveness of Drugs Intended for Treatment; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a guidance for industry entitled ''Acne Vulgaris: Establishing Effectiveness of Drugs Intended for Treatment.'' This guidance provides recommendations to industry for establishing the clinical effectiveness of drugs for the treatment of acne vulgaris (acne). This guidance finalizes the draft guidance for industry entitled ''Acne Vulgaris: Developing Drugs for Treatment,'' issued September 19, 2005.

DATES: The announcement of the guidance is published in the **Federal Register** on May 22, 2018.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time 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–2005–D–0461 for ''Acne Vulgaris: Establishing Effectiveness of Drugs Intended for Treatment; Guidance for Industry.'' 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.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: Strother D. Dixon, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 5168, Silver Spring, MD 20993–0002, 301–796–1015.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled ''Acne Vulgaris: Establishing Effectiveness of Drugs Intended for Treatment.'' This guidance provides recommendations to industry for establishing the clinical effectiveness of drugs for the treatment of acne. This guidance finalizes the draft guidance for industry entitled ''Acne Vulgaris: Developing Drugs for Treatment,'' issued September 19, 2005 (70 FR 54945). Comments on the draft guidance were considered while finalizing this guidance. Changes made to the draft guidance include reformatting into a bulleted presentation and streamlining of information to core recommendations.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on establishing the effectiveness of drugs intended to treat acne. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

II. Electronic Access

Persons with access to the internet may obtain the guidance at either *https://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm* or *https://www.regulations.gov.*

Dated: May 17, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–10928 Filed 5–21–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–D–1020]

Bioanalytical Method Validation; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry entitled ''Bioanalytical Method Validation.'' This final guidance incorporates public comments to the revised draft published in 2013 as well as the latest scientific feedback concerning bioanalytical method validation and provides the most up-to-date information needed by drug developers to ensure the bioanalytical quality of their data.

DATES: The announcement of the guidance is published in the **Federal Register** on May 22, 2018.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time 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–2013–D–1020 for ''Bioanalytical Method Validation.'' 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.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002; or Policy and Regulations Staff (HFV–6), Center for Veterinary Medicine, Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: Brian Booth, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993, 301–796–1508; or Olutosin (Remi) Idowu, Center for Veterinary Medicine, 7500 Standish Pl., Rockville, MD 20855, 240–402–0704.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled ''Bioanalytical Method Validation.'' The guidance describes the elements of bioanalytical method development and validation that are needed to ensure the quality of an assay and the reliability of the data it generates. The concepts apply both to chromatographic assays as well as ligand-binding assays. This guidance incorporates the latest scientific practices in method validation, newer science on incurred sample reanalysis, the use of new analytical platforms, the repurposing of diagnostic kits for drug development, and general advice on bioanalytical method development and validation for biomarkers in drug development.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on ''Bioanalytical Method Validation.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

II. Paperwork Reduction Act of 1995

This guidance refers to previously approved collections of information that are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR part 58 have been approved under OMB control number 0910–0119; the collections of information in 21 CFR part 312 have been approved under OMB control number 0910–0014; the collections of information in 21 CFR part 314 have been approved under OMB control number 0910–0001; the collections of information in 21 CFR part 514 have been approved under OMB control number 0910–0032; the collections of information in 21 CFR part 511 have been approved under OMB control number 0910–0117; and the collections of information in section 360b(n)(1) (21 U.S.C 512(n)(1)) of the Federal Food, Drug and Cosmetic Act have been approved in OMB control number 0910–0669.

III. Electronic Access

Persons with access to the internet may obtain the guidance at either *https://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm* or *https://www.regulations.gov.*

Dated: May 17, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–10926 Filed 5–21–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–D–1592]

Agency Information Collection Activities; Proposed Collection; Comment Request; Guidance for Industry: Controlled Correspondence Related to Generic Drug Development

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information and to allow 60 days for public comment in response to the notice. This notice solicits comments on controlled correspondence related to generic drug development.

DATES: Submit either electronic or written comments on the collection of information by July 23, 2018.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before July 23, 2018. The *https://www.regulations.gov* electronic filing system will accept comments until midnight Eastern Time at the end of July 23, 2018. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• Mail/Hand delivery/Courier (for written/paper submissions): Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2018–D–1592 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Draft Guidance for Industry: Controlled Correspondence Related to Generic Drug Development.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St, North Bethesda, MD 20852, 301–796–5733, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA'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 respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Guidance for Industry: Controlled Correspondence Related to Generic Drug Development

OMB Control Number 0910–0797—Extension

FDA has agreed to specific program enhancements and performance goals specified in the Generic Drug User Fee Act Reauthorization (GDUFA II) Commitment Letter. One of the performance goals applies to controlled correspondence related to generic drug development. The GDUFA II Commitment Letter includes details on FDA's commitment to respond to questions submitted as controlled correspondence within certain timeframes. To support these program goals, we have developed the guidance entitled ''Controlled Correspondence Related to Generic Drug Development.'' The guidance is intended to facilitate FDA's prompt consideration of controlled correspondence and to assist in meeting the prescribed timeframes by providing procedural recommendations to include the following information in the inquiry: (1) Name, title, address, phone number, and entity of the person submitting the inquiry; (2) a letter of authorization, if applicable; (3) the FDA-assigned control number and submission date of any previous, related controlled correspondence that was accepted for substantial review and response, if any, as well as a copy of that previous controlled correspondence and FDA's response, if any; (4) the relevant reference listed drug(s), as applicable, including the application number, proprietary (brand) name, manufacturer, active ingredient, dosage form, and strength(s); (5) a statement that the controlled correspondence is related to a potential abbreviated new drug application (ANDA) submission to the Office of Generic Drugs and the ANDA number, if applicable; (6) a concise statement of the inquiry; (7) a recommendation of the appropriate FDA review discipline; and (8) relevant prior research and supporting materials.

The GDUFA II Commitment Letter also includes details on FDA's commitment to respond to requests to clarify ambiguities in FDA's controlled correspondence response within certain timeframes. To facilitate FDA's prompt consideration of the request and to assist in meeting the prescribed timeframes, the guidance recommends including the following information in the inquiry: (1) Name, title, address, phone number, and entity of the person submitting the inquiry; (2) a letter of authorization, if applicable; (3) the FDA-assigned control number, submission date of the controlled correspondence on which the requestor is seeking clarification, a copy of that previous controlled correspondence, and FDA's response to the controlled correspondence; and (4) the clarifying questions and the corresponding section(s) of FDA's controlled correspondence response on which the requestor is seeking clarification. This information collection supports this Agency guidance.

We estimate the burden of the information collection as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Submission of controlled correspondence	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Generic drug manufacturers, related industry, and representatives	390	3.8	1,496	5	7,480

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

This is the first extension of the information collection and we base our estimate on a review of Agency data of fiscal year submissions for 2014, 2015, and 2016 which reflects an increase in submissions that we attribute to an increase in generic drug development. Accordingly, we estimate 390 generic drug manufacturers and related industry (*e.g.,* contract research organizations conducting bioanalytical or bioequivalence clinical trials) or their representatives will each submit an average of 3.8 inquiries annually for a total of 1,496 inquiries [1,496 ÷ 390 = 3.8]. Information submitted with each inquiry varies widely in content, depending on the complexity of the request. Inquiries that are defined as controlled correspondence may range from a simple inquiry on generic drug labeling to a more complex inquiry for a formulation assessment for a specific proposed generic drug product. As a result, these inquiries can vary between 1 and 10 burden hours.

Because the content of inquiries considered controlled correspondence is widely varied, we are providing an average burden hour for each inquiry. We estimate that it will take an average of 5 hours per inquiry for industry to gather necessary information, prepare the request, and submit the request to FDA. As a result, we estimate that it will take an average of 7,480 total hours annually for industry to prepare and submit inquiries considered controlled correspondence.

Dated: May 16, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–10856 Filed 5–21–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; 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 on Aging Special Emphasis Panel; Drug

Repositioning and Combination Therapy for AD.

Date: June 5, 2018.

Time: 11:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Ave., Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Alexander Parsadanian, Ph.D., Scientific Review Officer, National Institute on Aging, Gateway Building 2C/212, 7201 Wisconsin Avenue, Bethesda, MD 20892, 301–496–9666, *parsadaniana@nia.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: May 17, 2018.

David D. Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10933 Filed 5–21–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Eye Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors, National Eye Institute. The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the NATIONAL EYE INSTITUTE, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, National Eye Institute.

Date: June 11–13, 2018.

Time: 6:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate programmatic concerns and personnel qualifications.

Place: National Institutes of Health, Building 31, Conference Room 6C10, Bethesda, MD 20892.

Contact Person: Sheldon S. Miller, Ph.D., Scientific Director, National Institutes of Health, National Eye Institute, Bethesda, MD 20892, (301) 451–6763, *millerss@nih.gov*.

Information is also available on the Institute's/Center's home page: *www.nei.nih.gov,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.867, Vision Research, National Institutes of Health, HHS)

Dated: May 16, 2018.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10837 Filed 5–21–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors, NHLBI. The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Heart, Lung, and Blood Institute, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, NHLBI.

Date: June 15, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: National Institutes of Health, Building 10, 10 Center Drive, 6th Floor, Room 6S233, Bethesda, MD 20892.

Contact Person: Robert S. Balaban, Ph.D., Scientific Director, Division of Intramural Research, National Heart, Lung, and Blood Institute, National Institutes of Health, Building 10, 10 Center Drive, 4th Floor, Room 1587, Bethesda, MD 20892, 301–496–2116, *balabanr@nhlbi.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: May 16, 2018.

Michelle D. Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10836 Filed 5–21–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed 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 on Aging Special Emphasis Panel; Pragmatic Trials for Dementia Care in Long Term Services and Support.

Date: June 21, 2018.

Time: 1:00 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Avenue, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Carmen, Ph.D. Moten, MPH, Scientific Review Officer, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301–402–7703, *cmoten@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: May 17, 2018.

David D. Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10935 Filed 5–21–18; 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: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Macromolecular Structure and Function B Study Section.
Date: June 14–15, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: C–L Albert Wang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4146, MSC 7806, Bethesda, MD 20892, 301–435–1016, *wangca@csr.nih.gov.*

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Neurological, Aging and Musculoskeletal Epidemiology Study Section.
Date: June 14–15, 2018.
Time: 8:30 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: The Dupont Hotel, 1500 New Hampshire Avenue NW, Washington, DC 20036.
Contact Person: Heidi B Friedman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1012A, MSC 7770, Bethesda, MD 20892, 301–435–1721, *hfriedman@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; NOMD topics.
Date: June 14, 2018.
Time: 1:30 p.m. to 3:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hilton Garden Inn Washington DC Franklin Square, 815 14th Street NW, Washington, DC 20005.
Contact Person: Laurent Taupenot, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4188, MSC 7850, Bethesda, MD 20892, 301–435–1203, *laurent.taupenot@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Ocular Surface, Cornea, Anterior Segment Glaucoma and Refractive Error.
Date: June 18–19, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Drury Inn & Suites—New Orleans, 820 Poydras Street, New Orleans, LA 70112.
Contact Person: Kristin Kramer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5205, MSC 7846, Bethesda, MD 20892, (301) 437–0911, *kramerkm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Non-HIV Anti-Infective Therapeutics.
Date: June 18–19, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hotel Edgewater, 2411 Alaskan Way, Seattle, WA 98121.
Contact Person: Neerja Kaushik-Basu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3198, MSC 7808, Bethesda, MD 20892, (301) 435–2306, *kaushikbasun@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Mechanisms of Cancer Therapeutics 2.
Date: June 18–19, 2018.
Time: 8:00 a.m. to 5:00 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: Careen K Tang-Toth, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6214, MSC 7804, Bethesda, MD 20892, (301) 435–3504, *tothct@csr.nih.gov.*

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Synthetic and Biological Chemistry B Study Section.
Date: June 19–20, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Doubletree Hotel Bethesda (Formerly Holiday Inn Select), 8120 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Michael Eissenstat, Ph.D., Scientific Review Officer, BCMB IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4166, MSC 7806, Bethesda, MD 20892, 301–435–1722, *eissenstatma@csr.nih.gov.*

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Health Disparities and Equity Promotion Study Section.
Date: June 19–20, 2018.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: The Dupont Hotel, 1500 New Hampshire Avenue NW, Washington, DC 20036.
Contact Person: Jessica Bellinger, Ph.D., Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3158, Bethesda, MD 20892, 301–827–4446, *bellingerjd@csr.nih.gov.*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Somatosensory and Chemosensory Systems Study Section.
Date: June 19, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Washington Plaza Hotel, 10 Thomas Circle NW, Washington, DC 20005.
Contact Person: John Bishop, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5182, MSC 7844, Bethesda, MD 20892, (301) 408–9664, *bishopj@csr.nih.gov.*

Name of Committee: Musculoskeletal, Oral and Skin Sciences Integrated Review Group; Arthritis, Connective Tissue and Skin Study Section.
Date: June 19–20, 2018.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Crowne Plaza Chicago Metro, 733 West Madison, Chicago, IL 60661.
Contact Person: Alexey Belkin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4102, Bethesda, MD 20817, 301–435–1786, *alexey.belkin@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Investigations on Primary Immunodeficiency Diseases.
Date: June 19, 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 (Virtual Meeting).
Contact Person: Jin Huang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4095G, MSC 7812, Bethesda, MD 20892, 301–435–1230, *jh377p@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: Interventions and Mechanisms for Addiction.
Date: June 19, 2018.
Time: 12:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).
Contact Person: Marc Boulay, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3110, MSC 7808, Bethesda, MD 20892, (301) 300–6541, *boulaymg@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: May 16, 2018.

David D. Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10835 Filed 5–21–18; 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: Oncology 2—Translational Clinical Integrated Review Group; Cancer Immunopathology and Immunotherapy Study Section.
Date: June 14–15, 2018.
Time: 8:00 a.m. to 3:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Embassy Suites Alexandria Old Town, 1900 Diagonal Road, Alexandria, VA 22314.
Contact Person: Denise R. Shaw, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6158, MSC 7804, Bethesda, MD 20892, 301–435–0198, *shawdeni@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Implementation Approaches for Workplace Exercise and for Adolescent Health.
Date: June 14, 2018.
Time: 11:00 a.m. to 1:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Sir Francis Drake Hotel, 450 Powell Street at Sutter, San Francisco, CA 94102.
Contact Person: Martha L. Hare, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3154, MSC 7770, Bethesda, MD 20892, (301) 451–8504, *harem@mail.nih.gov*.

Name of Committee: Vascular and Hematology Integrated Review Group; Hemostasis and Thrombosis Study Section.
Date: June 18, 2018.
Time: 8:00 a.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Bukhtiar H. Shah, DVM, Ph.D., Scientific Review Officer, Vascular and Hematology IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4120, MSC 7802, Bethesda, MD 20892, (301) 806–7314, *shahb@csr.nih.gov*.

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Community-Level Health Promotion Study Section.
Date: June 18–19, 2018.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Ritz Carlton Hotel, 1150 22nd Street NW, Washington, DC 20037.
Contact Person: Ping Wu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3166, Bethesda, MD 20892, 301–451–8428, *wup4@csr.nih.gov*.

Name of Committee: Oncology 2—Translational Clinical Integrated Review Group; Radiation Therapeutics and Biology Study Section.
Date: June 18–19, 2018.
Time: 8:00 a.m. to 5:00 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: Bo Hong, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6194, MSC 7804, Bethesda, MD 20892, 301–996–6208, *hongb@csr.nih.gov*.

Name of Committee: Cell Biology Integrated Review Group; Biology of the Visual System Study Section.
Date: June 18–19, 2018.
Time: 8:00 a.m. to 2:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Michael H. Chaitin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5202, MSC 7850, Bethesda, MD 20892, (301) 435–0910, *chaitinm@csr.nih.gov*.

Name of Committee: Oncology 1—Basic Translational Integrated Review Group; Tumor Microenvironment Study Section.
Date: June 18–19, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hotel Nikko San Francisco, 222 Mason Street, San Francisco, CA 94102.
Contact Person: Angela Y. Ng, MBA, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6200, MSC 7804, Bethesda, MD 20892, 301–435–1715, *ngan@mail.nih.gov*.

Name of Committee: Oncology 1—Basic Translational Integrated Review Group; Cancer Genetics Study Section.
Date: June 18–19, 2018.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hilton Washington/Rockville, 1750 Rockville Pike, Rockville, MD 20852.
Contact Person: Juraj Bies, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4158, MSC 7806, Bethesda, MD 20892, 301–435–1256, *biesj@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 16, 2018.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10834 Filed 5–21–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed 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 on Aging Special Emphasis Panel; Pragmatic Trials in Alzheimer's Disease.
Date: June 22, 2018.
Time: 1:00 p.m. to 3:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institute on Aging, Gateway Building, Suite 2C223, 7201 Wisconsin Ave., Bethesda, MD 20892 (Telephone Conference Call).
Contact Person: Isis S. Mikhail, MD, MPH, DRPH, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301–402–7704, *MIKHAILI@MAIL.NIH.GOV*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: May 17, 2018.

David D. Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10934 Filed 5–21–18; 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: Brain Disorders and Clinical Neuroscience Integrated Review Group; Acute Neural Injury and Epilepsy Study Section.
Date: June 20–21, 2018.
Time: 8:00 a.m. to 5:00 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: Seetha Bhagavan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5194, MSC 7846, Bethesda, MD 20892, (301) 237–9838, *bhagavas@csr.nih.gov*.

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Clinical Neuroplasticity and Neurotransmitters Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Renaissance Mayflower Hotel, 1127 Connecticut Avenue NW, Washington, DC 20036.
Contact Person: Suzan Nadi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217B, MSC 7846, Bethesda, MD 20892, 301–435–1259, *nadis@csr.nih.gov*.

Name of Committee: Bioengineering Sciences & Technologies Integrated Review Group; Gene and Drug Delivery Systems Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Kee Hyang Pyon, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5148, MSC 7806, Bethesda, MD 20892, 301–272–4865, *pyonkh2@csr.nih.gov*.

Name of Committee: Immunology Integrated Review Group; Immunity and Host Defense Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.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: Scott Jakes, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4198, MSC 7812, Bethesda, MD 20892, 301–435–1506, *jakesse@mail.nih.gov*.

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Genetic Variation and Evolution Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Ronald Adkins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2206, MSC 7890, Bethesda, MD 20892, 301–435–4511, *ronald.adkins@nih.gov*.

Name of Committee: Oncology 1-Basic Translational Integrated Review Group, Cancer Molecular Pathobiology Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Ritz-Carlton Hotel, 1700 Tysons Boulevard, McLean, VA 22102.
Contact Person: Manzoor Zarger, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6208, MSC 7804, Bethesda, MD 20892, (301) 435–2477, *zargerma@csr.nih.gov*.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Integrative and Clinical Endocrinology and Reproduction Study Section.
Date: June 21, 2018.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Melrose Georgetown Hotel, 2430 Pennsylvania Avenue NW, Washington, DC 20037.
Contact Person: Dianne Hardy, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6175, MSC 7892, Bethesda, MD 20892, 301–435–1154, *dianne.hardy@nih.gov*.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Cellular, Molecular and Integrative Reproduction Study Section.
Date: June 21, 2018.
Time: 8:00 a.m. to 6:00 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: Gary Hunnicutt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6164, MSC 7892, Bethesda, MD 20892, 301–435–0229, *hunnicuttgr@csr.nih.gov*.

Name of Committee: Cell Biology Integrated Review Group; Cellular Mechanisms in Aging and Development Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: John Burch, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institute of Health, 6701 Rockledge Drive, Room 3213, MSC 7808, Bethesda, MD 20892, 301–408–9519, *burchjb@csr.nih.gov*.

Name of Committee: Oncology 2—Translational Clinical Integrated Review Group; Chemo/Dietary Prevention Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Marriott Courtyard Gaithersburg Washingtonian Ctr., 204 Boardwalk Place, Gaithersburg, MD 20878.
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: Cardiovascular and Respiratory Sciences Integrated Review Group; Clinical and Integrative Cardiovascular Sciences Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.m. to 3:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Melrose Hotel, 2430 Pennsylvania Avenue NW, Washington, DC 20037.
Contact Person: Chee Lim, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4128, Bethesda, MD 20892, 301–435–1850, *limc4@csr.nih.gov*.

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Cardiac Contractility, Hypertrophy, and Failure Study Section.
Date: June 21–22, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Sir Francis Drake Hotel, 450 Powell Street, San Francisco, CA 94102.
Contact Person: Abdelouahab Aitouche, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4222,

MSC 7814, Bethesda, MD 20892, 301–435–2365, *aitouchea@csr.nih.gov*.

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Gastrointestinal Mucosal Pathobiology Study Section.

Date: June 21–22, 2018.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites DC Convention Center, 900 10th Street NW, Washington, DC 20001.

Contact Person: Aiping Zhao, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2188, Bethesda, MD 20892–7818, (301) 435–0682, *zhaoa2@csr.nih.gov*.

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Hepatobiliary Pathophysiology Study Section.

Date: June 21–22, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Mayflower Park Hotel, 405 Olive Way, Seattle, WA 98101.

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: Infectious Diseases and Microbiology Integrated Review Group; Virology—A Study Section.

Date: June 21–22, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Alexandrian, 480 King Street, Alexandria, VA 22314.

Contact Person: Kenneth M Izumi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3204, MSC 7808, Bethesda, MD 20892, 301–496–6980, *izumikm@csr.nih.gov*.

Name of Committee: Risk, Prevention and Health Behavior Integrated Review Group; Addiction Risks and Mechanisms Study Section.

Date: June 21–22, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Alexandrian, 480 King Street, Alexandria, VA 22314.

Contact Person: Kristen Prentice, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3112, MSC 7808, Bethesda, MD 20892, (301) 496–0726, *prenticekj@mail.nih.gov*.

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Prokaryotic Cell and Molecular Biology Study Section.

Date: June 21–22, 2018.

Time: 8:30 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Ritz-Carlton Hotel at Pentagon City, 1250 South Hayes Street, Arlington, VA 22202.

Contact Person: Dominique Lorang-Leins, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Room 5108, MSC 7766, Bethesda, MD 20892, 301–326–9721, *Lorangd@mail.nih.gov*.

Name of Committee: Immunology Integrated Review Group; Vaccines Against Microbial Diseases Study Section.

Date: June 21–22, 2018.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The St. Regis Washington, DC, 923 16th Street NW, Washington, DC 20006.

Contact Person: Jian Wang, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4218, MSC 7812, Bethesda, MD 20892, (301) 435–2778, *wangjia@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: May 17, 2018.

David D. Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10932 Filed 5–21–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; Notice to Close 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 Environmental Health Sciences Special Emphasis Panel; Organotypic Culture Models Developed from Experimental Animals for Chemical Toxicity Screening.

Date: May 31, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Fairfield Inn & Suites Durham Southpoint, 7807 Leonardo Drive, Durham, NC 27713.

Contact Person: Leroy Worth, Ph.D., Scientific Review Officer, Division of Extramural Research and Training, Nat. Institute of Environmental Health Sciences, P. O. Box 12233, MD EC–30/Room 3171, Research Triangle Park, NC 27709, (919) 541–0670, *worth@niehs.nih.gov*.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: May 16, 2018.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–10838 Filed 5–21–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2018–0134]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number: 1625–0012

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0012, Certificate of Discharge to Merchant Mariner; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: Comments must reach the Coast Guard and OIRA on or before June 21, 2018.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2018–0134] to the Coast Guard using the Federal eRulemaking Portal at *http://www.regulations.gov.* Alternatively, you may submit comments to OIRA using one of the following means:

(1) *Email: dhsdeskofficer@omb.eop.gov.*

(2) *Mail:* OIRA, 725 17th Street NW, Washington, DC 20503, attention Desk Officer for the Coast Guard.

A copy of the ICR is available through the docket on the internet at *http://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–612), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony Smith, Office of Information Management, telephone 202–475–3532, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This Notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection. The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2018–0134], and must be received by June 21, 2018.

Submitting Comments

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. Documents mentioned in this notice, and all public comments, are 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.

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

OIRA posts its decisions on ICRs online at *http://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0012.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (83 FR 9010, March 2, 2018) required by 44 U.S.C. 3506(c)(2). That Notice elicited one comment. The commenter expressed concern about the burden of the master signing all three copies of the collection in ink. The commenter explained that when the entire crew is discharged, the master must sign his name in excess of 60 times. The commenter also proposed allowing digital signatures on the collection.

In response to the burden of signing a certificate more than once, the Coast Guard is bound by regulation in 46 CFR 14.307(a) to require the certificate and its copies to be ink signed. We may consider changing this regulation at a future time. The Coast Guard will not accept electronic signed certificates at this time because the regulation expressly states they must be ink signed. Additionally, the Coast Guard has not evaluated or selected any certain software for electronic signatures from the public and do not currently have the capabilities to implement electronic signature verification. Accordingly, no changes have been made to the Collections.

Information Collection Request

Title: Certificate of Discharge to Merchant Mariner.

OMB Control Number: 1625–0012.

Summary: Title 46, United States Code 10311 requires each master or individual in charge of a vessel, to prepare a Certificate of Discharge to Merchant Mariners for each mariner being discharged from the vessel. These documents are used to establish evidence of sea service aboard U.S. flagged merchant vessels for merchant mariners to upgrade their credentials, establish proof of eligibility for union and other benefits, and in litigation where vessel service is an issue.

Need: The information collected provides the U.S. Coast Guard evidence of sea service used in determining eligibility for issuance of a merchant mariner credential, to determine eligibility for various benefits such as medical and retirement, and to provide information to the U.S. Maritime Administration (MARAD) on the availability of mariners in a time of a national emergency.

Forms: CG–718A. Certificate of Discharge to Merchant Mariner.

Respondents: Shipping companies, masters or individuals in charge of a vessel.

Frequency: On occasion.

Hour Burden Estimate: The estimated annual burden remains 1,478 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended.

Dated: May 16, 2018.

James D. Roppel,

U.S. Coast Guard, Acting Chief, Office of Information Management.

[FR Doc. 2018–10858 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2018–0269]

Certificate of Alternative Compliance for the TUG EXPORTER, Washburn & Doughty Hull 122

AGENCY: Coast Guard, DHS.

ACTION: Notification of issuance of a certificate of alternative compliance.

SUMMARY: The Coast Guard announces that the U.S. Coast Guard First District Prevention Department has issued a certificate of alternative compliance from the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), for the TUG EXPORTER, Washburn & Doughty Hull 122. We are issuing this notice because its publication is required by statute. Due to the construction and placement of the vessel's side lights, TUG EXPORTER cannot fully comply with the light, shape, or sound signal provisions of the 72 COLREGS without interfering with the vessel's design and construction. This notification of issuance of a certificate of alternative compliance promotes the Coast Guard's marine safety mission.

DATES: The Certificate of Alternative Compliance was issued on 8 May, 2018.

FOR FURTHER INFORMATION CONTACT: For information or questions about this notice call or email Mr. Kevin Miller, First District Towing Vessel/Barge Safety Specialist, U.S. Coast Guard; telephone (617) 223–8272, email *Kevin.L.Miller2@uscg.mil*.

SUPPLEMENTARY INFORMATION: The United States is signatory to the International Maritime Organization's International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), as amended. The special construction or purpose of some vessels makes them unable to comply with the light, shape, or sound signal provisions of the 72 COLREGS. Under statutory law and Coast Guard regulations, specified 72 COLREGS provisions are not applicable to a vessel of special construction or purpose if the Coast Guard determines that the vessel cannot comply fully with those requirements without interfering with the special function of the vessel.[1]

The owner, builder, operator, or agent of a special construction or purpose vessel may apply to the Coast Guard District Office in which the vessel is being built or operated for a determination that compliance with alternative requirements is justified,[2] and the Chief of the Prevention Division would then issue the applicant a certificate of alternative compliance (COAC) if he or she determines that the vessel cannot comply fully with 72 COLREGS light, shape, and sound signal provisions without interference with the vessel's special function.[3] If the Coast Guard issues a COAC, it must publish notice of this action in the **Federal Register**.[4]

The First District Prevention Department, U.S. Coast Guard, certifies that the TUG EXPORTER, Washburn & Doughty Hull 122 is a vessel of special construction or purpose, and that, with respect to the position of the vessels side light, it is not possible to comply fully with the requirements of the provisions enumerated in the 72 COLREGS, without interfering with the normal operation, construction, or design of the vessel. The First District Prevention Department further finds and certifies that the vessel's sidelights (13′ 5″ from the vessel's side mounted on the pilot house) and the vessel's stern light and towing lights (3′ 6″ aft of frame 20) are in the closet possible compliance with the applicable provisions of the 72 COLREGS.[5]

This notice is issued under authority of 33 U.S.C. 1605(c) and 33 CFR 81.18.

Dated: May 8, 2018.

Byron L. Black,

Captain, U.S. Coast Guard, Chief, Prevention Division, First Coast Guard District.

[FR Doc. 2018–10890 Filed 5–21–18; 8:45 am]

BILLING CODE 9110–04–P

[1] 33 U.S.C. 1605.

[2] 33 CFR 81.5.

[3] 33 CFR 81.9.

[4] 33 U.S.C. 1605(c) and 33 CFR 81.18.

[5] 33 U.S.C. 1605(a); 33 CFR 81.9.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2018–0489]

Notice of Public Meeting in Preparation for the Sixty-Eighth Session of the IMO's Technical Cooperation Committee Meeting and the One Hundred Twentieth Session of the IMO Council

AGENCY: Coast Guard, DHS.

ACTION: Notice of meeting.

SUMMARY: The United States Coast Guard will conduct an open meeting in Washington, DC in preparation for the upcoming sixty-eighth session of the International Maritime Organization's (IMO) Technical Cooperation Committee Meeting and the one hundred twentieth session of the IMO Council to be held at the IMO Headquarters, London, United Kingdom, on June 18–20, 2018 and July 2–6, 2018, respectively.

DATES: This meeting will be held on Wednesday, June 13, 2018, beginning at 9:00 a.m., Eastern Time. This meeting is open to the public.

ADDRESSES: The public meeting will be held in Room 5L18–01 of the Douglas A. Munro Coast Guard Headquarters Building at St. Elizabeth's, 2703 Martin Luther King, Jr. Avenue SE, Washington, DC 20593. Due to security requirements, each visitor must present one valid, government-issued photo identification in order to gain entrance to the building. Those desiring to attend the public meeting should contact the Coast Guard ahead of the meeting (see **FOR FURTHER INFORMATION CONTACT**) to facilitate the security process related to building access, or to request reasonable accommodation.

FOR FURTHER INFORMATION CONTACT: For additional information about this public meeting you may contact Lieutenant Commander Staci Weist by telephone at 202–372–1376 or by email at *Eustacia.Y.Weist@uscg.mil.*

SUPPLEMENTARY INFORMATION: The primary purpose of this meeting is to prepare for the upcoming sixty-eighth session of the IMO's Technical Cooperation Committee (TC 68) and the one hundred twentieth session of the IMO Council (C 120). The agenda items of TC 68 include:

- Adoption of the agenda
- Work of other bodies and organizations
- Integrated Technical Cooperation Programme (Annual report for 2017)
- Sustainable financing of the Integrated Technical Cooperation Programme (Long Term Resource Mobilization Strategy and Analysis of the viability of introducing an access fee to GISIS data)
- The 2030 Agenda for Sustainable Development: (Maritime transport policy development, Country Maritime Profiles, Implementation of the 2030 Agenda for Sustainable Development, and Strengthening the impact of women in the maritime sector)
- Partnerships (Regional presence and coordination and Partnership arrangements)
- IMO Member State Audit Scheme
- Review and status of implementation of the recommendations of the Impact Assessment Exercise for the period 2012–2015
- Global maritime training institutions (World Maritime University, IMO International Maritime Law Institute, and other established arrangements)
- Development of a New Strategic Framework for the Organization for 2018–2023
- Application of the document on the Organization and method of work of the Technical Cooperation Committee
- Work programme
- Election of the Chairman and Vice-Chairman for 2019

- Any other business
- Consideration of the report of the Committee on its sixty-eighth session The agenda items of C120 include:
- Adoption of the agenda
- Election of the Vice-Chair of the Council
- Report of the Secretary-General on credentials
- Strategy, planning and reform
- Rules of Procedure of the Assembly
- Resource Management: (Human resources matters, including amendments to the Staff Regulations and Staff Rules, Financial report and audited financial statements for the financial period ending December 31, 2017, Report on investments for 2017, Report on the status of Member States' contributions and implementation of Article 61 of the IMO Convention, and advances to the Working Capital Fund, Budget considerations for 2018, and Resource management—review of funds and ASHI liability funding strategy)
- IMO Member State Audit Scheme
- Consideration of the report of the Facilitation Committee
- Consideration of the report of the Legal Committee
- Consideration of the report of the Marine Environment Protection Committee
- Consideration of the report of the Maritime Safety Committee
- Consideration of the report of the Technical Cooperation Committee
- Technical Cooperation Fund: Report on activities of the 2017 programme
- Word Maritime University
- IMO International Maritime Law Institute
- Protection of vital shipping lanes
- External relations
- Report on the status of the Convention and membership of the Organization
- Report on the status of conventions and other multilateral instruments in respect of which the Organization performs functions
- Place, date and duration of the next session of the Council (C 121)
- Supplementary agenda items, if any

Members of the public may attend this meeting up to the seating capacity of the room. To facilitate the building security process, and to request reasonable accommodation, those who plan to attend should contact the meeting coordinator, Lieutenant Commander Staci Weist, not later than June 8, 2018. Requests made after June 8, 2018, may not be able to be accommodated. It is recommended that attendees arrive at Coast Guard Headquarters no later than 30 minutes ahead of the scheduled meeting for the security screening process. Parking in the vicinity of the building is extremely limited. Additional information regarding this and other IMO public meetings may be found at: *www.uscg.mil/imo.*

Benjamin J. Hawkins,

Acting Deputy Director, Commercial Regulations and Standards, U.S. Coast Guard.

[FR Doc. 2018–10898 Filed 5–21–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4361–DR; Docket ID FEMA–2018–0001]

Kentucky; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the Commonwealth of Kentucky (FEMA–4361–DR), dated April 26, 2018, and related determinations.

DATES: The declaration was issued April 26, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 26, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the Commonwealth of Kentucky resulting from severe storms, tornadoes, flooding, landslides, and mudslides during the period of February 21 to March 21, 2018, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the Commonwealth of Kentucky.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the Commonwealth. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Manny J. Toro, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the Commonwealth of Kentucky have been designated as adversely affected by this major disaster:

Boyd, Bullitt, Butler, Caldwell, Campbell, Carlisle, Carroll, Carter, Crittenden, Fulton, Gallatin, Grant, Graves, Greenup, Hancock, Hardin, Henderson, Henry, Hickman, Jefferson, Kenton, Lawrence, Livingston, McCracken, McLean, Metcalfe, Ohio, Owen, Spencer, Trigg, Trimble, Union, Washington, and Webster Counties for Public Assistance.

All areas within the Commonwealth of Kentucky are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–10870 Filed 5–21–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2018–0023; OMB No. 1660–0070]

Agency Information Collection Activities: Proposed Collection; Comment Request; National Fire Department Registry

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 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 use of a form to collect data for the development and continuation of the National Fire Department Registry.

DATES: Comments must be submitted on or before July 23, 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–2018–0023. 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: Gayle Kelch, Statistician, FEMA, United States Fire Administration, National Fire Data Center at (301) 447–1154 or email *gayle.kelch@fema.dhs.gov.* 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: Public Law 93–498 provides for the gathering and analyzing of data as deemed useful and applicable for fire departments. The U.S. Fire Administration (USFA) receives many requests from fire service organizations and the general public for information related to fire departments, including total number of departments, number of stations per department, population protected, and number of firefighters. The USFA also has a need for this information to guide programmatic decisions, and produce mailing lists for USFA publications. Recommendations for the creation of the fire department census database came out of a Blue Ribbon Panel's review of the USFA. The report included a review of the structure, mission, and funding of the USFA, future policies, programmatic needs, course development and delivery, and the role of the USFA to reflect changes in the fire service. As a result of those recommendations, the USFA is working to identify all fire departments in the United States to develop a database that will include information related to demographics, capabilities, and activities of fire departments Nationwide. In the fall of 2016, the USFA renamed the census to the National Fire Department Registry.

In the fall of 2001, information was collected from 16,000 fire departments. Since the first year of the collection, an additional 11,217 departments have registered for a total of 27,217 fire departments. This leaves an estimated 2,780 departments still to respond. Additionally, about 5,440 current registered departments are contacted by USFA each year and are asked to provide updates to any previously submitted information.

Collection of Information

Title: National Fire Department Registry.

Type of Information Collection: Extension, without change, of a currently approved information collection.

OMB Number: 1660–0070.

FEMA Forms: FEMA Form 070–0–0–1, National Fire Department Registry.

Abstract: This collection seeks to identify fire departments in the United States to compile a database related to their demographics, capabilities, and activities. The database is used to guide programmatic decisions and provide information to the public and the fire service.

Affected Public: State, Local or Tribal Government.

Estimated Number of Respondents: 8,223.

Estimated Number of Responses: 8,223.

Estimated Total Annual Burden Hours: 2,067 hours.

Estimated Total Annual Respondent Cost: $11,648.

Estimated Respondents' Operation and Maintenance Costs: $0.

Estimated Respondents' Capital and Start-Up Costs: $0.

Estimated Total Annual Cost to the Federal Government: $91,847.

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.

Rachel Frier,

Records Management Branch Chief, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2018–10826 Filed 5–21–18; 8:45 am]

BILLING CODE 9111–76–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4362–DR; Docket ID FEMA–2018–0001]

Alabama; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Alabama (FEMA–4362–DR), dated April 26, 2018, and related determinations.

DATES: The declaration was issued April 26, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 26, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Alabama resulting from severe storms and tornadoes during the period of March 19–20, 2018, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Alabama.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and Other Needs Assistance will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Thomas J. McCool, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Alabama have been designated as adversely affected by this major disaster:

Calhoun, Cullman, and Etowah Counties for Individual Assistance.

Calhoun, Cullman, Etowah, and St. Clair Counties for Public Assistance.

All areas within the State of Alabama are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–10825 Filed 5–21–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4364–DR; Docket ID FEMA–2018–0001]

North Carolina; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of North Carolina (FEMA–4364–DR), dated May 8, 2018, and related determinations.

DATES: The declaration was issued May 8, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated May 8, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of North Carolina resulting from a tornado and severe storms on April 15, 2018, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of North Carolina.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and Other Needs Assistance will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Elizabeth Turner, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of North Carolina have been designated as adversely affected by this major disaster:

Guilford and Rockingham Counties for Individual Assistance.

All areas within the State of North Carolina are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance

(Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–10873 Filed 5–21–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4346–DR; Docket ID FEMA–2018–0001]

South Carolina; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of South Carolina (FEMA–4346–DR), dated October 16, 2017, and related determinations.

DATES: The amendment was issued on May 3, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Robert D. Samaan, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Warren J. Riley as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–10824 Filed 5–21–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4363–DR; Docket ID FEMA–2018–0001]

Indiana; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Indiana (FEMA–4363–DR), dated May 4, 2018, and related determinations.

DATES: The declaration was issued May 4, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated May 4, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Indiana resulting from severe storms and flooding during the period of February 14 to March 4, 2018, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Indiana.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and Other Needs Assistance will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, David G. Samaniego, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Indiana have been designated as adversely affected by this major disaster:

Carroll, Clark, Elkhart, Floyd, Harrison, Jefferson, Lake, Marshall, and St. Joseph Counties for Individual Assistance.

Benton, Clark, Crawford, Dearborn, Elkhart, Floyd, Fulton, Gibson, Harrison, Jasper, Jefferson, LaPorte, Marshall, Newton, Ohio, Perry, Porter, Spencer, St. Joseph, Starke, Switzerland, Vanderburgh, Vermillion, Wabash, Warren, Warrick, and White Counties for Public Assistance.

All areas within the State of Indiana are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–10843 Filed 5–21–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2622–18; DHS Docket No. USCIS–2015–0003]

RIN 1615–ZB74

Termination of the Designation of Nepal for Temporary Protected Status

AGENCY: U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security.

ACTION: Notice.

SUMMARY: The designation of Nepal for Temporary Protected Status (TPS) is set to expire on June 24, 2018. After reviewing country conditions and consulting with appropriate U.S. Government agencies, the Secretary of Homeland Security has determined that conditions in Nepal no longer support its designation for TPS and that termination of the TPS designation of Nepal is required pursuant to statute. To provide time for an orderly transition, the Secretary is terminating the designation effective on June 24, 2019, which is 12 months following the end of the current designation.

Nationals of Nepal (and aliens having no nationality who last habitually resided in Nepal) who have been granted TPS and wish to maintain their TPS and receive TPS-based Employment Authorization Documents (EAD) valid through June 24, 2019, must re-register for TPS in accordance with the procedures set forth in this Notice. After June 24, 2019, nationals of Nepal (and aliens having no nationality who last habitually resided in Nepal) who have been granted TPS under the Nepal designation will no longer have TPS.

DATES: The designation of Nepal for TPS is terminated effective at 11:59 p.m., local time, on June 24, 2019.

The 60-day re-registration period runs from May 22, 2018 through July 23, 2018. (**NOTE:** It is important for re-registrants to timely re-register during this 60-day period.)

FOR FURTHER INFORMATION CONTACT:

- You may contact Samantha Deshommes, Branch Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security, 20 Massachusetts Avenue NW, Washington, DC 20529–2060; or by phone at 800–375–5283.
- For further information on TPS, including guidance on the re-registration process and additional information on eligibility, please visit the USCIS TPS web page at *http://www.uscis.gov/tps.* You can find specific information about this termination of Nepal's TPS by selecting ''Nepal'' from the menu on the left side of the TPS web page.
- If you have additional questions about Temporary Protected Status, please visit *uscis.gov/tools.* Our online virtual assistant, Emma, can answer many of your questions and point you to additional information on our website. If you are unable to find your answers there, you may also call our USCIS Contact Center at 800–375–5283.
- Applicants seeking information about the status of their individual cases may check Case Status Online, available on the USCIS website at *http://www.uscis.gov,* or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833). Service is available in English and Spanish.
- Further information will also be available at local USCIS offices upon publication of this Notice.

SUPPLEMENTARY INFORMATION:

Table of Abbreviations

BIA—Board of Immigration Appeals
CFR—Code of Federal Regulations
DHS—U.S. Department of Homeland Security
DOS—Department of State
EAD—Employment Authorization Document
FNC—Final Nonconfirmation
FR—Federal Register
Government—U.S. Government
IJ—Immigration Judge
INA—Immigration and Nationality Act
IER—U.S. Department of Justice Civil Rights Division, Immigrant and Employee Rights Section
SAVE—USCIS Systematic Alien Verification for Entitlements Program
Secretary—Secretary of Homeland Security
TNC—Tentative Nonconfirmation
TPS—Temporary Protected Status
TTY—Text Telephone
USCIS—U.S. Citizenship and Immigration Services
U.S.C.—United States Code

Through this Notice, DHS sets forth procedures necessary for eligible nationals of Nepal (or aliens having no nationality who last habitually resided in Nepal) to re-register for TPS and to apply for renewal of their EADs with USCIS. Re-registration is limited to persons who have previously registered for TPS under the designation of Nepal and whose applications have been granted.

For individuals who have already been granted TPS under Nepal's designation, the 60-day re-registration period runs from May 22, 2018 through July 23, 2018. USCIS will issue new EADs with a June 24, 2019 expiration date to eligible Nepali TPS beneficiaries who timely re-register and apply for EADs. Given the timeframes involved with processing TPS re-registration applications, DHS recognizes that not all re-registrants will receive new EADs before their current EADs expire on June 24, 2018. Accordingly, through this **Federal Register** notice, DHS automatically extends the validity of EADs issued under the TPS designation of Nepal for 180 days, through December 21, 2018. This Notice explains how TPS beneficiaries and their employers may determine which EADs are automatically extended and how this affects the Form I–9, Employment Eligibility Verification, and E-Verify processes.

What is Temporary Protected Status (TPS)?

- TPS is a temporary immigration status granted to eligible nationals of a country designated for TPS under the INA, or to eligible persons without nationality who last habitually resided in the designated country.
- During the TPS designation period, TPS beneficiaries are eligible to remain in the United States, may not be removed, and are authorized to obtain EADs, so long as they continue to meet the requirements of TPS.
- TPS beneficiaries may also apply for and be granted travel authorization as a matter of discretion.
- The granting of TPS does not result in or lead to lawful permanent resident status.
- To qualify for TPS, beneficiaries must meet the eligibility standards at INA section 244(c)(1)–(2), 8 U.S.C. 1254a(c)(1)–(2).
- When the Secretary terminates a country's TPS designation, beneficiaries return to one of the following:
  - The same immigration status or category that they maintained before TPS, if any (unless that status or category has since expired or been terminated); or
  - Any other lawfully obtained immigration status or category they received while registered for TPS, as long as it is still valid beyond the date TPS terminates.

When was Nepal designated for TPS?

On June 24, 2015, former Secretary of Homeland Security Jeh Johnson designated Nepal for TPS based environmental disaster grounds as a result of the magnitude 7.8 earthquake that occurred on April 25, 2015. *See Designation of Nepal for Temporary Protected Status,* 80 FR. 36346 (June 24, 2015). On October 26, 2016, former Secretary Johnson announced an 18-month extension of Nepal's TPS

designation, effective December 25, 2016 through June 24, 2018. *See Extension of the Designation of Nepal for Temporary Protected Status,* 81 FR 74470 (October 26, 2016).

What authority does the Secretary have to terminate the designation of Nepal for TPS?

Section 244(b)(1) of the INA, 8 U.S.C. 1254a(b)(1), authorizes the Secretary, after consultation with appropriate U.S. Government agencies, to designate a foreign state (or part thereof) for TPS if the Secretary determines that certain country conditions exist.[1] The Secretary may then grant TPS to eligible nationals of that foreign state (or eligible aliens having no nationality who last habitually resided in the designated country). *See* INA section 244(a)(1)(A), 8 U.S.C. 1254a(a)(1)(A).

At least 60 days before the expiration of a country's TPS designation or extension, the Secretary, after consultation with appropriate Government agencies, must review the conditions in the foreign state designated for TPS to determine whether the conditions for the TPS designation continue to be met. *See* INA section 244(b)(3)(A), 8 U.S.C. 1254a(b)(3)(A). If the Secretary determines that the foreign state continues to meet the conditions for TPS designation, the designation must be extended for an additional period of 6 months and, in the Secretary's discretion, may be extended for 12 or 18 months. *See* INA section 244(b)(3)(C), 8 U.S.C. 1254a(b)(3)(C). If the Secretary determines that the foreign state no longer continues to meet the conditions for TPS designation, the Secretary must terminate the designation, but such termination may not take effect earlier than 60 days after the date the **Federal Register** notice of termination is published, or, if later, the expiration of the most recent previous extension of the country's TPS designation. *See* INA section 244(b)(3)(B), 8 U.S.C. 1254a(b)(3)(B). The Secretary may determine the appropriate effective date of the termination and the expiration of any TPS-related documentation, such as EADs, for the purpose of providing for an orderly transition. *See id.;* INA section 244(d)(3), 8 U.S.C. 1254a(d)(3).

[1] As of March 1, 2003, in accordance with section 1517 of title XV of the Homeland Security Act of 2002, Public Law 107–296, 116 Stat. 2135, any reference to the Attorney General in a provision of the INA describing functions transferred from the U.S. Department of Justice to the U.S. Department of Homeland Security (DHS) ''shall be deemed to refer to the Secretary'' of Homeland Security. *See* 6 U.S.C. 557 (codifying the Homeland Security Act of 2002, tit. XV, section 1517).

Why is the Secretary terminating the TPS designation for Nepal as of June 24, 2019?

DHS has reviewed conditions in Nepal. Based on the review—which considered input received from other appropriate U.S. Government agencies, including the Department of State—the Secretary of Homeland Security has determined that the conditions supporting Nepal's 2015 designation for TPS on the basis of environmental disaster due to the April 25, 2015 earthquake are no longer met. Nepal has made considerable progress in post-earthquake recovery and reconstruction, and conditions in Nepal have significantly improved since the country's last TPS extension in 2016. The substantial disruption to living conditions has subsided for many of the Nepalis impacted by the earthquake. The number of citizens with access to clean water and sanitation has significantly increased, and reconstruction of thousands of homes has been completed or is underway. Schools and hospitals are functioning, and roads are being rebuilt. Additionally, government ministries and agencies are functioning at pre-earthquake levels, and Nepal is no longer temporarily unable to handle adequately the return of its nationals.

Nepal has received a significant amount of international aid to assist in earthquake recovery efforts, which enabled the completion of many reconstruction projects and will support ongoing reconstruction for years to come. Nepal has made good progress in housing reconstruction, with slightly more than one in seven homes destroyed having been fully rebuilt and more than half of homes under construction. For the most part, schools and health facilities have resumed operating at levels consistent with the state of public services in other areas of Nepal. Nationwide, only 11 percent of schools and less than 9 percent of health facilities remain impacted by earthquake damage. Access to clean water has generally returned to pre-earthquake levels, and there has been a gradual improvement in food security in areas most affected by the earthquake. In areas still waiting for community water systems to be rebuilt, communities have access to clean water from other sources. All national-level and most subnational-level infrastructure damaged by the earthquake has been retrofitted or rebuilt.

Thousands of Nepalis return annually to Nepal after working abroad, and the Government has been able to accommodate the return of these citizens. In addition to receiving its returning nationals, Nepal is welcoming tourists, who are visiting Nepal at higher rates than before the earthquake. DHS estimates that there are approximately 14,800 nationals of Nepal (and aliens having no nationality who last habitually resided in Nepal) who hold TPS under Nepal's designation.

Notice of Termination of the TPS Designation of Nepal

By the authority vested in the Secretary of Homeland Security under INA section 244(b)(3), 8 U.S.C. 1254a(b)(3), I have determined, after consultation with appropriate U.S. Government agencies, that the conditions for the designation of Nepal for TPS under 244(b)(1)(B) of the INA, 8 U.S.C. 1254a(b)(1)(B), are no longer met. Accordingly, I order as follows:

(1) Pursuant to INA section 244(b)(3)(B) and in accordance with INA section 244(d)(3), in order to provide for an orderly transition, the designation of Nepal for TPS is terminated effective at 11:59 p.m., local time, on June 24, 2019, which is 12 months following the end of the current designation.

(2) Information concerning the termination of TPS for nationals of Nepal (and aliens having no nationality who last habitually resided in Nepal) will be available at local USCIS offices upon publication of this Notice and through the USCIS Contact Center at 1–800–375–5283. This information will be published on the USCIS website at *www.uscis.gov.*

Kirstjen M. Nielsen,

Secretary.

Required Application Forms and Application Fees To Re-Register for TPS

To re-register for TPS based on the designation of Nepal, you *must* submit an Application for Temporary Protected Status (Form I–821). You do not need to pay the filing fee for the Form I–821. *See* 8 CFR 244.17. You may be required to pay the biometric services fee. Please see additional information under the ''Biometric Services Fee'' section of this Notice.

Through operation of this **Federal Register** notice, your existing EAD issued under the TPS designation of Nepal with the expiration date of June 24, 2018, is automatically extended for 180 days, through December 21, 2018. You do not need to apply for a new EAD in order to benefit from this 180-day automatic extension. However, if you want to obtain a new EAD valid through June 24, 2019, you must file an Application for Employment

Authorization (Form I–765) and pay the Form I–765 fee (or request a fee waiver). Note, if you do not want a new EAD, you do not have to file Form I–765 or pay the Form I–765 fee. If you do not want to request a new EAD now, you may also file Form I–765 at a later date and pay the fee (or request a fee waiver), provided that you still have TPS or a pending TPS application. But unless you timely re-register and properly file an EAD application in accordance with this Notice, the validity of your current EAD will end on December 21, 2018. You may file the application for a new EAD either prior to or after your current EAD has expired. However, you are strongly encouraged to file your application for a new EAD as early as possible to avoid gaps in the validity of your employment authorization documentation and to ensure that you receive your new EAD by December 21, 2018.

If you are seeking an EAD with your re-registration for TPS, please submit both the Form I–821 and Form I–765 together. If you are unable to pay the application fee and/or biometric services fee, you may complete a Request for Fee Waiver (Form I–912) or submit a personal letter requesting a fee waiver with satisfactory supporting documentation. For more information on the application forms and fees for TPS, please visit the USCIS TPS web page at *http://www.uscis.gov/tps.* Fees for the Form I–821, the Form I–765, and biometric services are also described in 8 CFR 103.7(b)(1)(i).

Note: If you have a Form I–821 and/or Form I–765 that was still pending as of May 22, 2018, then you do *not* need to file either application again. If your pending TPS application is approved, you will be granted TPS through June 24, 2019. Similarly, if you have a pending TPS-related application for an EAD that is approved, it will be valid through the same date.

Biometric Services Fee

Biometrics (such as fingerprints) are required for all applicants 14 years and older. Those applicants must submit a biometric services fee. As previously stated, if you are unable to pay for the biometric services fee, you may complete a Form I–912 or submit a personal letter requesting a fee waiver with satisfactory supporting documentation. For more information on the biometric services fee, please visit the USCIS website at *http://www.uscis.gov.* If necessary, you may be required to visit an Application Support Center to have your biometrics captured. For additional information on the USCIS biometrics screening process please see the USCIS Customer Profile Management Service Privacy Impact Assessment, available at *www.dhs.gov/privacy.*

Refiling a Re-Registration TPS Application After Receiving a Denial of a Fee Waiver Request

You should file as soon as possible within the 60-day re-registration period so USCIS can process your application and issue any EAD promptly. Properly filing early will also allow you to have time to refile your application before the deadline, should USCIS deny your fee waiver request. If, however, you receive a denial of your fee waiver request and are unable to refile by the re-registration deadline, you may still refile your Form I–821 with the biometrics fee. This situation will be reviewed to determine whether you established good cause for late TPS re-registration. However, you are urged to refile within 45 days of the date on any USCIS fee waiver denial notice, if possible. *See* INA section 244(c)(3)(C); 8 U.S.C. 1254a(c)(3)(C); 8 CFR 244.17(b). For more information on good cause for late re-registration, visit the USCIS TPS web page at *http://www.uscis.gov/tps.* Following denial of your fee waiver request, you may also refile your Form I–765 with fee either with your Form I–821 or at a later time, if you choose.

Note: Although a re-registering TPS beneficiary age 14 and older must pay the biometric services fee (but not the Form I–821 fee) when filing a TPS re-registration application, you may decide to wait to request an EAD. Therefore, you do not have to file the Form I–765 or pay the associated Form I–765 fee (or request a fee waiver) at the time of re-registration, and could wait to seek an EAD until after USCIS has approved your TPS re-registration application. If you choose to do this, to re-register for TPS you would only need to file the Form I–821 with the biometrics services fee, if applicable, (or request a fee waiver).

Mailing Information

Mail your application for TPS to the proper address in Table 1.

TABLE 1—MAILING ADDRESSES

If you are sending your application by:	Mail your application to:
U.S. Postal Service.	U.S. Citizenship and Immigration Services, Attn: TPS Nepal, P.O. Box 6943, Chicago, IL 60680–6943.
A non-U.S. Postal Service courier.	U.S. Citizenship and Immigration Services, Attn: TPS Nepal, 131 S. Dearborn—3rd Floor, Chicago, IL 60603–5517.

If you were granted TPS by an Immigration Judge (IJ) or the Board of Immigration Appeals (BIA) and you wish to request an EAD or are re-registering for the first time following a grant of TPS by an IJ or the BIA, please mail your application to the appropriate mailing address in Table 1. When re-registering and requesting an EAD based on an IJ/BIA grant of TPS, please include a copy of the IJ or BIA order granting you TPS with your application. This will help us to verify your grant of TPS and process your application.

Supporting Documents

The filing instructions on the Form I–821 list all the documents needed to establish eligibility for TPS. You may also find information on the acceptable documentation and other requirements for applying or registering for TPS on the USCIS website at *www.uscis.gov/tps* under ''Nepal.''

Employment Authorization Document (EAD)

How can I obtain information on the status of my EAD request?

To get case status information about your TPS application, including the status of an EAD request, you can check Case Status Online at *http://www.uscis.gov,* or call the USCIS National Contact Center at 800–375–5283 (TTY 800–767–1833). If your Form I–765 has been pending for more than 90 days, and you still need assistance, you may request an EAD inquiry appointment with USCIS by using the InfoPass system at *https://infopass.uscis.gov.* However, we strongly encourage you first to check Case Status Online or call the USCIS National Contact Center for assistance before making an InfoPass appointment.

Am I eligible to receive an automatic 180-day extension of my current EAD through December 21, 2018, using this **Federal Register** *notice?*

Yes. Provided that you currently have a Nepal TPS-based EAD, this **Federal Register** notice automatically extends your EAD by 180 days (through December 21, 2018) if you:

- Are a national of Nepal (or an alien having no nationality who last habitually resided in Nepal);
- Have an EAD with a marked expiration date of June 24, 2018, bearing the notation A–12 or C–19 on the face of the card under Category.

Although this **Federal Register** notice automatically extends your EAD through December 21, 2018, you must re-register timely for TPS in accordance with the procedures described in this

Federal Register notice if you would like to maintain your TPS.

When hired, what documentation may I show to my employer as evidence of employment authorization and identity when completing Employment Eligibility Verification (Form I–9)?

You can find a list of acceptable document choices on the ''Lists of Acceptable Documents'' for Form I–9. Employers must complete Form I–9 to verify the identity and employment authorization of all new employees. Within three days of hire, employees must present acceptable documents to their employers as evidence of identity and employment authorization to satisfy Form I–9 requirements.

You may present any document from List A (which provides evidence of both identity and employment authorization), or one document from List B (which provides evidence of your identity) together with one document from List C (which is evidence of employment authorization), or you may present an acceptable receipt for List A, List B, or List C documents as described in the Form I–9 Instructions. Employers may not reject a document based on a future expiration date. You can find additional detailed information about Form I–9 on USCIS' I–9 Central web page at *http://www.uscis.gov/I-9Central.*

An EAD is an acceptable document under List A. If your EAD has an expiration date of June 24, 2018, and states A–12 or C–19 under Category, it has been extended automatically for 180 days by virtue of this **Federal Register** notice and you may choose to present this Notice along with your EAD to your employer as proof of identity and employment eligibility for Form I–9 through December 21, 2018, unless your TPS has been withdrawn or your request for TPS has been denied. If you properly filed for a new EAD in accordance with this Notice, you will also receive Form I–797C, Notice of Action that will state your current A–12 or C–19 coded EAD is automatically extended for 180 days. You may choose to present your EAD to your employer together with this Form I–797C as a List A document that provides evidence of your identity and employment authorization for Form I–9 through December 21, 2018, unless your TPS has been withdrawn or your request for TPS has been denied. See the subsection titled, ''How do my employer and I complete the Employment Eligibility Verification (Form I–9) using an automatically extended EAD for a new job?'' for further information.

To reduce confusion over this extension at the time of hire, you should explain to your employer that your EAD has been automatically extended through December 21, 2018. You may also provide your employer with a copy of this **Federal Register** notice, which explains that your EAD has been automatically extended. As an alternative to presenting evidence of your automatically extended EAD, you may choose to present any other acceptable document from List A, a combination of one selection from List B and one selection from List C, or a valid receipt.

What documentation may I present to my employer for Employment Eligibility Verification (Form I–9) if I am already employed but my current TPS-related EAD is set to expire?

Even though your EAD has been automatically extended, your employer is required by law to ask you about your continued employment authorization no later than before you start work on June 25, 2018. You will need to present your employer with evidence that you are still authorized to work. Once presented, you may correct your employment authorization expiration date in Section 1 and your employer should correct the EAD expiration date in Section 2 of Form I–9. See the subsection titled, ''What corrections should my current employer and I make to Employment Eligibility Verification (Form I–9) if my employment authorization has been automatically extended?'' for further information. You may show this **Federal Register** notice to your employer to explain what to do for Form I–9 and to show that your EAD has been automatically extended through December 21, 2018. Your employer may need to reinspect your automatically extended EAD to check the expiration date and Category code if your employer did not keep a copy of this EAD when you initially presented it. In addition, if you properly filed your Form I–765 to obtain a new EAD, you will receive a Form I–797C, Notice of Action. Form I–797C will state that your current A–12 or C–19 coded EAD is automatically extended for 180 days. You may present Form I–797C to your employer along with your EAD to confirm that the validity of your EAD has been automatically extended through December 21, 2018, unless your TPS has been withdrawn or your request for TPS has been denied. To reduce the possibility of gaps in your employment authorization documentation, you should file your Form I–765 to request a new EAD as early as possible during the re-registration period.

The last day of the automatic EAD extension is December 21, 2018. Before you start work on December 22, 2018, your employer must reverify your employment authorization. At that time, you must present any document from List A or any document from List C on Form I–9 Lists of Acceptable Documents, or an acceptable List A or List C receipt described in the Form I–9 Instructions to reverify employment authorization.

By December 22, 2018, your employer must complete Section 3 of the current version of the form, Form I–9 07/17/17 N, and attach it to the previously completed Form I–9, if your original Form I–9 was a previous version. Your employer can check the USCIS' I–9 Central web page at *http://www.uscis.gov/I-9Central* for the most current version of Form I–9.

Note that your employer may not specify which List A or List C document you must present and cannot reject an acceptable receipt.

Can my employer require that I provide any other documentation to prove my status, such as proof of my Nepali citizenship?

No. When completing Form I–9, including reverifying employment authorization, employers must accept any documentation that appears on the Form I–9 ''Lists of Acceptable Documents'' that reasonably appears to be genuine and that relates to you, or an acceptable List A, List B, or List C receipt. Employers need not reverify List B identity documents. Employers may not request documentation that does not appear on the ''Lists of Acceptable Documents.'' Therefore, employers may not request proof of Nepali citizenship or proof of re-registration for TPS when completing Form I–9 for new hires or reverifying the employment authorization of current employees. If presented with EADs that have been automatically extended, employers should accept such documents as a valid List A document so long as the EAD reasonably appears to be genuine and relates to the employee. Refer to the Note to Employees section of this **Federal Register** notice for important information about your rights if your employer rejects lawful documentation, requires additional documentation, or otherwise discriminates against you based on your citizenship or immigration status, or your national origin.

How do my employer and I complete Employment Eligibility Verification (Form I–9) using my automatically extended employment authorization for a new job?

When using an automatically extended EAD to complete Form I–9 for a new job before December 22, 2018, you and your employer should do the following:

1. For Section 1, you should:

a. Check ''An alien authorized to work until'' and enter December 21, 2018, the automatically extended EAD expiration date as the expiration date; and

b. Enter your Alien Number/USCIS number or A-Number where indicated (your EAD or other document from DHS will have your USCIS number or A-Number printed on it; the USCIS number is the same as your A-Number without the A prefix).

2. For Section 2, employers should:

a. Determine if the EAD is auto-extended for 180 days by ensuring it is in category A–12 or C–19 and has a June 24, 2018 expiration date;

b. Write in the document title;

c. Enter the issuing authority;

d. Provide the document number; and

e. Write December 21, 2018, as the expiration date.

If you also filed for a new EAD, as proof of the automatic extension of your employment authorization, you may present your expired or expiring EAD with category A–12 or C–19 in combination with the Form I–797C Notice of Action showing that the EAD renewal application was filed and that the qualifying eligibility category is either A–12 or C–19. Unless your TPS has been withdrawn or your request for TPS has been denied, this document combination is considered an unexpired EAD under List A. In these situations, to complete Section 2, employers should:

a. Determine if the EAD is auto-extended for 180 days by ensuring:

- It is in category A–12 or C–19; and
- The category code on the EAD is the same category code on Form I–797C, noting that employers should consider category codes A–12 and C–19 to be the same category code.

b. Write in the document title;

c. Enter the issuing authority;

d. Provide the document number; and

e. Write December 21, 2018, as the expiration date. Before the start of work on December 22, 2018, employers must reverify the employee's employment authorization in Section 3 of Form I–9.

What corrections should my current employer and I make to Employment Eligibility Verification (Form I–9) if my employment authorization has been automatically extended?

If you presented a TPS-related EAD that was valid when you first started your job and your EAD has now been automatically extended, your employer may need to re-inspect your current EAD if they do not have a copy of the EAD on file. You may, and your employer should, correct your previously completed Form I–9 as follows:

1. For Section 1, you may:

a. Draw a line through the expiration date in Section 1;

b. Write December 21, 2018, above the previous date (June 24, 2018); and

c. Initial and date the correction in the margin of Section 1.

2. For Section 2, employers should:

a. Determine if the EAD is auto-extended for 180 days by ensuring:

- It is in category A–12 or C–19; and
- Has an expiration date of June 24, 2018.

b. Draw a line through the expiration date written in Section 2;

c. Write December 21, 2018, above the previous date (June 24, 2018); and

d. Initial and date the correction in the Additional Information field in Section 2.

In the alternative, you may present your expired EAD with category A–12 or C–19 in combination with the Form I–797C Notice of Action. The Form I–797C should show that the qualifying eligibility category is either A–12 or C–19. To avoid confusion, you may also provide your employer a copy of this Notice. Your employer should correct your previously completed Form I–9 as follows:

For Section 2, employers should:

a. Determine if the EAD is auto-extended for 180 days by ensuring:

- It is in category A–12 or C–19; and
- The category code on the EAD is the same category code on Form I–797C, noting that employers should consider category codes A–12 and C–19 to be the same category code.

b. Draw a line through the expiration date written in Section 2;

c. Write December 21, 2018, above the previous date (June 24, 2018); and

d. Initial and date the correction in the Additional Information field in Section 2.

Note: This is not considered a reverification. Employers do not need to complete Section 3 until either the 180-day automatic extension has ended or the employee presents a new document to show continued employment authorization, whichever is sooner. By December 22, 2018, when the employee's automatically extended EAD has expired, employers must reverify the employee's employment authorization in Section 3.

If I am an employer enrolled in E-Verify, how do I verify a new employee whose EAD has been automatically extended?

Employers may create a case in E-Verify for a new employee using the EAD bearing the expiration date June 24, 2018, or the Form I–797C receipt information provided on Form I–9. In either case, the receipt number entered as the document number on Form I–9 should be entered into the document number field in E-Verify.

If I am an employer enrolled in E-Verify, what do I do when I receive a ''Work Authorization Documents Expiration'' alert for an automatically extended EAD?

E-Verify automated the verification process for employees whose TPS-related EAD was automatically extended. If you have employees who are TPS beneficiaries who provided a TPS-related EAD when they first started working for you, you will receive a ''Work Authorization Documents Expiring'' case alert when the auto-extension period for this EAD is about to expire. The alert indicates that before this employee starts to work on December 22, 2018, you must reverify their employment authorization in Section 3 of Form I–9. Employers should not use E-Verify for reverification.

Note to All Employers

Employers are reminded that the laws requiring proper employment eligibility verification and prohibiting unfair immigration-related employment practices remain in full force. This **Federal Register** notice does not supersede or in any way limit applicable employment verification rules and policy guidance, including those rules setting forth reverification requirements. For general questions about the employment eligibility verification process, employers may call USCIS at 888–464–4218 (TTY 877–875–6028) or email USCIS at *I9Central@dhs.gov.* Calls and emails are accepted in English and many other languages. For questions about avoiding discrimination during the employment eligibility verification process (Form I–9 and E-Verify), employers may call the U.S. Department of Justice's Civil Rights Division, Immigrant and Employee Rights Section (IER) (formerly the Office of Special Counsel for Immigration-Related Unfair Employment Practices)

Employer Hotline at 800–255–8155 (TTY 800–237–2515). The IER offers language interpretation in numerous languages. Employers may also email IER at *IER@usdoj.gov.*

Note to Employees

For general questions about the employment eligibility verification process, employees may call USCIS at 888–897–7781 (TTY 877–875–6028) or email USCIS at *I–9Central@dhs.gov.* Calls are accepted in English, Spanish, and many other languages. Employees or applicants may also call the IER Worker Hotline at 800–255–7688 (TTY 800–237–2515) for information regarding employment discrimination based upon citizenship, immigration status, or national origin, including discrimination related to Employment Eligibility Verification (Form I–9) and E-Verify. The IER Worker Hotline provides language interpretation in numerous languages.

To comply with the law, employers must accept any document or combination of documents from the Lists of Acceptable Documents if the documentation reasonably appears to be genuine and to relate to the employee, or an acceptable List A, List B, or List C receipt as described in the Employment Eligibility Verification (Form I–9) Instructions. Employers may not require extra or additional documentation beyond what is required for Form I–9 completion. Further, employers participating in E-Verify who receive an E-Verify case result of ''Tentative Nonconfirmation'' (TNC) must promptly inform employees of the TNC and give such employees an opportunity to contest the TNC. A TNC case result means that the information entered into E-Verify from an employee's Form I–9 differs from Federal or state government records.

Employers may not terminate, suspend, delay training, withhold pay, lower pay, or take any adverse action against an employee because of the TNC while the case is still pending with E-Verify. A Final Nonconfirmation (FNC) case result is received when E-Verify cannot verify an employee's employment eligibility. An employer may terminate employment based on a case result of FNC. Work-authorized employees who receive an FNC may call USCIS for assistance at 888–897–7781 (TTY 877–875–6028). For more information about E-Verify-related discrimination or to report an employer for discrimination in the E-Verify process based on citizenship, immigration status, or national origin, contact IER's Worker Hotline at 800–255–7688 (TTY 800–237–2515). Additional information about proper nondiscriminatory Form I–9 and E-Verify procedures is available on the IER website at *https://www.justice.gov/ier* and the USCIS website at *http://www.dhs.gov/E-verify.*

Note Regarding Federal, State, and Local Government Agencies (Such as Departments of Motor Vehicles)

While Federal Government agencies must follow the guidelines laid out by the Federal Government, state and local government agencies establish their own rules and guidelines when granting certain benefits. Each state may have different laws, requirements, and determinations about what documents you need to provide to prove eligibility for certain benefits. Whether you are applying for a Federal, state, or local government benefit, you may need to provide the government agency with documents that show you are a TPS beneficiary and/or show you are authorized to work based on TPS. Examples of such documents are:

(1) Your current EAD;

(2) A copy of your Notice of Action (Form I–797C), the notice of receipt, for your application to renew your current EAD providing an automatic extension of your currently expired or expiring EAD;

(3) A copy of your Notice of Action (Form I–797C), the notice of receipt, for your Application for Temporary Protected Status for this re-registration; and

(4) A copy of your Notice of Action (Form I–797), the notice of approval, for a past or current Application for Temporary Protected Status, if you received one from USCIS.

Check with the government agency regarding which document(s) the agency will accept. Some benefit-granting agencies use the USCIS Systematic Alien Verification for Entitlements (SAVE) program to confirm the current immigration status of applicants for public benefits. In most cases, SAVE provides an automated electronic response to benefit-granting agencies within seconds, but, occasionally, verification can be delayed. You can check the status of your SAVE verification by using CaseCheck at the following link: *https://save.uscis.gov/casecheck/,* then by clicking the ''Check Your Case'' button. CaseCheck is a free service that lets you follow the progress of your SAVE verification using your date of birth and one immigration identifier number. If an agency has denied your application based solely or in part on a SAVE response, the agency must offer you the opportunity to appeal the decision in accordance with the agency's procedures. If the agency has received and acted upon or will act upon a SAVE verification and you do not believe the response is correct, you may make an InfoPass appointment for an in-person interview at a local USCIS office. Detailed information on how to make corrections, make an appointment, or submit a written request to correct records under the Freedom of Information Act can be found on the SAVE website at *http://www.uscis.gov/save.*

[FR Doc. 2018–10868 Filed 5–21–18; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR 6091–N–01]

Implementation of the Tribal HUD–VA Supportive Housing Program

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development.

ACTION: Notice.

SUMMARY: On October 21, 2015, HUD published in the **Federal Register** a Notice that established the policies and procedures for the administration of a supportive housing and rental demonstration called ''Implementation of the Tribal HUD–VA Supportive Housing Program'' (Tribal HUD–VASH). The program provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. HUD also issued technical corrections in the **Federal Register** on December 6, 2016 to clarify the program's intent and address various issues that arose during the implementation of the program. Today's **Federal Register** Notice consolidates all Tribal HUD–VASH program requirements in one Notice and supersedes the prior Notices. This Notice also establishes HUD's procedures for issuing renewal funding, subject to the availability of future appropriations.

DATES: *Applicability Date:* May 22, 2018.

FOR FURTHER INFORMATION CONTACT: Heidi J. Frechette, Deputy Assistant Secretary, Office of Native American Programs (ONAP), Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street SW, Room 4126, Washington, DC 20410, telephone number 202–402–7914. (This is not a toll-free number.) Hearing—or

speech-impaired individuals may access this number via TTY by calling the toll-free Federal Relay Service at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

I. Background
II. Definitions
III. Program Requirements
IV. Allocation of Assistance
V. Application for Tribal HUD–VASH Program
VI. Tribal HUD–VASH Program Requirements, Waivers, and Alternative Requirements
VII. Environmental Impact

I. Background

Since Fiscal Year (FY) 2008, the Housing Choice Voucher (HCV) program has provided rental assistance under a supportive housing program for Homeless veterans authorized by section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)). The initiative, known as the HUD–VA Supportive Housing (HUD–VASH) program, was initially authorized by the Consolidated Appropriations Act, 2008 (Pub. L. 110–161, approved December 26, 2007). The HUD–VASH program combines HCV rental assistance for Homeless veterans with Case Management and clinical services provided by or through the VA through Veterans Administration Medical Centers (VAMC). Historically, this program has not reached Native American veterans in tribal communities due to legal impediments preventing tribes and tribally designated housing entities (TDHEs) from participating in the HUD–VASH program.

In the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113–235, approved December 16, 2014) (''2015 Appropriations Act''), Congress authorized funding for a demonstration program to expand the HUD–VASH program into Indian Country. The 2015 Appropriations Act directed HUD to coordinate with Indian tribes, TDHEs, and other appropriate tribal organizations to design this program, and ensure the effective delivery of housing assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness. It also authorized HUD to make appropriate adjustments to the HUD–VASH model, and to waive or specify alternative requirements (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for any provision of any statute or regulation that it administers if it finds that they are necessary for the effective delivery and administration of rental assistance under the program.

On January 26, 2015, HUD sent a ''Dear Tribal Leader'' letter to tribal leaders, tribal organizations, and TDHE directors soliciting comments on a Tribal HUD–VASH demonstration program (Tribal HUD–VASH). HUD also held a national listening session at the National American Indian Housing Council's Legislative Conference held on February 2, 2015, followed by regional listening sessions held at each of the six Office of Native American Programs (ONAP) field offices. HUD also received comments from tribes through letters and emails. Generally, the comments were supportive of the program. The comments offered suggestions on how the program should be structured to address aspects such as rent and geographic distribution. HUD considered these comments when developing the Tribal HUD–VASH program.

On October 21, 2015, HUD published a Notice entitled ''Implementation of the Tribal HUD–VA Supportive Housing Program'' in the **Federal Register** establishing the policies and procedures for the Tribal HUD–VASH program (80 FR 63822). HUD announced the availability of $4 million in grant funding to Indian tribes and TDHEs to fund tenant-based or project-based rental assistance and associated administrative expenses. Under Tribal HUD–VASH, Indian tribes and TDHEs participants must partner with the Department of Veterans Affairs (VA) to provide healthcare assistance to eligible Native American veterans. On March 2, 2016, HUD published a Notice entitled, ''Tribal HUD–VA Supportive Housing Program Awards, Fiscal Year 2015'' notifying the public regarding the tribes/TDHEs selected for the program in the **Federal Register**. In total, 26 tribes/TDHEs were awarded $5.9 million in funding, as funding became available in addition to the original $4 million cited in the implementation Notice *81 FR 10880.* Finally, HUD issued technical corrections to the October 21, 2015, **Federal Register** Notice on December 6, 2016 to address issues that arose during the implementation of the program *81 FR 87948.*

In the Consolidated Appropriations Act, 2017 (P.L. 115–31, approved May 5, 2017) an additional $7 million for renewal grant funding and limited expansion was provided for the Tribal HUD–VASH program. Today's announcement supersedes the Notices issued on October 21, 2015 and December 6, 2016 by consolidating all the Tribal HUD–VASH program requirements. This Notice also establishes HUD's procedures for issuing renewal funding, subject to the availability of future appropriations. Any future changes to Tribal HUD–VASH program definitions, requirements, and implementation will be outlined in future **Federal Register** Notices issued by HUD.

II. Definitions

Case Management—For purposes of Tribal HUD–VASH, Case Management is a specialized component of healthcare management, requiring highly skilled, trained professionals. Case Management emphasizes a collaborative process that assesses, advocates, plans, implements, coordinates, monitors, and evaluates health care options and services so that they meet the needs of the individual patient.

Community Based Outpatient Clinic (CBOC)—A Community Based Outpatient Clinic (CBOC) is a VA-operated clinic or a VA-funded or reimbursed health care facility or site that is geographically distinct or separate from the parent medical facility.

Fair Market Rent (FMR)—Fair Market Rent means the rent, as established by HUD, for units of varying sizes (by number of bedrooms), that must be paid in the market area to rent privately-owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities.

Homeless and At Risk of Homelessness—For purposes of Tribal HUD–VASH, HUD is adopting the definitions of ''Homeless'' in Section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)) and ''At Risk of Homelessness'' in Section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)). However, the income provision at 42 U.S.C. 11360(1)(A) does not apply to the Tribal HUD–VASH program. Instead, HUD is adopting the low-income eligibility requirements in Section 4(14) of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA). Accordingly, a veteran will be eligible for this program if he or she otherwise meets the definition of ''Homeless'' or ''At Risk of Homelessness,'' and is a low-income Indian, as defined in NAHASDA (*i.e.,* has an income that is no more than 80 percent of area median income for the Indian area as determined by HUD).[1]

Privately-owned housing—Privately-owned housing is any unit not directly

[1] Wherever the phrase ''Homeless veteran'' appears in this Notice, it will also include veterans who are At Risk of Homelessness unless explicitly stated otherwise.

owned by the Tribal HUD–VASH grantee. Accordingly, in situations where the TDHE is the Tribal HUD–VASH grantee, but the unit is owned by another tribal organization (such as the tribe), the unit would be considered privately-owned for purposes of this program (see 81 FR 87948).

Project-Based Rental Assistance (PBRA)—Rental housing assistance tied to a specific housing unit or units. The housing assistance stays with the unit or units and any household living in the unit must meet program requirements. If the household moves out of the subsidized unit, they no longer receive rental housing assistance.

Tenant-Based Rental Assistance (TBRA)—Rental housing assistance tied to a specific household. The eligible applicant selects and rents a unit (whether private or TDHE-owned) that meets program requirements, and the tribe or TDHE makes rent subsidy payments on behalf of the household. The assistance stays with the household; if the household moves to a different unit that meets program qualifications, the tribe or TDHE makes rental payments to the owner of the new unit on the household's behalf.

III. General Program Requirements

HUD consolidates all program requirements of Tribal HUD–VASH with the publication of this Notice. Any future changes to program requirements will be outlined in future **Federal Register** Notices issued by HUD. In accordance with the 2015 Appropriations Act, this Notice includes appropriate adjustments to program requirements through the issuance of statutory and regulatory waivers that HUD has deemed necessary for the effective delivery and administration of rental assistance under the program. Generally, rental assistance under this program is subject to all requirements of NAHASDA that are applicable to rental assistance funded under the Indian Housing Block Grant (IHBG) program. This includes the NAHASDA statute (25 U.S.C. 4101 *et seq.*), all IHBG program regulations in 24 CFR part 1000, and all other Federal laws and regulations applicable to the IHBG program. To the extent that program requirements in this Notice differ from any provision in NAHASDA and 24 CFR part 1000, and any other statute or regulation that HUD administers, with the exception of any Federal civil rights and fair housing laws and requirements, the terms of this Notice will govern.

Housing assistance under this program is made available by grants to tribes and TDHEs that are eligible to receive IHBG funding under NAHASDA. Tribes request Tenant-Based and/or Project-Based Rental Assistance by the number of bedrooms in a rental unit. Grants are awarded based on the number rental units (Tenant-Based and Project-Based Rental Assistance) approved by HUD. Grants include an additional amount for administrative costs, which will be described in more detail later in this Notice. Grant funding is awarded based on 12 months of funding. Participating tribes/TDHEs draw down funds from the HUD Line of Credit Control System (LOCCS) on a monthly basis to cover rental assistance payments.

Eligible Homeless veterans receive case management services through the Department of Veterans Affairs. A tribe/TDHE works with the local VAMC to determine how Case Management will be delivered to Native American veterans. VA may provide these services directly through the local VAMC, or through a CBOC. Alternatively, the VA may engage in a contractual relationship with a tribal healthcare provider or the Indian Health Service (IHS) for service delivery. A tribe/TDHE may partner with VA to provide office space within the tribal area for the VA caseworker to operate. Additionally, VA, in coordination with the tribe/TDHE may partner with IHS to provide space for VA case management activities at an IHS facility. Locations for the provision of case management must comply with accessibility requirements as referenced in 24 CFR 1000.12(b).

Native American veterans participating in this program are housed based on a Housing First approach, where Homeless veterans are provided housing assistance and then offered the supportive services that may be needed to foster long-term stability and prevent a return to Homelessness. This approach assumes that supportive services are more effective when the individual or household is housed, and the daily stress of being Homeless is relieved. Key components of the Housing First model include a simple application process for participating veterans, a harm reduction approach from VA, and no conditions of tenancy beyond those included in the lease and the requirements in this Notice. Housing First specifically does not require sobriety or testing for substance abuse to obtain or sustain tenancy, and thus must not be required in the lease. More information on Housing First is available at: *http://usich.gov/usich_resources/fact_sheets/the_housing_first_checklist_a_practical_tool_for_assessing_housing_first_in.*

IV. Allocation of Assistance

The 2015 Appropriations Act authorized HUD to set aside an amount from the HUD–VASH program for a tribal demonstration program. HUD originally awarded $5.9 million in funding to 26 tribes/TDHEs, to support approximately 600 rental housing units and associated administrative fees for Tribal HUD–VASH.

Pursuant to the 2015 Appropriations Act, awards under this program were based on need, administrative capacity, and other factors that HUD specifies in this Notice after coordination with the VA. The method of allocating assistance under this program was developed through a collaborative effort among VA and HUD's Offices of Public and Indian Housing, Policy Development and Research, and Community Planning and Development. HUD also considered all comments and suggestions made by Indian tribes during the tribal consultation process. Responding to tribal comments, HUD explored the possibility of allocating funding through a tribal competition. However, HUD determined the best method for allocation under the demonstration program was to follow as closely as possible the existing parameters for the standard HUD–VASH program. HUD is open to reconsidering a competitive process at a later date, if additional funding is received for a Tribal HUD–VASH program.

To identify potential Tribal HUD–VASH sites, HUD used a combination of VA data and data from the American Community Survey (ACS). First, HUD and VA identified VAMCs serving high populations of Homeless Native American veterans. To ensure geographic distribution, HUD selected the top two VAMCs with the highest Homeless Native American population in each of the six ONAP regions. HUD then identified the tribes within these VAMC ''catchment'' or operating areas. Using VA data showing the number of Native American veterans by tribal areas, HUD then prioritized tribes based on the presence of the greatest number of veterans and cross referenced this list with ACS data. In some instances, tribes with large populations of Native American veterans were outside of the VAMC catchment area. When this occurred, HUD added the tribe (and local VAMC) for consideration in that ONAP region. VA allocated funding for the equivalent of up to 30 professional, full-time Tribal HUD–VASH case managers, which may be used to directly hire VA staff or enter into a contractual relationship with a tribe or IHS facility. Each case manager has the

capacity to serve between 15–25 Native American veterans. Case managers are assigned to VAMCs based on the overall level of need and capacity in each ONAP region.

Tribes/TDHEs selected in each ONAP region were invited to apply for Tribal HUD–VASH shortly after publication of the October 21, 2015 Notice. Tribes/TDHEs were required to submit a Tribal HUD–VASH application and if any declined to participate or did not need its full allocation, HUD invited the next highest tribe within an ONAP region ranked by need and capacity. A tribe/TDHE that participated in the Tribal HUD–VASH program must partner with its VAMC.

In general, tribes were awarded grants equal to an amount that funds rental assistance payments for between 15–25 rental housing units, which is equal to the capacity of one Tribal HUD–VASH case manager. If there were other tribes in the area with eligible veterans who could be served by the same case manager, the tribe invited to apply could either sub-grant to another entity or directly serve Tribal HUD–VASH recipients from the other tribe. Should the tribe sub-grant to another entity, HUD strongly encouraged the tribe invited to ensure that the sub-recipient had sufficient capacity and was in good standing with HUD. The lead tribe would only be eligible for one grant award, not to exceed 25 units of assistance. If there were situations where a tribe/TDHE had a need to serve fewer than 15 Native American veterans, and VA determined there is the capacity within its existing HUD VASH staff to assist Native American veterans, the tribe/TDHE may be awarded fewer than 15 units of assistance.

The grant award was based on the number of units requested by a tribe/TDHE, the rents established by the tribe, and a per-unit administrative fee. Once awarded, a tribe/TDHE may provide assistance to additional Native American veterans if there are funds remaining from the initial grant, and the VA is able to provide Case Management support at no additional cost.

V. Application and Submission Information

HUD consolidates and restates previously issued application and submission guidance for Tribal HUD–VASH with the publication of this Notice. Any future changes to application and submission guidelines will be outlined in any future **Federal Register** or Public and Indian Housing (PIH) Notices issued by HUD.

A. Application Receipt Deadline

Subject to the availability of appropriations, applicants for this program should submit applications in accordance with the requirements outlined in any future **Federal Register** or PIH Notices issued by HUD.

B. Eligible Applicants

Eligible applicants are Indian tribes as defined in section 4(13) of NAHASDA or TDHEs authorized by one or more tribes pursuant to section 4(22) of NAHASDA and 24 CFR 1000.206 and invited by HUD to apply for Tribal HUD–VASH per the allocation method described under Section IV of this Notice.

C. Content of Application, Forms, and Required Elements

The applicant must submit all forms and information required in this section and in accordance with any future Notices issued by HUD.

1. *Contact Information:* Tribe/TDHE and point of contact; mailing address; phone number; and email address; including name, title, and signature of person authorized to submit the application.

2. *Other Identifying Information:* Employer/taxpayer identification number (EIN/TIN) and organizational DUNS number.

3. *System for Award Management (SAM):* Evidence of active, valid SAM registration.

4. *Units of Assistance Requested:* Provide the estimated total number of rental housing units that the Indian tribe or TDHE plans to provide to Native American veterans with assistance under this program, and whether the assistance will be Tenant-Based Rental Assistance, Project-Based Rental Assistance, or a combination of both. Provide a table detailing the estimated number of units requested by the number of bedrooms and the corresponding rent, as well as a written justification for the rent structure (see Section VI. H. Rent). If the applicant seeks both Tenant-Based and Project-Based Assistance, provide separate tables. FMRs can be found at *www.huduser.org/portal/datasets/fmr.html.*

Rental Assistance Requested by Number of Bedrooms: (total number)
Type of Assistance: (Tenant-Based or Project-Based Rental Assistance)

0–BR	1–BR	2–BR	3–BR	4–BR	5–BR	6–BR	Total #

Estimated Rent for Area by Number of Bedrooms

0–BR	1–BR	2–BR	3–BR	4–BR	5–BR	6–BR	Total $

5. *Tenant-Based Rental Assistance vs. Project-Based Rental Assistance:*

In the Tribal HUD–VASH application, the tribe/TDHE must determine if the rental housing assistance provided under the program will be Tenant-Based Rental Assistance and/or Project-Based Rental Assistance. After receiving the grant, a tribe/TDHE may make a determination to convert from one type of rental assistance to the other for any unutilized grant funds. If the switch is from Tenant-Based to Project-Based Rental Assistance, then the tribe/TDHE must comply with paragraph C.5.b below, and submit the Project-Based Rental Assistance information requested below in paragraph C.7 for HUD approval prior to the actual switch.

a. *Tenant-Based Rental Assistance:* A tribe/THDE may apply for a grant under this program to provide Tenant-Based Rental Assistance to Native American veterans. The tribe/TDHE will either assist the Native American veteran in locating privately-owned housing and enter into a contract with the owner of the housing, or provide housing in a unit that is owned or operated by the tribe/TDHE. Tenant-Based Rental Assistance will be subject to requirements further described in this Notice.

b. *Project-Based Rental Assistance:* A tribe/THDE may apply for a grant under this program to provide Project-Based Rental Assistance to Native American veterans. To be considered for Project-Based Rental Assistance, a tribe/TDHE's

IHBG LOCCS balance cannot exceed three times its most current FY grant, unless the tribe received an IHBG that was less than $75,000 in that year.

The tribe/TDHE will provide a monthly rental assistance payment for a specific housing unit in which an eligible Native American veteran will reside. The housing unit will be specifically designated as a unit that is available for Native American veterans eligible under this program. Project-Based Rental Assistance may be provided to privately-owned housing with a contract with the owner of the housing, or a unit that is owned or operated by the tribe/TDHE. Project-Based Rental Assistance will be subject to requirements further described in this Notice.

6. *Project-Based Rental Assistance Submission:* If requesting funds for Project-Based Rental Assistance, also provide the following information:

a. The number of units and the type of structure to which the assistance units will be attached.

b. The ownership of the project and evidence of site control.

c. If a tribe/TDHE proposes to use its grant to provide rental assistance payments for rental housing units not yet constructed or rehabilitated, provide:

i. A project timeline, including the length of time the Tribal HUD–VASH assistance would not be used while waiting for the units to be completed (projects with timeframes longer than 2 years until completion will not be approved);

ii. A detailed budget for the project including all sources and uses of funding; and

iii. Evidence showing experience of the tribe/TDHE in developing new housing.

7. *Tribal Resolution:* If an application is submitted by a TDHE on behalf of an Indian tribe(s), a tribal resolution(s) must be submitted authorizing the TDHE to submit the application under this program.

8. *Mitigation Plan:* Per the 2015 Appropriations Act, HUD must consider administrative capacity before making awards. HUD will examine a range of capacity indicators, including outstanding financial audits; unresolved HUD monitoring findings, Office of Inspector General (OIG) findings or audit findings; unresolved outstanding civil rights violations, high unexpended grant balances; and overall administrative capacity to administer a new program. If the invitation requires an applicant to submit a mitigation plan as a precondition to receiving an award due to capacity concerns identified by HUD, the applicant must submit the mitigation plan with the application. The mitigation plan must be approved by HUD before funds will be awarded.

9. *Disclosure of Lobbying Activities (SFLLL):* This form must be submitted by State-recognized Indian tribes and TDHEs established only under state law.

10. *Code of Conduct:* If the applicant's Code of Conduct (code) is not listed on HUD's website at: *https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conduct* or if the information on the website has changed, a copy of the code must be submitted with the application.

11. *Community Involvement:* The applicant is encouraged to involve the community in developing and implementing the Tribal HUD–VASH program. Please include a description of actions taken to allow for citizen participation.

D. Application Review Procedures

HUD will review each application and will respond to each application within 30 days of receipt or in accordance with the requirements outlined in future Notices issued by HUD. Upon HUD's approval of the application, a Tribal HUD–VASH grant will be awarded to a tribe/TDHE. HUD will issue a grant agreement to be signed by the tribe/TDHE and will disburse funds through the HUD LOCCS system.

VI. Tribal HUD–VASH Program Requirements, Waivers, and Alternative Requirements

The 2015 Appropriations Act requires tribes and TDHEs that receive funding under Tribal HUD–VASH to administer the program in accordance with NAHASDA and the IHBG regulations at 24 CFR part 1000, except as modified in this Notice. The program requirements for the HCV program found at 24 CFR part 982 and the project-based voucher (PBV) program requirements found at 24 CFR part 983 do not apply unless specifically made applicable by this Notice. The following Notices also do not apply to Tribal HUD–VASH: PIH 2015–11, PIH 2014–23, PIH 2011–50 PIH–2010–40, and 77 FR 17086. In addition, the 2015 Appropriations Act authorizes HUD, in coordination with the VA, to waive, or specify alternative requirements for, any provision of any statute or regulation (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), that HUD administers in connection with the use of these funds, upon a finding by HUD that any such waivers or alternative requirements are necessary for the effective delivery and administration of assistance under this program. This section of the Notice sets forth requirements for Tribal HUD–VASH that replace or augment those in NAHASDA, and that HUD determined are necessary for the effective delivery and administration of Tribal HUD–VASH. These waivers or alternative requirements are exceptions to the existing IHBG program requirements, which would otherwise govern the provision of Tribal HUD–VASH assistance.

A. Native American Veteran Selection and Referral

Native American veterans first will be screened by the VA in accordance with VA screening procedures and by applying the eligibility criteria in section VI, paragraph B. Native American veterans determined by the VA to be eligible for the program will be referred to the tribe/TDHE for additional screening based on the eligibility requirements also listed in paragraph B., below. Native American veterans determined eligible for assistance under this program will then be provided with rental assistance. A tribe/TDHE may not provide rental assistance under this program unless it receives a referral from the VA and the referred Native American veteran meets the eligibility criteria for housing assistance as described in paragraph B., below.

B. Native American Veteran Eligibility

1. *VA Screening:* The VA determines the initial eligibility of Native American veterans in the Tribal HUD–VASH program. VA screens for the following program eligibility requirements:

a. Eligible for VA health care (based on factors such as length of time in active duty, service, and type of discharge as noted on the Native American veteran's *Certificate of Release or Discharge from Active Duty* (DD–214)). More information on veteran status and VA eligibility health care eligibility criteria can be found at *http://www.va.gov/about_va/* (Benefits, ''Applying for Benefits'').

b. A determination of Homeless or At Risk of Homelessness in accordance with this Notice.

c. A clinical need for Case Management services (*e.g.,* a disabling physical or mental condition, or substance use that contributes significantly to the Native American veteran's housing status), as determined by VA.

d. The Native American veteran's agreement to participate in VA Case Management.

2. VA will prioritize eligible Native American veterans based on their level of need for Case Management. Those veterans with the greatest need for Case Management will be the first to be referred to a participating tribe/TDHE for rental assistance.

3. For the purposes of this program, eligibility status for housing does not extend to a deceased veteran's family.

4. *Tribe/TDHE Screening:* The tribe/TDHE must accept all VA referrals of Native American veterans and their families from its VA partner and screen for the following eligibility requirements:

a. A determination that the veteran is ''Indian'' as defined in section 4(10) of NAHASDA.

b. A determination that the Native American veteran is income-eligible. To be eligible, a veteran household's annual income must be no more than 80 percent of the greater of the median income for the Indian area, or the median income for the United States as prescribed by Section 4(15) of NAHASDA. Tribes/TDHEs will be subject to the same definition of ''annual income'' as in 24 CFR 1000.10. Tribes may follow their existing IHBG policies on calculating income in compliance with 24 CFR 1000.10, or they may establish new policies specific to the Tribal HUD–VASH program. Native American veterans may qualify for assistance under this program if they meet the income eligibility requirements in this Notice at the time they enter the Tribal HUD–VASH program. HUD is adopting the definitions of Homeless and At Risk of Homelessness that are in the McKinney-Vento Act, but the income requirements of McKinney-Vento do not apply to this program. Tribes and TDHEs may not provide assistance under this program to any over-income Native American veteran that would otherwise be deemed eligible under the over-income or essential family categories in Sections 201(b)(2) and (3) of NAHASDA, unless the household met the income requirements at the time that they entered the program. To ensure that those Homeless and At Risk of Homeless Native American veterans with the greatest housing need will be first served by this program, HUD has found it necessary to waive of Sections 201(b)(2) and (3) of NAHASDA, and regulations at 24 CFR 1000.104–1000.110, to limit eligibility to Native American veterans whose income is no more than 80 percent of area median income for the Indian area.

c. A determination that the veteran is not registered as a lifetime sex offender. HUD is establishing the following alternative requirements to section 207(b) of NAHASDA, and 24 CFR 1000.120 relating to tenant selection. HUD is applying the screening requirements similar to 24 CFR 982.553(a)(2) relating to registered lifetime sex offenders. Tribes/TDHEs are required to establish written standards that prohibit admission if the veteran or any member of the household is subject to a lifetime registration requirement (Tier III offense) under any state sex offender registration program. As part of the eligibility screening process, a tribe/TDHE must perform a background check to see if the referred veteran or any household member is subject to a lifetime sex offender registration requirement in the state where the housing is located and in other states where the household members are known to have resided. If a household member other than the Homeless or At Risk of Homelessness veteran (which would result in denial of admission for the household) is subject to lifetime registration under a state sex offender registration, the remaining household members may be served if the veteran agrees to remove the sex offender from its household composition. This requirement is necessary to ensure consistent policy across HUD–VASH programs relating to providing assistance to registered sex-offenders.

d. Annual income is used to determine program eligibility under NAHASDA. Per PIH Notice 2011–15, veteran compensation for service-connected disability or death under title 38 U.S.C. chapter 11, and dependency and indemnity compensation for service-connected deaths under title 38 U.S.C. chapter 13 are excluded from income. Refer to NAHASDA Program Guidance 2013–05 for more information on calculating income.

5. Written documentation of all referrals and eligibility screening must be maintained in the veteran's file by the tribe/TDHE.

C. Awarding Housing Assistance to an Eligible Veteran

Once the tribe/TDHE performs all the activities listed above and the Native American veteran is deemed eligible, the tribe must offer rental housing assistance provided by this program to the participant. Tenant-Based Rental Assistance must be provided with an initial search term of 120 days from the date such assistance is offered. Project-Based Rental Assistance must be offered in the form of the next available project-based unit.

To ensure consistency with the standard HUD–VASH program and to serve the maximum number of Native American veterans in need of housing stability, tribes/TDHEs will not be allowed to deny assistance to an otherwise eligible Native American veteran who has been referred by the case manager on any grounds other than preferences based on tribal membership in accordance with the tribe/TDHE's written admissions and occupancy policies. Where a tribe/TDHE has adopted a tribal preference policy on admissions and occupancy that provides that the tribe/TDHE will provide assistance to a tribal member before members of other Indian tribes, the tribe/TDHE may prioritize assistance under this program to tribal members. If a tribe/TDHE has remaining grant funds after serving its tribal members veterans, it must serve other referred Native American veterans that are members of other Indian tribes until all grant funds under this program have been fully spent and may not refuse to provide such assistance. Tribes/TDHEs may adopt a tribal preference policy specifically for this program. Tribes/TDHEs may not deny admission to a referred and eligible Native American veteran because of any factors or reasons, other than tribal preference, such as criminal history (aside from sex offender status) or substance abuse.

D. Record Keeping at Initial Occupancy

In addition to maintaining records of referral and eligibility determination as required in paragraph B.5. above, a tribe/TDHE must also collect, keep on file, and report, additional household demographic, personal (including social security numbers), and rental information using a HUD–50058 form revised for the Tribal HUD–VASH program. This information also is required to be reported through an electronic reporting system as prescribed by HUD. See ONAP Program Guidance, ''Record Keeping at Initial Occupancy'' (No. 2016–05) for further guidance on required record keeping.

At initial occupancy, tribes/TDHEs will need to collect Social Security numbers (SSNs) for Homeless or At Risk of Homelessness veterans and their household members. This information must be maintained in the veteran's physical file. An original document issued by a federal, state, or tribal government agency, which contains the name of the individual and the SSN of the individual along with other identifying information, is acceptable in accordance with the standards in 24 CFR 5.216(g). In the case of the Homeless or At Risk of Homelessness veteran, the tribe/TDHE must accept the *Certificate of Release or Discharge from Active Duty* (DD–214) or the VA-verified *Application for Health Benefits* (10–

10EZ) as verification of SSN, and cannot require the veteran to provide a SSN card. These documents must also be accepted for proof-of-age purposes in lieu of birth certificates or other tribe/TDHE-required documentation. Please note that veterans are also issued photo identification cards by the VA. If such identification is required by the tribe/TDHE, these cards must be accepted by the tribe/TDHE in lieu of another type of government-issued photo identification.

E. Case Management

As part of the VA Case Management duties, the veteran's case manager will assist the veteran in locating appropriate housing for the veteran. VA responsibilities for Case Management also include (1) providing appropriate treatment, referrals, and supportive services to the veteran, if needed, prior to tribe/TDHE issuance of rental assistance; (2) identifying the social service and medical concerns of the veteran and providing, or ensuring the provision of, regular ongoing Case Management, outpatient health services, crisis intervention, and other supportive services as needed throughout the veteran's participation period; and (3) maintaining records and providing information for evaluation purposes, as required by HUD and the VA.

As a condition of receiving rental assistance under this program, an eligible veteran must agree to receive the Case Management services noted above. If a Tribal HUD–VASH case manager determines that a veteran fails to participate without good cause in Case Management, the participant's rental assistance may be terminated. However, a determination by the case manager that the participant veteran no longer requires Case Management is not grounds for termination of assistance.

F. Local Housing Codes and Quality Standards

Once a unit is located or ready to be occupied by a veteran, the tribe/TDHE must make a determination that the unit meets applicable local housing codes and quality standards in accordance with section 207(a) (2) of NAHASDA.

G. Ineligible Housing

Under the 2015 Appropriations Act, assistance under this program is limited to Native American veterans that are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. Accordingly, tribes/TDHEs participating in this program must house Native American veterans either on or near reservations, or within NAHASDA-authorized Indian areas, with the exception of units developed to house Homeless veterans on the grounds of a VA facility.

Assistance under this program may not be provided to Native American veterans who will be residing in a housing unit that qualifies as Formula Current Assisted Stock under the IHBG program. Refer to the ONAP Program Guidance, ''IHBG in the Tribal HUD–VASH Program'' (No. 2018–01) for more information.

H. Rent

1. Due to the limited availability of housing stock on or near reservations or in NAHASDA Indian Areas that is not developed, or has been otherwise assisted, with NAHASDA funding, HUD has found it necessary to establish alterative requirements regarding the maximum rent for a unit assisted under NAHASDA. These alternative requirements affect sections 203(a) of NAHASDA, and regulations at 24 CFR 1000.124, and 1000.130, which limit the maximum rent that can be charged to 30 percent of a household's adjusted monthly income. The alternative requirement allows a tribe/TDHE to determine rents by bedroom size based on the local FMR, market conditions and/or unit operating costs. Tribes/TDHEs must submit a justification as to how rent is determined in their program application. For both, housing units owned or operated by the tribe/TDHE, and privately-owned units, rents may not exceed 110 percent of FMR. If a tribe/TDHE deems it necessary to charge more than 110 percent of FMR (or to place a veteran in a privately-owned unit with a rent that exceeds 110 percent of FMR), it must obtain HUD's prior approval to do so. For example, a tribe/TDHE may find it necessary to request such approval in order to address a request for a reasonable accommodation for a person with disabilities or in instances where rental market conditions render it difficult to find rent at 110 percent of FMR. HUD encourages tribes/TDHEs to establish rents at a level that is less than 110 percent of the FMR, particularly in housing that is owned or operated by the tribe/TDHE, to allow more Native American veterans to receive assistance. These alternative requirements do not apply to any other HUD-assisted housing that may be subject to other rent restrictions.

2. Bedroom size must be determined based the number of family members living in the household, not on the number of bedrooms in the unit to be rented. Guidelines for determining unit size are one bedroom for each two persons within the household, except:

a. Persons of the opposite sex (other than spouses, and children under age 5) are not required to share a bedroom;

b. Persons of different generations are not required to share a bedroom;

c. Live-in aides must be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family; and

d. Single person families must be allocated zero or one bedroom.

Therefore, in situations where the available housing has more bedrooms than necessary for the family size and composition, the rental assistance payment must be limited to the number of bedrooms based on the guidelines listed above. If a recipient chooses to ''over house'' a Veteran family by placing the family in a larger unit than the family requires under the above guidelines, the maximum amount of Tribal HUD–VASH funds that can be used to house the Veteran family is the rent for a unit sized in accordance with the guidelines, and in accordance with Section VI., subsection H of this Notice. Any additional rental costs due to over housing cannot be funded with Tribal HUD–VASH or regular IHBG funds, but can be funded by other resources. In addition, Tribes/TDHEs may want to consider shared housing arrangements in situations where appropriate-sized housing is limited, but where individual veterans could have a separate bedroom and share common areas.

I. Tenant Rent Contribution Payment

Eligible Native American veterans and their families will be required to make a monthly tenant rent contribution payment that is no more than 30 percent of their monthly adjusted income (as defined in NAHASDA and implementing regulations). The tribe/TDHE will pay the difference between the rent and the tenant rent contribution payment. Consistent with 24 CFR 1000.132, the tribe/TDHE may determine if utilities are included in the rent for the unit. The tribe/TDHE may also make this determination when negotiating rental assistance payment contracts with private owners of housing. Tribes/TDHEs may establish a tenant rent contribution payment amount for a Native American veteran that is less than 30 percent of monthly adjusted income. IHBG funds may be used to cover any additional costs related to housing Native American veterans and their families under this program.

J. Rental Assistance Payment Contract

A tribe/TDHE must enter into a contract with the owner of the privately-owned rental housing units in which

the Native American veteran will reside. The contract will govern rental assistance provided under this program to the owner by the tribe/TDHE. Specific terms and conditions will be required. See ONAP Program Guidance, ''Rental Assistance Payment (RAP) Contract Requirements'' (No. 2016–04R) for further guidance on the required contract contents.

K. Program Income

HUD has found it necessary to establish alternative requirements to section 104(a) of NAHASDA, and 24 CFR 1000.62–1000.64, relating to program income received by the tribe/TDHE under this program to ensure program funds continue to be used to provide affordable housing to low-income Native American families. Amounts paid to the tribe/TDHE to cover the rental assistance payment of Native American veterans and their families in tribe/TDHE-owned or operated housing; tenant rent contribution payments collected under this program; and any other income earned from the disbursement of grant funds, including income earned on funds received from such payments; will be considered program income, and must be spent on affordable housing activities, which will be subject to the requirements of NAHASDA and any other applicable Federal law. Notwithstanding Section 104(a) of NAHASDA, and 24 CFR 1000.62–1000.64, such income may not be spent on housing-related activities, as that term is defined in 24 CFR 1000.10. HUD strongly encourages tribes/TDHEs to use this program income to further provide affordable housing assistance to Homeless or At Risk of Homelessness Native American veterans eligible under this program first, before providing assistance to other low-income Native American families. Additionally, all such amounts must be tracked and reported in the Federal Financial Report (SF–425) to ensure compliance with this requirement.

L. Environmental Review

In accordance with the environmental requirements in 24 CFR 1000.20, the tribe/TDHE may not enter into a project-based rental assistance contract or lease before completion of an environmental review and either HUD approval of a Request for Release of Funds under 24 CFR part 58 or HUD approval of the property under 24 CFR part 50. However, in accordance with 24 CFR 50.19(b)(11) and 24 CFR 58.35(b)(1), tenant-based rental assistance is excluded from environmental review.

M. Administrative Fee and Reserve Accounts

HUD has found it necessary to establish alternative requirements to section 101(h) of NAHASDA, and 24 CFR 1000.236–1000.239 to ensure that administrative fees received under this program can pay for, and are limited to, administrative and planning expenses related to this program. Tribes/TDHEs participating in the program will receive a flat administrative fee of $1,020 per unit, for a 12-month period, which can also be used for start-up funding. These funds will be included as part of the grant issued under this program.

A tribe/TDHE may use up to this amount for eligible administrative and planning expenses related only to this Tribal HUD–VASH program. These funds may not be used to pay for administrative and planning expenses related to the tribe/TDHE's IHBG program or any other program. If, after covering all administrative Tribal HUD–VASH expenses, there is a residual administrative fee amount, these funds may be used to provide additional rental assistance to Native American veterans and their families under Tribal HUD–VASH.

Eligible administrative expenses include but are not limited to: (1) Eligibility determinations; (2) intake and briefings; (3) owner outreach efforts; (4) unit inspections; (5) rent negotiations; (6) annual and interim reexaminations; (7) tenant fraud investigations and hearings; (8) processing subsequent moves; (9) the costs associated with making rental assistance payments to owners; and (10) complying with reporting requirements.

HUD is waiving section 202(9) of NAHASDA and 24 CFR 1000.239 relating to reserve accounts established to accumulate amounts for administration and planning. Given the need to ensure the timely expenditure of funds under this program, and the limited scope of this demonstration program, tribes/TDHEs may not draw down funds under this program and deposit them in a reserve account to accumulate amounts for administration and planning.

N. Interim and Annual Reexaminations

HUD has established alternative requirements to 24 CFR 1000.128(b) relating to income reexamination requirements. HUD has found it necessary to require interim reexaminations if a Native American veteran's household income decreases so that the rental assistance payment may increase to cover the cost of rent. Further, if the program is given renewal authority, it will be necessary to conduct annual reexaminations to capture annual fluctuations in income and rent as well as track demographic data necessary for the reporting requirements of the program.

Tribes/TDHEs must conduct an interim reexamination if the Native American veteran's income decreases between annual certifications. If there have been any changes in income, rent, or household composition they must be reported using the relevant sections of the HUD–50058 Form. A paper copy of this information must be kept in the veteran's file and be transmitted electronically to HUD at the time of the interim reexamination.

In the event of renewal funding for the program, the tribes/TDHEs must conduct an annual reexamination of the Native American veteran and the household's income to determine rental assistance payments and tenant rent contribution payments. Annual reexaminations must also collect and update household demographic, personal and rental information reported on the Tribal Family Report (HUD–50058 form). A paper copy of this information must be kept in the veteran's file and an electronic version of this information must be sent to HUD. Rental information reported during the annual recertification will be used to calculate renewal funding.

If, upon annual reexamination, a Native American veteran or his/her household is determined to be over-income, the tribe can continue to serve the Native American veteran/household and not have it count towards its 10 percent over-income cap under 24 CFR 1000.110(c). If the Native American veteran/household's adjusted rent contribution payment, based on the income increase, is equal to the rent for the unit, then the Tribal HUD–VASH rental assistance is no longer needed and this assistance must be used on the next eligible Native American veteran. In this instance, the over-income Native American veteran can continue to receive Case Management services from the VA for as long as the VA deems the care necessary.

O. Reporting Requirements

As required by Congress, tribes/TDHEs must submit demographic and financial information generated by the Tribal HUD–VASH program. Grant funds received under this program must be reported annually in a tribe/TDHE's Indian Housing Plan and Annual Performance Report. Information on grant funds and program income received under this program also must be reported quarterly on the Federal

Financial Report (SF–425). Tribes and TDHEs must fill out relevant demographic and rental information on the HUD Form 50058 and keep a physical record of this form. Additionally, tribes/TDHEs will be required to transmit data from this form electronically on a monthly, quarterly, or annual basis via a method provided by HUD. HUD encourages tribes to make effective use of evidence in identifying or selecting the practices and strategies for implementing HUD VASH. All tribes and TDHEs must agree to cooperate in HUD-funded research and evaluation studies.

P. Turnover of Tribal HUD–VASH Assistance

In accordance with the 2015 Appropriations Act, if the Tribal HUD–VASH rental assistance is no longer needed by a Native American veteran, this assistance must be issued to other eligible Native American veterans as identified by a case manager and as described further in this Notice.

Q. Termination of Assistance to Native American Veterans

Participating tribes and TDHEs must comply with requirements of section 207 of NAHASDA on termination of assistance. In addition, before determining whether to terminate assistance, tribes and TDHEs must contact the case manager to determine if ongoing Case Management services could mitigate the conditions that are leading to a potential termination. Participating tribes and TDHEs are subject to Section 504 of the Rehabilitation Act and HUD's regulation at 24 CFR part 8, which would include providing reasonable accommodations to individuals with disabilities throughout the termination process.

R. Renewal Funding

Renewal funding under the Tribal HUD–VASH program is subject to the availability of future appropriations. If appropriated, the process by which existing Tribal HUD–VASH recipients may seek renewal funding will be published annually in a PIH Notice. HUD will award renewal funds based on the criteria specified in the appropriation language and requirements issued in this Notice. If funding is not available, then tribes/TDHEs should use their best efforts to allocate IHBG funds to support Homeless or At Risk of Homelessness Native American veterans and their families that are currently being assisted through Tribal HUD–VASH programs.

S. Investment of Grant Funds

HUD is waiving section 204(b) of NAHASDA and 24 CFR 1000.58 relating to the investment of grant funds. Given the need to ensure the timely expenditure of funds under this program, and the limited scope of this demonstration program, tribes/TDHEs may not draw down funds under this program to invest in securities or other obligations.

T. Reduction and Termination of HUD–VASH Grant Funds, Appeal of HUD Determinations, and Reallocation of Grant Funds

Because of the urgent housing needs of Native American veterans and their families, the relatively limited amount of funding under this program, the limited scope of this demonstration program, and the need to ensure the timely expenditure of funding, HUD finds it necessary for the effective delivery and administration of assistance under this program to waive Title IV of NAHASDA, and all implementing regulations at 24 CFR part 1000 as they relate to termination, reduction and limitation of assistance, and reallocation of such assistance to other tribes/TDHEs under this program. HUD is establishing alternative requirements to Title IV of NAHASDA, and relevant implementing regulations 24 CFR part 1000.

To ensure compliance with program requirements, HUD will conduct remote and on-site monitoring, as appropriate. After HUD has provided sufficient warning and time to cure, HUD may find it necessary to terminate, reduce, or limit the availability of the grant to a tribe/TDHE for poor performance or substantial noncompliance with program requirements. Poor performance, as determined by HUD may include actions outside of the tribe/TDHE's responsibility such as lack of adequate referrals or poor quality of supportive services provided by a contracted case management entity, or other reasons. Poor performance also includes an inadequate voucher utilization rate by the tribe or TDHE. Substantial noncompliance with program requirements is noncompliance that HUD determines: (1) Has a material effect on the tribe/TDHE's Tribal HUD–VASH program; (2) represents a material pattern or practice of activities constituting willful noncompliance with program requirements, even if a single instance of noncompliance would not be substantial; or (3) places the tribe/TDHE's Tribal HUD–VASH program at substantial risk of fraud, waste, or abuse. HUD may also terminate or reduce grant funds in situations where a tribe/TDHE is not carrying out activities due to a lack of Homeless Native veterans who need housing, or the recipient's failure to comply with its mitigation plan.

If, after expiration of any applicable cure period, HUD determines that a tribe/TDHE lacks Homeless Native veterans who need housing, is performing poorly, or is in substantial noncompliance with program requirements, HUD will provide written Notice to the tribe/TDHE informing it of HUD's decision to terminate, reduce, or limit the availability of the grant. If the tribe/TDHE disagrees with HUD's determination, it may appeal that decision in writing to HUD within 30 days of receipt of HUD's written Notice. In such appeal, the tribe/TDHE must demonstrate to HUD's satisfaction good cause to maintain its grant under this program, including and, as applicable, demonstrate how it will cure its noncompliance or improve its poor performance, within a time period deemed acceptable by HUD. In situations where HUD determines a tribe/TDHE is not carrying out activities due to a lack of Homeless Native veterans, the tribe/TDHE must demonstrate to HUD's satisfaction the level of Homeless Native veteran housing need that corresponds to the assistance the tribe/TDHE is currently receiving. If HUD denies the tribe/TDHE's appeal, it will provide written Notice of the denial and its reason for the denial. The tribe/TDHE will have 30 days from the date of receipt of HUD's written Notice of denial to submit a written request for reconsideration to HUD setting forth justification for reconsideration. HUD will reconsider the tribe/TDHE's submission and either affirm, modify, or reverse its initial decision in writing and will set forth HUD's reasons for the decision. Reconsideration will be conducted by an official other than the one who decided the tribe/TDHE's appeal. If HUD affirms its initial decision on reconsideration, HUD's decision will constitute final agency action. HUD will not take any action to terminate, reduce, or limit a tribe/TDHE's assistance until the tribe/TDHE has exhausted all of its appeal and reconsideration rights.

If, after receiving Notice informing it of HUD's decision to terminate, reduce, or limit the availability of assistance, the tribe/TDHE fails to submit a timely appeal or request for reconsideration, fails to demonstrate to HUD's satisfaction good cause to maintain its grant funds under this program, or fails to cure its noncompliance or poor performance within the time specified

by HUD, HUD is authorized to terminate, reduce, or limit the availability of the tribe/TDHE's grant funds under this program. HUD may use its discretion to reallocate the grant funds resulting from such reduction or termination, to any other tribe/TDHE that is in compliance with program requirements and is not deemed to be a poor performer, and that still has a need to house Homeless Native veterans. Grant funds may be reallocated among tribe/TDHEs within the same ONAP region, or among tribes/TDHEs in different ONAP regions, based on administrative capacity, the utilization of previously awarded Tribal HUD–VASH assistance, and current geographic need as determined by the VA and HUD.

To the extent that any provision of Title VI of NAHASDA or any implementing regulation at 24 CFR part 1000 conflicts with the appeal process described above including, but not limited to, the opportunity for an administrative hearing, the provisions of this Notice will apply.

U. Nondiscrimination Requirements

The Tribal HUD–VASH program is administered in accordance with applicable civil rights and fair housing laws and requirements. Tribes/TDHEs shall be subject to all nondiscrimination requirements that are applicable under NAHASDA and the IHBG regulations at 24 CFR part 1000 and in particular 24 CFR 1000.12

V. Electronic Submission Requirement

For the demonstration program, HUD waived the requirement to submit applications for grant funding through *www.grants.gov,* as required in 24 CFR 5.1005. Considering the statutory deadline to publish the October 21, 2015 Notice and begin the process of awarding funding, and the limited amount of available funds under this program, HUD determined that allowing the submission of paper applications was less burdensome and allowed HUD to make awards in a timelier manner. Subject to the availability of appropriations, applicants for this program should submit applications in accordance with the requirements outlined in any future **Federal Register** or Public and Indian Housing (PIH) Notices issued by HUD.

VII. Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The Finding of No Significant Impact is available for public inspection during regular business hours in the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10276, Washington, DC 20410–0500. Due to security measures at the HUD Headquarters building, please schedule an appointment to review the Finding by calling the Regulations Division at 202–402–3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the Federal Relay Service at (800) 877–8339.

Dated: May 10, 2018.

Dominique Blom,

General Deputy Assistant Secretary for Public and Indian Housing.

[FR Doc. 2018–10909 Filed 5–21–18; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7005–N–10]

60-Day Notice of Proposed Information Collection: Survey to Assess Operational and Capacity Status of Housing Counseling Agencies after a Disaster

AGENCY: Office of the Assistant Secretary for Housing- Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* July 23, 2018.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Virginia F. Holman, Housing Specialist, U.S. Department of Housing and Urban Development, Office of Housing Counseling, Office of Outreach and Capacity Building, 600 East Broad Street, Richmond, VA 23219, *virginia.f.holman@hud.gov,* telephone number (804) 822–4911. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Survey to Assess Operational and Capacity Status of Housing Counseling Agencies after a Disaster.

OMB Approval Number: 2502–0615.

Type of Request: New.

Form Number: None.

Description of the need for the information and proposed use. Survey to assess the operating and capacity status of HUD participating housing counseling agencies in the aftermath of major disasters. The information collected will be used to identify and provide recovery support and assistance to HUD participating housing counseling agencies and their clients.

Respondents: HUD participating housing counseling agencies.

Estimated Number of Respondents: 100.

Estimated Number of Responses: 200.

Frequency of Response: Twice after disaster declaration.

Average Hours per Response: 0.5.

Total Estimated Burden: 100.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(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;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority:

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: March 3, 2018.

Dana T. Wade,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2018–10907 Filed 5–21–18; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2018–0011; FXIA16710900000–178–FF09A30000]

Foreign Endangered Species; Receipt of Permit Applications

Correction

In notice document 2018–10536 appearing on pages 22988–22989 in the issue of May 17, 2018, make the following correction:

On page 22988, in the first column, the Subject Heading is corrected to read as set forth above.

[FR Doc. C1–2018–10536 Filed 5–21–18; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000 189S180110; S2D2S SS08011000 SX064A000 18XS501520; OMB Control Number 1029–0043]

Agency Information Collection Activities: Bond and Insurance Requirements for Surface Coal Mining and Reclamation Operations Under Regulatory Programs

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are announcing our intention to request renewed approval for the collection of information for bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs. This information collection activity was previously approved by the Office of Management and Budget (OMB), and assigned control number 1029–0043.

DATES: Interested persons are invited to submit comments on or before July 23, 2018.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to: The Office of Surface Mining Reclamation and Enforcement, Information Collection Clearance Officer, Attn: John Trelease, 1849 C Street NW, Mail Stop 4559, Washington, DC 20240. Comments may also be submitted electronically to *jtrelease@osmre.gov.*

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact John Trelease by email at *jtrelease@osmre.gov,* or by telephone at (202) 208–2783.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the OSMRE; (2) is the estimate of burden accurate; (3) how might the OSMRE enhance the quality, utility, and clarity of the information to be collected; and (4) how might the OSMRE minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. 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.

This notice provides the public with 60 days in which to comment on the following information collection activity:

Title of Collection: 30 CFR part 800—Bond and Insurance Requirements for Surface Coal Mining and Reclamation Operations under Regulatory Programs.

OMB Control Number: 1029–0043.

Abstract: The regulations at 30 CFR part 800 primarily implement § 509 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act), which requires that people planning to conduct surface coal mining operations first post a performance bond to guarantee fulfillment of all reclamation obligations under the approved permit. The regulations also establish bond release requirements and procedures consistent with § 519 of the Act, liability insurance requirements pursuant to § 507(f) of the Act, and procedures for bond forfeiture should the permittee default on reclamation obligations.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Applicants for surface coal mine permits and State regulatory authorities.

Total Estimated Number of Annual Respondents: 219 coal mining applicants and 24 state regulatory authorities.

Total Estimated Number of Annual Responses: 5,285 responses from the private sector and 7,874 responses from State regulatory authorities.

Estimated Completion Time per Response: Varies from .5 hours to 40 hours, depending upon activity and type of respondent.

Total Estimated Number of Annual Burden Hours: 147,817 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: Once.

Total Estimated Annual Nonhour Burden Cost: $1,499,614.

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.

Authority: The authorities for this action are the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1201 *et seq.*), and the Paperwork

Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

John A. Trelease,

Acting Chief, Division of Regulatory Support.

[FR Doc. 2018–10852 Filed 5–21–18; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000 189S180110; S2D2S SS08011000 SX064A000 18XS501520; OMB Control Number 1029–0111]

Agency Information Collection Activities: Surface and Underground Mining Permit Applications—Minimum Requirements for Information on Environmental Resources

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of Information Collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are announcing our intention to request renewed approval for the collection of information for surface and underground mining permit applications—minimum requirements for information on environmental resources. This information collection activity was previously approved by the Office of Management and Budget (OMB), and assigned control number 1029–0035.

DATES: Interested persons are invited to submit comments on or before July 23, 2018.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to: The Office of Surface Mining Reclamation and Enforcement, Information Collection Clearance Officer, Attn: John Trelease, 1849 C Street NW; Mail Stop 4559, Washington, DC 20240. Comments may also be submitted electronically to *jtrelease@osmre.gov.*

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact John Trelease by email at *jtrelease@osmre.gov,* or by telephone at (202) 208–2783.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the OSMRE; (2) is the estimate of burden accurate; (3) how might the OSMRE enhance the quality, utility, and clarity of the information to be collected; and (4) how might the OSMRE minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. 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.

This notice provides the public with 60 days in which to comment on the following information collection activity:

Title of Collection: 30 CFR parts 779 and 783—Surface and Underground Mining Permit Applications—Minimum Requirements for Information on Environmental Resources.

OMB Control Number: 1029–0035.

Abstract: Applicants for surface and underground coal mining permits are required to provide adequate descriptions of the environmental resources that may be affected by proposed mining activities. The information will be used by the regulatory authority to determine if the applicant can comply with environmental protection performance standards.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Applicants for surface and underground coal mine permits and State regulatory authorities.

Total Estimated Number of Annual Respondents: 219 coal mining applicants and 24 state regulatory authorities.

Total Estimated Number of Annual Responses: 2,175.

Estimated Completion Time per Response: Varies from 1 hour to 470 hours, depending upon activity and type of respondent.

Total Estimated Number of Annual Burden Hours: 162,766 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: Once.

Total Estimated Annual Nonhour Burden Cost: $0.

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.

Authority: The authorities for this action are the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1201 *et seq.*), and the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

John A. Trelease,

Acting Chief, Division of Regulatory Support.

[FR Doc. 2018–10851 Filed 5–21–18; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000 189S180110; S2D2S SS08011000 SX064A000 18XS501520; OMB Control Number 1029–0103]

Agency Information Collection Activities: Submission to the Office of Management and Budget for Review and Approval; Certification and Noncoal Reclamation

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of Surface Mining Reclamation and Enforcement (OSMRE) are proposing to renew an information collection for the certification of completion of all known coal problems, and procedures for States and Indian tribes to conduct noncoal reclamation under the Abandoned Mine Land fund.

DATES: Interested persons are invited to submit comments on or before June 21, 2018.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and

Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to John Trelease, Office of Surface Mining Reclamation and Enforcement, 1849 C. Street NW, Mail Stop 4559, Washington, DC 20240; or by email to *jtrelease@osmre.gov.* Please reference OMB Control Number 1029–0112 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact John Trelease by email at *jtrelease@osmre.gov,* or by telephone at (202) 208–2783. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provides the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on February 8, 2018 (83 FR 5645). No comments were received.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of OSMRE; (2) is the estimate of burden accurate; (3) how might OSMRE enhance the quality, utility, and clarity of the information to be collected; and (4) how might OSMRE minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. 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.

Title: 30 CFR part 875—Certification and Noncoal Reclamation.

OMB Control Number: 1029–0103.

Abstract: This Part establishes procedures and requirements for a Governor of a State or equivalent head of an Indian tribe to certify to the Secretary that the State/Indian tribe has achieved all known coal related reclamation objectives. It also established procedures for States and Indian tribes to implement a noncoal reclamation program as set forth in Section 411 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: State and Tribal reclamation authorities.

Total Estimated Number of Annual Respondents: 1 State/Tribal reclamation authority.

Total Estimated Number of Annual Responses: 1.

Estimated Completion Time per Response: 84 hours.

Total Estimated Number of Annual Burden Hours: 84 hours.

Respondent's Obligation: Required to Obtain or Retain a Benefit.

Frequency of Collection: Once.

Total Estimated Annual Nonhour Burden Cost: $0.

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 authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq).

John A. Trelease,

Acting Chief, Division of Regulatory Support.

[FR Doc. 2018–10850 Filed 5–21–18; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000 189S180110; S2D2S SS08011000 SX064A000 18XS501520; OMB Control Number 1029–0111]

Agency Information Collection Activities: Submission to the Office of Management and Budget for Review and Approval; Areas Designated by Act of Congress

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of Surface Mining Reclamation and Enforcement (OSMRE) are proposing to renew an information collection with revisions for Areas Designated by Act of Congress.

DATES: Interested persons are invited to submit comments on or before June 21, 2018.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to John Trelease, Office of Surface Mining Reclamation and Enforcement, 1849 C Street NW, Mail Stop 4559, Washington, DC 20240; or by email to *jtrelease@osmre.gov.* Please reference OMB Control Number 1029–0112 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact John Trelease by email at *jtrelease@osmre.gov,* or by telephone at (202) 208–2783. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provides the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on February 8, 2018 (83 FR 5644). No comments were received.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of OSMRE; (2) is the estimate of burden accurate; (3) how might OSMRE enhance the quality, utility, and clarity of the information to be collected; and (4) how might OSMRE minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of

public record. 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.

Title: 30 CFR part 761—Areas Designated by Act of Congress.

OMB Control Number: 1029–0111.

Abstract: OSMRE and State regulatory authorities use the information collected for 30 CFR 761 to ensure that persons planning to conduct surface coal mining operations on the lands protected by § 522(e) of the Surface Mining Control and Reclamation Act of 1977 have the right to do so under one of the exemptions or waivers provided by this section of the Act.

Form Number: None.

Type of Review: Revision of a currently approved collection.

Respondents/Affected Public: Applicants for certain surface coal mine permits and State regulatory authorities.

Total Estimated Number of Annual Respondents: 159 coal mining applicants and 24 State regulatory authorities.

Total Estimated Number of Annual Responses: 315.

Estimated Completion Time per Response: Varies from 1 hour to 40 hours, depending upon activity.

Total Estimated Number of Annual Burden Hours: 3,119 hours.

Respondent's Obligation: Required to Obtain or Retain a Benefit.

Frequency of Collection: Once.

Total Estimated Annual Nonhour Burden Cost: $19,260.

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 authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

John A. Trelease,

Acting Chief, Division of Regulatory Support.

[FR Doc. 2018–10849 Filed 5–21–18; 8:45 am]

BILLING CODE 4310–05–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 701–TA–487 and 731–TA–1197–1198 (Review)]

Steel Wire Garment Hangers From Taiwan and Vietnam

Determinations

On the basis of the record [1] developed in the subject five-year reviews, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that revocation of the antidumping duty orders on steel wire garment hangers from Taiwan and Vietnam and the countervailing duty order on steel wire garment hangers from Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted these reviews on November 1, 2017 (82 FR 50686) and determined on February 5, 2018 that it would conduct expedited reviews (83 FR 11563, March 15, 2018).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on May 16, 2018. The views of the Commission are contained in USITC Publication 4784 (May 2018), entitled *Steel Wire Garment Hangers from Taiwan and Vietnam: Investigation Nos. 701–TA–487 and 731–TA–1197–1198 (Review).*

By order of the Commission.

Issued: May 16, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–10839 Filed 5–21–18; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

DEPARTMENT OF JUSTICE

[OMB Number 1121–0336]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of a Currently Approved Collection: Office for Victims of Crime Training and Technical Assistance Center—Trafficking Information Management System (TIMS)

AGENCY: Office for Victims of Crime, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, Office for Victims of Crime, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until June 21, 2018.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Shelby Jones Crawford, Program Manager, Office for Victims of Crime, Office of Justice Programs, Department of Justice, 810 7th Street NW, Washington, DC 20530. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and/or

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this information collection:

1. *Type of Information Collection:* Revision of Existing Collection.

2. *The Title of the Form/Collection:* Office for Victims of Crime Training and Technical Assistance Center—Trafficking Information Management System (TIMS).

3. *The agency form number:* NA.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: OVC Grantees.

Abstract: The current package for OMB approval is designed to simplify performance reporting for OVC grantees through the OVC Trafficking Information Management System (TIMS) Online system, a Web-based database and reporting system for the Victims of Human Trafficking Grant and the Enhanced Collaborative Model Grant initiatives. OVC will require OVC Grantees to use this electronic tool to submit grant performance data, including demographics about human trafficking victims. Since 2012, OVC has published annual analyses of these data to provide the crime victims' field with stronger evidence for practices and programs.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There are approximately 60 OVC Services to Victims of Human Trafficking Grantees per six-month reporting period. On average, it should take each grantee one hour to seven hours, depending on client case load per reporting period, to enter information into TIMS Online. There are two reporting periods per year.

6. *An estimate of the total public burden (in hours) associated with the collection:* 480 hours (average 60 OVC grantees * average 4 hours * 2 times per year).

If additional information is required please contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, Suite 3E.405B, Washington, DC 20530.

Dated: May 17, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2018–10853 Filed 5–21–18; 8:45 a.m.]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2011–0858]

Permit-Required Confined Spaces; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits public comments concerning the proposal to extend OMB approval of the information collection requirements contained in the Standard on Permit-Required Confined Spaces.

DATES: Comments must be submitted (postmarked, sent, or received) by July 23, 2018.

ADDRESSES: *Electronically*: You may submit comments and attachments electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Facsimile: If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693–1648.

Mail, hand delivery, express mail, messenger, or courier service: When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA–2011–0858, Occupational Safety and Health Administration, U.S. Department of Labor, Room N–3653, 200 Constitution Avenue NW, Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the OSHA Docket Office's normal business hours, 10:00 a.m. to 3:00 p.m., ET.

Instructions: All submissions must include the Agency name and the OSHA docket number (OSHA–2011–0858) for the Information Collection Request (ICR). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at *http://www.regulations.gov.* For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION.**

Docket: To read or download comments or other material in the docket, go to *http://www.regulations.gov* or the OSHA Docket Office at the above address. All documents in the docket (including this **Federal Register** notice) are listed in the *http://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may also contact Christie Garner at (202) 693–2222 to obtain a copy of the ICR.

FOR FURTHER INFORMATION, CONTACT: Thomas Mockler or Christie Garner, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, telephone (202) 693–2222.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (*i.e.,* employer) burden, conducts a preclearance process to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA–95) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires OSHA to obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The purpose of the information collection requirements specified in the Permit-Required Confined Spaces Standard (29 CFR 1910.146) is to ensure that employers systematically evaluate the dangers in permit spaces before entry is attempted, and to ensure that

adequate measures are taken to make the spaces safe for entry. Section 1910.146(c)(2) requires the employer to post danger signs to inform exposed employees of the existence and location of, and the dangers posed by, permit spaces.

Section 1910.146(c)(4) requires the employer to develop and implement a written ''permit-space program'' when the employer decides that its employees will enter permit spaces. The written program is to be made available for inspection by employees and their authorized representatives. Section 1910.146(d) provides the employer with the requirements of a permit-required confined space program.

Section 1910.146(c)(5)(i)(E) requires that the determinations and supporting data specified by paragraphs (c)(5)(i)(A), (c)(5)(i)(B), and (c)(5)(i)(C) of this section are documented by the employer and are made available to each employee who enters a permit space or to that employee's authorized representative. Under paragraph (c)(5)(ii)(H) of § 1910.146, the employer is required to verify that the space is safe for entry and that the pre-entry measures required by paragraph (c)(5)(ii) of this section have been taken, using a written certification that contains the date, the location of the space, and the signature of the person providing the certification. The certification is to be made before entry and is required to be made available to each employee entering the space or to that employee's authorized representative.

Section 1910.146(c)(7)(iii) requires the employer to document the basis for determining that all hazards in a permit space have been eliminated using a certification that contains the date, the location of the space, and the signature of the person making the determination. The certification is to be made available to each employee entering the space or to that employee's authorized representative.

Section 1910.146(c)(8)(i) requires the employer to inform the contractor that the workplace contains permit spaces and that permit space entry is allowed only through compliance with a permit space program meeting the requirements of this section. Section 1910.146(c)(8)(ii) requires the employer to apprise the contractor of the elements, including the hazards identified and the host employer's experience with the space, that make the space in question a permit space. Section 1910.146(c)(8)(iii) requires the employer to apprise the contractor of any precautions or procedures that the host employer has implemented for the protection of employees in or near permit spaces where contractor personnel will be working. Section 1910.146(c)(8)(v) requires the employer to debrief the contractor at the conclusion of the entry operations about the permit space program that was followed, and any hazards confronted or created in permit spaces during entry operations.

Section 1910.146(c)(9)(iii) requires the contractor to inform the host employer of the permit space program that the contractor will follow and of any hazards confronted or created in permit spaces, either through a debriefing or during the entry operation.

Section 1910.146(d)(5)(vi) requires the employer to immediately provide each authorized entrant or that an employee's authorized representative with the results of any testing conducted in accord with paragraph (d) of the Standard. Section 1910.146(d)(14) requires employers to review the permit space program, using the canceled permits retained under paragraph (e)(6) within 1 year after each entry to ensure that employees participating in entry operations are protected from permit space hazards, and revise the program as necessary.

Section 1910.146(e)(1) requires the employer to document the completion of measures required by paragraph (d)(3) by preparing an entry permit before employee entry is authorized. Paragraph (f) of § 1910.146 specifies the information to be included on the entry permit. Paragraph (e)(3) requires the employer to make the completed permit available at the time of entry to all authorized entrants by posting the permit at the entry portal or by any other equally effective means, so that the entrants can confirm that pre-entry preparations have been completed. Paragraph (e)(6) requires the employer to retain each canceled entry permit for at least one year; any problems encountered during an entry operation must be noted on the pertinent permit so that revisions to the permit space program can be made.

Section 1910.146(g)(4) requires the employer to certify that the training required by paragraphs (g)(1) through (g)(3) has been accomplished by preparing a written certification record.

Section 1910.146(h)(3) requires the employer to ensure that all authorized entrants communicate with the attendant as necessary to enable the attendant to monitor entrant status and to enable the attendant to alert entrants of the need to evacuate the space as required by paragraph (l)(6) of the Standard. Section 1910.146(h)(4) requires the employer to ensure that all authorized entrants alert the attendant whenever the entrant recognizes any warning sign or symptom of exposure to a dangerous situation (paragraph (h)(4)(i)), or the entrant detects a prohibited condition (paragraph (h)(4)(ii)).

Section 1910.146(i)(5) requires the employer to ensure that each attendant communicate with authorized entrants as necessary to monitor entrant status and to alert entrants of the need to evacuate the space under the conditions specified in paragraphs (i)(6)(i)-(i)(6)(iv) of the Standard. Section 1910.146(i)(7) requires the employer to ensure that the attendant summon rescue and other emergency services as soon as the attendant determines that authorized entrants may need assistance to escape from permit space hazards. Section 1910.146(i)(8) requires the employer to ensure that the attendant warn unauthorized persons that they must stay away from the permit space (paragraph (i)(8)(i)); advise unauthorized persons that they must exit immediately if they have entered the permit space (paragraph (i)(8)(ii)); and inform authorized entrants and the entry supervisor if unauthorized persons have entered the permit space (paragraph (i)(8)(iii)).

Section 1910.146(j)(2) requires the employer to ensure that each entry supervisor verifies, by checking that the appropriate entries have been made on the permit, that all tests specified by the permit have been conducted and that all procedures and equipment specified by the permit are in place, before endorsing the permit and allowing entry to begin.

Section 1910.146(k)(1)(i) requires the employer to evaluate a prospective rescuer's ability to respond to a rescue summons in a timely manner, considering the hazard(s) identified; Section 1910.146(k)(1)(ii) requires the employer to evaluate a prospective rescue service's ability, in terms of proficiency with rescue-related tasks and equipment, to function appropriately while rescuing entrants from the particular permit space or types of permit spaces identified. Section 1910.146(k)(1)(iv) requires the employer to inform each rescue team or service of the hazards they may confront when called on to perform rescue at the site. Section 1910.146(k)(1)(v) requires the employer to provide the rescue team or service selected with access to all permit spaces from which rescue may be necessary so that the rescue service can develop appropriate rescue plans.

Section 1910.146(k)(4) requires that, if an injured entrant is exposed to a substance for which a ''Material Safety Data Sheet'' (MSDS) [now referred to as an SDS (Safety Data Sheet)] or other

similar written information is required to be kept at the worksite, then the employer must make the MSDS or written information available to the medical facility treating the exposed entrant.

Section 1910.146(l)(1) requires employers to consult with affected employees and their authorized representatives on the development and implementation of all aspects of the permit space program required by paragraph (c). Section 1910.146(l)(2) requires employers to make all information required by this section available to affected employees and their authorized representatives.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply—for example, by using automated or other technological information collection and transmission techniques.

III. Proposed Actions

OSHA is requesting an adjustment increase for the information collection requirements of 68,406 burden hours (from 1,573,813 to 1,642,219). The burden hour increase is related to updated data estimates showing an increase in the number of permit space entrants (from 1,463,075 to 1,471,634) and establishments with permit spaces (from 205,548 to 210,281) affected by the Standard.

Type of Review: Extension of a currently approved collection.

Title: Permit-Required Confined Spaces (29 CFR 1910.146).

OMB Control Number: 1218–0203.

Affected Public: Business or other for-profits.

Number of Respondents: 210,281.

Frequency: On occasion.

Average Time per Response: Varies.

Estimated Number of Responses: 9,024,483.

Estimated Total Burden Hours: 1,642,219.

Estimated Cost (Operation and Maintenance): $0.

IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) Electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal; (2) by facsimile (fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number (Docket No. OSHA–2011–0858) for the ICR. You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify electronic comments by your name, date, and the docket number so that the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693–2350; TTY (877) 889–5627.

Comments and submissions are posted without change at *http://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting personal information such as Social Security numbers and dates of birth. Although all submissions are listed in the *http://www.regulations.gov* index, some information (*e.g.,* copyrighted material) is not publicly available to read or download through this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *http://www.regulations.gov* website to submit comments and access the docket is available at the website's ''User Tips'' link. Contact the OSHA Docket Office for information about materials not available through the website, and for assistance in using the internet to locate docket submissions.

V. Authority and Signature

Loren Sweatt, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1–2012 (77 FR 3912).

Signed at Washington, DC, on May 16, 2018.

Loren Sweatt,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2018–10889 Filed 5–21–18; 8:45 am]

BILLING CODE 4510–26–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–250 and 50–251; NRC–2018–0101]

Florida Power & Light Company: Turkey Point Nuclear Plant Units 3 and 4

AGENCY: Nuclear Regulatory Commission.

ACTION: Intent to conduct scoping process and prepare environmental impact statement; public meeting and request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission will conduct a scoping process to gather information necessary to prepare an environmental impact statement (EIS) to evaluate the environmental impacts for the subsequent license renewal of the operating licenses for Turkey Point Nuclear Plant (Turkey Point) Unit Nos. 3 and 4. The NRC is seeking stakeholder input on this action and has scheduled a public meeting.

DATES: Submit comments by June 21, 2018. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2018–0101. Address questions about NRC dockets to Jennifer Borges; telephone: 301–287–9127; email: *Jennifer.Borges@nrc.gov.* For technical questions, contact the individual 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: William Burton, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6332, email: *William.Burton@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2018–0101 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document by any of the following methods:

- *Federal Rulemaking Website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2018–0101.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced in this notice (if it is available in ADAMS) is provided the first time that it is mentioned in this document. The application for subsequent license renewal of the Turkey Point licenses can be found in ADAMS under Accession Nos. ML18037A812, ML18044A653, ML18053A123, ML18072A224, ML18113A132, and ML18102A521.
- *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–2018–0101 in the subject line of your comment submission in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information 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 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 comments submissions into ADAMS.

II. Discussion

By letter dated January 30, 2018, as supplemented by letters dated February 9, 2018; February 16, 2018; March 1, 2018; and April 10, 2018; Florida Power & Light Company submitted to the NRC an application for subsequent license renewal of Facility Operating License Nos. DPR–31 and DPR–41 for an additional 20 years of operation at Turkey Point Units 3 and 4. Turkey Point Units 3 and 4 are located on Biscayne Bay in Miami-Dade County, Florida. The current renewed operating license for Unit 3 expires at midnight on July 19, 2032, and the current renewed operating license for Unit 4 expires at midnight on April 10, 2033. The application for subsequent license renewal was submitted pursuant to part 54 of title 10 of the *Code of Federal Regulations* (10 CFR) and included an environmental report (ER), also supplemented. A separate notice of receipt and availability of the application was published in the **Federal Register** on April 18, 2018 (83 FR 17196). A notice of acceptance for docketing of the supplemented application and opportunity for hearing regarding subsequent license renewal of the facility operating licenses was published in the **Federal Register** on May 2, 2018 (83 FR 19304).

III. Request for Comments

This notice informs the public of the NRC's intention to prepare an EIS related to the subsequent license renewal application and to provide the public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29.

The regulations in 36 CFR 800.8, ''Coordination with the National Environmental Policy Act,'' allows agencies to use their National Environmental Policy Act of 1969 (NEPA) process to fulfill the requirements of Section 106 of the National Historic Preservation Act (NHPA). Therefore, pursuant to 36 CFR 800.8(c), the NRC intends to use its process and documentation for the preparation of the EIS on the proposed action to comply with Section 106 of the NHPA in lieu of the procedures set forth at 36 CFR 800.3 through 800.6.

In accordance with 10 CFR 51.53(c) and 10 CFR 54.23, Florida Power & Light Company submitted the ER as part of the subsequent license renewal application. To complete the acceptance review, the applicant provided supplemental information to support the staff's detailed technical review of the proposed action (subsequent license renewal). The ER and supplemental information were prepared pursuant to 10 CFR 51.53(c), and are publicly available in ADAMS under Accession Nos. ML18037A836 and ML18102A521, respectively. The ER may also be viewed on the internet at *https://www.nrc.gov/reactors/operating/licensing/renewal/subsequent-license-renewal.html.* In addition, a paper copy of the subsequent license renewal application, including the ER, is available to the public near the site at the following locations: Homestead Branch Library, 700 N. Homestead Blvd., Homestead, FL 33030; Naranja Branch Library, 14850 SW 280th St., Homestead, FL 33032; South Dade Regional Library, 10750 SW 211th St., Miami, FL 33189; and Downtown Miami Branch, 101 West Flagler St., Miami, FL 33130.

The NRC intends to gather the information necessary to prepare a plant-specific supplement to the NRC's ''Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants'' (NUREG–1437), related to the application for subsequent license renewal of the Turkey Point operating licenses for an additional 20 years beyond the period specified in each of the current renewed licenses.

Possible alternatives to the proposed action include the no action alternative and reasonable alternative energy sources. The NRC is required by 10 CFR 51.95 to prepare a supplement to the GEIS in connection with the renewal of an operating license. This notice is being published in accordance with NEPA and the NRC's regulations found at 10 CFR part 51.

The NRC will first conduct scoping for the supplement to the GEIS and, as soon as practicable thereafter, will prepare a draft supplement to the GEIS for public comment. Participation in the scoping process by members of the public and local, State, Tribal, and Federal government agencies is encouraged. The scoping process for the supplement to the GEIS will be used to accomplish the following:

a. Define the proposed action, which is to be the subject of the supplement to the GEIS;

b. Determine the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth;

c. Identify and eliminate from detailed study those issues that are peripheral or are not significant; or were covered by a prior environmental review;

d. Identify any environmental assessments and other EISs that are being or will be prepared that are related to, but are not part of, the scope of the supplement to the GEIS being considered;

e. Identify other environmental review and consultation requirements related to the proposed action;

f. Indicate the relationship between the timing of the preparation of the environmental analyses and the Commission's tentative planning and decisionmaking schedule;

g. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the supplement to the GEIS to the NRC and any cooperating agencies; and

h. Describe how the supplement to the GEIS will be prepared, including any contractor assistance to be used.

The NRC invites the following entities to participate in scoping:

a. The applicant, Florida Power & Light Company;

b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved or that is authorized to develop and enforce relevant environmental standards;

c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards;

d. Any affected Indian Tribe;

e. Any person who requests or has requested an opportunity to participate in the scoping process; and

f. Any person who has petitioned or intends to petition for leave to intervene.

IV. Public Scoping Meeting

In accordance with 10 CFR 51.26, the scoping process for an EIS may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. The NRC will hold two public meetings for the Turkey Point license renewal supplement to the GEIS. The scoping meetings will be held on May 31, 2018. The meetings will be held from 1:00 p.m. to 3:00 p.m. and from 5:00 p.m. to 7:00 p.m. at the City of Homestead City Hall, 100 Civic Court, Homestead, FL 33030. There will be an open house one hour before each session for members of the public to meet with NRC staff and sign in to speak.

The meeting will be transcribed and will include: (1) An overview by the NRC staff of the NEPA environmental review process, the proposed scope of the supplement to the GEIS, and the proposed review schedule; and (2) the opportunity for interested government agencies, organizations, and individuals to submit comments or suggestions on the environmental issues or the proposed scope of the Turkey Point subsequent license renewal supplement to the GEIS. To be considered, comments must be provided either at the transcribed public meeting or in writing, as discussed in the **ADDRESSES** section of this notice.

Persons may register to attend or present oral comments at the meetings on the scope of the NEPA review by contacting the NRC Project Manager, William Burton, by telephone at 301–415–6332, or by email to *William.Burton@nrc.gov* no later than May 24, 2018. Members of the public may also register to speak during the registration period prior to the start of the meeting. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak if time permits. Public comments will be considered in the scoping process for the Turkey Point subsequent license renewal supplement to the GEIS. Please contact Mr. Burton no later than May 24, 2018, if accommodations or special equipment is needed to attend or present information at the public meeting, so that the NRC staff can determine whether the request can be accommodated.

Participation in the scoping process for the Turkey Point subsequent license renewal supplement to the GEIS does not entitle participants to become parties to the proceeding to which the supplement to the GEIS relates. Matters related to participation in any hearing are outside the scope of matters to be discussed at this public meeting.

Dated at Rockville, Maryland, this 16th day of May, 2018.

For the Nuclear Regulatory Commission.

Eric R. Oesterle,

Chief, License Renewal Project Branch, Division of Materials and License Renewal, Office of Nuclear Reactor Regulation.

[FR Doc. 2018–10806 Filed 5–21–18; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2018–0096]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: Pursuant to Section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued, from April 24, 2018, to May 7, 2018. The last biweekly notice was published on May 8, 2018.

DATES: Comments must be filed by June 21, 2018. A request for a hearing must be filed by July 23, 2018.

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–2018–0096. Address questions about NRC dockets to Jennifer Borges; telephone: 301–287–9127; email: *Jennifer.Borges@nrc.gov.* For technical questions, contact the individual 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: Kay Goldstein, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001; telephone: 301–415–1506, email: *Kay.Goldstein@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC 2018–0096, facility name, unit number(s), plant docket number, application date, and subject 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–2018–0096.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2018–0096, facility name, unit number(s), plant docket number, application date, and subject 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. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in § 50.92 of title 10 of the *Code of Federal Regulations* (10 CFR), this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility. If the Commission takes action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final no significant hazards consideration determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any persons (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. The NRC's regulations are accessible electronically from the NRC Library on the NRC's website at *http://www.nrc.gov/reading-rm/doc-collections/cfr/.* Alternatively, a copy of the regulations is available at the NRC's Public Document Room, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

As required by 10 CFR 2.309(d), the petition should specifically explain the reasons why intervention should be permitted, with particular reference to the following general requirements for standing: (1) The name, address, and telephone number of the petitioner; (2) the nature of the petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the petitioner's interest.

In accordance with 10 CFR 2.309(f), the petition must also set forth the specific contentions which the petitioner seeks to have litigated in the proceeding. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner must provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to the specific sources and documents on which the petitioner intends to rely to support its position on the issue. The petition must include sufficient information to show that a genuine dispute exists with the applicant or licensee on a material issue

of law or fact. Contentions must be limited to matters within the scope of the proceeding. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to satisfy the requirements at 10 CFR 2.309(f) with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene. Parties have the opportunity to participate fully in the conduct of the hearing with respect to resolution of that party's admitted contentions, including the opportunity to present evidence, consistent with the NRC's regulations, policies, and procedures.

Petitions must be filed no later than 60 days from the date of publication of this notice. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii). The petition must be filed in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document.

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to establish when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally-recognized Indian Tribe, or agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h)(1). The petition should state the nature and extent of the petitioner's interest in the proceeding. The petition should be submitted to the Commission no later than 60 days from the date of publication of this notice. The petition must be filed in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document, and should meet the requirements for petitions set forth in this section, except that under 10 CFR 2.309(h)(2) a State, local governmental body, or Federally-recognized Indian Tribe, or agency thereof does not need to address the standing requirements in 10 CFR 2.309(d) if the facility is located within its boundaries. Alternatively, a State, local governmental body, Federally-recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

If a hearing is granted, any person who is not a party to the proceeding and is not affiliated with or represented by a party may, at the discretion of the presiding officer, be permitted to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make an oral or written statement of his or her position on the issues but may not otherwise participate in the proceeding. A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to the limits and conditions as may be imposed by the presiding officer. Details regarding the opportunity to make a limited appearance will be provided by the presiding officer if such sessions are scheduled.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing and petition for leave to intervene (petition), any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities that request to participate under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562; August 3, 2012). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Detailed guidance on making electronic submissions may be found in the Guidance for Electronic Submissions to the NRC and on the NRC website at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit adjudicatory documents. Submissions must be in Portable Document Format (PDF). Additional guidance on PDF submissions is available on the NRC's public website at *http://www.nrc.gov/site-help/electronic-sub-ref-mat.html.* A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located

on the NRC's public website at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing adjudicatory documents in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

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For further details with respect to these license amendment applications, see the application for amendment which is available for public inspection in ADAMS and at the NRC's PDR. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

Duke Energy Progress, LLC, Docket Nos. 50–325 and 50–324, Brunswick Steam Electric Plant, Unit Nos. 1 and 2, Brunswick County, North Carolina

Date of amendment request: January 10, 2018. A publicly-available version is in ADAMS under Accession No. ML18010A344.

Description of amendment request: The amendments would modify the licensing basis to allow for the implementation of the provisions of 10 CFR 50.69, ''Risk-informed characterization and treatment of structures, systems, and components for nuclear reactors.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of SSCs [structures, systems, and components] subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The process used to evaluate SSCs for changes to NRC special treatment requirements and the use of alternative requirements ensures the ability of the SSCs to perform their design function. The potential change to special treatment requirements does not change the design and operation of the SSCs. As a result, the proposed change does not significantly affect any initiators to accidents previously evaluated or the ability to mitigate any accidents previously evaluated. The consequences of the accidents previously evaluated are not affected because the mitigation functions performed by the SSCs assumed in the safety analysis are not being modified. The SSCs required to safely shut down the reactor and maintain it in a safe shutdown condition following an accident will continue to perform their design functions.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not change the functional requirements, configuration, or method of operation of any SSC. Under the proposed change, no additional plant equipment will be installed.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not affect any Safety Limits or operating parameters used to establish the safety margin. The safety margins included in analyses of accidents are not affected by the proposed change. The regulation requires that there be no significant effect on plant risk due to any change to the special treatment requirements for SSCs and that the SSCs continue to be capable of performing their design basis functions, as well as to perform any beyond design basis functions consistent with the categorization process and results.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Kathryn B. Nolan, Deputy General Counsel, 550 South Tryon Street, M/C DEC45A, Charlotte, NC 28202.

NRC Acting Branch Chief: Brian W. Tindell.

Duke Energy Progress, LLC, Docket No. 50–400, Shearon Harris Nuclear Power Plant, Unit 1, Wake and Chatham Counties, North Carolina

Date of amendment request: February 1, 2018. A publicly-available version is in ADAMS under Accession No. ML18033B768.

Description of amendment request: The amendment would revise the licensing basis to allow for the implementation of the provisions of 10 CFR 50.69, ''Risk-informed categorization and treatment of structures, systems and components for nuclear power reactors.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of [structures, systems, and components] SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The process used to evaluate SSCs for changes to NRC special treatment requirements and the use of alternative requirements ensures the ability of the SSCs to perform their design function. The potential change to special treatment requirements does not change the design and operation of the SSCs. As a result, the proposed change does not significantly affect any initiators to accidents previously evaluated or the ability to mitigate any accidents previously evaluated. The consequences of the accidents previously evaluated are not affected because the mitigation functions performed by the SSCs assumed in the safety analysis are not being modified. The SSCs required to safely shut down the reactor and maintain it in a safe shutdown condition following an accident will continue to perform their design functions. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not change the functional requirements, configuration, or method of operation of any SSC. Under the proposed change, no additional plant equipment will be installed. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not affect any Safety Limits or operating parameters used to establish the safety margin. The safety margins included in analyses of accidents are not affected by the proposed change. The regulation requires that there be no significant effect on plant risk due to any change to the special treatment requirements for SSCs and that the SSCs continue to be capable of performing their design basis functions, as well as to perform any beyond design basis functions consistent with the categorization process and results.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lara Nichols, Deputy General Counsel, Duke Energy Corporation, 550 South Tryon St., M/C DEC45A, Charlotte, NC 28202.

NRC Acting Branch Chief: Brian W. Tindell.

Entergy Louisiana, LLC, and Entergy Operations, Inc., Docket No. 50–458, River Bend Station, Unit 1 (RBS), West Feliciana Parish, Louisiana

Date of amendment request: January 29, 2018. A publicly-available version is in ADAMS under Accession No. ML18029A187.

Description of amendment request: The proposed change would modify the RBS Updated Safety Analysis Report (USAR) and Technical Requirements Manual to relocate the reactor core isolation cooling (RCIC) piping injection point from the reactor vessel head spray nozzle to the feedwater line using the residual heat removal (RHR) shutdown cooling return line.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

Basis: The relocation of the RCIC injection point from the reactor vessel head spray nozzle to the 'A' Feedwater line via the 'A' RHR shutdown cooling return line does not adversely affect the design function of an System, Structure, or Component (SSC) or a method of performing or controlling a design function of an SSC as described in the USAR so there is no change to the likelihood of occurrence of a malfunction of a structure, system, or component important to safety previously evaluated in the USAR. There is no impact to the likelihood of occurrence of a malfunction of a structure, system, or component because there are no structures systems or components changed or affected by the scope of this evaluation.

Inadvertent initiation of RCIC may be categorized as either a Decrease in Reactor Coolant Temperature event or an Increase in Reactor Coolant Inventory event. River Bend Transient Safety Analysis Design Report, 6224.302–000–035A, states that three systems were considered that could introduce a cold water perturbation (Decrease in Reactor Coolant Temperature Event) at operating pressures: RCIC, High Pressure Core Spray (HPCS), and the feedwater system. This report qualifies improper startup of HPCS or RCIC as events that would produce no significant power transients. The proposed change relocated the injection point of the RCIC flow from the reactor head (RPV [reactor pressure vessel]) to the feedwater line (FWS). This change will reduce the effects of steam quenching. However, the effect of steam quenching is not credited in any of the safety analysis. The only portion of the RCIC system operation that is credited is water injection at the required flow rate, and the design function as described in the USAR of the RCIC system is to maintain or supplement the reactor vessel water inventory. The source of water for the Inadvertent RCIC injection remains the same. The destination of the water for the Inadvertent RCIC injection is still the RPV. The ability of the rerouted equipment to satisfy the RCIC design function is not reduced from the original design requirement to inject 600 gpm [gallons per minute] into the RPV. This is maintained by the RCIC flow controller. The entry location from the RPV head spray to the feedwater line has no impact to the consequences of an inadvertent initiation of RCIC. As the consequences of an inadvertent initiation of RCIC are unchanged, the consequences of this event remain quantitatively bounded by the Loss of Feedwater Heating event described in section 15.1.1 of the USAR for the Decrease in Reactor Coolant Temperature category and bounded by the Inadvertent HPCS Startup for the Increase in Reactor Coolant Inventory category.

Changing the injection point of RCIC does not increase the probability or consequences of an inadvertent RCIC injection. All affected piping, fittings, and valve pressure boundaries are qualified to the appropriate fluid transients and operational conditions in accordance with the design and licensing basis. No instrument setpoints were changed as a result of this modification. The RCIC system's modes of operation are not changed or affected by this modification. Therefore there is no change in the frequency of an inadvertent initiation of RCIC event. There is no change in the frequency of inadvertent initiation of RCIC by this modification, so there is no impact to the probability of any previously evaluated accident.

Therefore, it is concluded that this change does not significantly increase the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

Basis: The spurious start of RCIC accident is evaluated in the USAR as Event 9 ''Inadvertent HPCS Pump Start (Moderator Temperature Decrease) as shown in USAR Appendix 15A. The Inadvertent HPCS Pump Start event bounds the inadvertent operation of RCIC event and is quantitatively analyzed in accordance with Reg Guide 1.70 rev. 3. This event may be classified as either a Decrease in Core Coolant Temperature event or an Increase in Reactor Coolant Inventory Event, however was categorized as an Increase in Reactor Coolant Inventory Event in the RBS USAR as this is the initial effect of this event. No new accident is created by the scope of this modification because all aspects of the existing Decrease in Core Coolant Temperature and Increase in Reactor Coolant Inventory events and their relationship to the spurious start of RCIC remain applicable.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

Basis: The proposed change does not change any accident analyses. The proposed change does not exceed or alter a design basis or safety limit; therefore it does not significantly reduce the margin of safety.

Therefore, it is concluded that this change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Anna Vinson Jones, Senior Counsel—Entergy Services, Inc., 101 Constitution Avenue NW, Suite 200 East, Washington DC 20001.

NRC Branch Chief: Robert J. Pascarelli.

Entergy Louisiana, LLC, and Entergy Operations, Inc., Docket No. 50–458, River Bend Station, Unit 1, West Feliciana Parish, Louisiana

Date of amendment request: February 28, 2018. A publicly-available version is in ADAMS under Accession No. ML18067A115.

Description of amendment request: The amendment would modify the River Bend Station Technical Specifications (TSs) by relocating specific surveillance frequencies to a licensee-controlled program with the adoption of Technical Specifications Task Force (TSTF) Traveler TSTF–425, Revision 3, ''Relocate Surveillance Frequencies to Licensee Control—RITSTF [Risk-Informed TSTF] Initiative 5b.'' Additionally, the change would add a new program, the Surveillance Frequency Control Program (SFCP), to TS Chapter 5.0, ''Administrative Controls.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relocates the specified frequencies for periodic surveillance requirements to licensee control under a new Surveillance Frequency Control Program. Surveillance frequencies are not an initiator to any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased. The systems and components required by the technical specifications for which the surveillance frequencies are relocated are still required to be operable, meet the acceptance criteria for the surveillance requirements, and be capable of performing any mitigation function assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

No new or different accidents result from utilizing the proposed change. The changes do not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements. The changes do not alter assumptions made in the safety analysis. The proposed changes are consistent with the safety analysis assumptions and current plant operating practice.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The design, operation, testing methods, and acceptance criteria for systems, structures, and components (SSCs), specified in applicable codes and standards (or alternatives approved for use by the NRC) will continue to be met as described in the plant licensing basis (including the final safety analysis report and bases to TS), since these are not affected by changes to the surveillance frequencies. Similarly, there is no impact to safety analysis acceptance criteria as described in the plant licensing basis. To evaluate a change in the relocated surveillance frequency, Entergy will perform a probabilistic risk evaluation using the guidance contained in NRC approved NEI [Nuclear Energy Institute] 04–10, Rev. 1 in accordance with the TS SFCP. NEI 04–10, Rev. 1, methodology provides reasonable acceptance guidelines and methods for evaluating the risk increase of proposed changes to surveillance frequencies consistent with Regulatory Guide 1.177.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Anna Vinson Jones, Senior Counsel—Entergy Services, Inc., 101 Constitution Avenue NW, Suite 200 East, Washington, DC 20001.

NRC Branch Chief: Robert J. Pascarelli.

Entergy Operations, Inc., Docket Nos. 50–313 and 50–368, Arkansas Nuclear One (ANO), Unit Nos. 1 and 2, Pope County, Arkansas

Date of amendment request: March 29, 2018. A publicly-available version is in ADAMS under Accession No. ML18088B412.

Description of amendment request: The amendments would revise the ANO, Units 1 and 2, currently approved Emergency Plan Emergency Action Level (EAL) scheme, which is based on the Nuclear Energy Institute (NEI) guidance established in NEI 99–01, Revision 5, ''Methodology for Development of Emergency Action Levels,'' by adopting the EAL schemes based on the guidance provided in NEI 99–01, Revision 6, ''Development of Emergency Action Levels for Non-Passive Reactors.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Do the proposed changes involve a significant increase in the probability or

consequences of an accident previously evaluated?

Response: No.

The proposed changes to the ANO EALs do not involve any physical changes to plant equipment or systems and do not alter the assumptions of any accident analyses. The proposed changes do not adversely affect accident initiators or precursors and do not alter design assumptions, plant configuration, or the manner in which the plant is operated and maintained. The proposed changes do not adversely affect the ability of structures, systems or components (SSCs) to perform intended safety functions in mitigating the consequences of an initiating event within the assumed acceptance limits.

Therefore, the changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

No new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of the proposed changes. The changes do not challenge the integrity or performance of any safety-related systems. No plant equipment is installed or removed, and the changes do not alter the design, physical configuration, or method of operation of any plant SSC. Because EALs are not accident initiators and no physical changes are made to the plant, no new causal mechanisms are introduced.

Therefore, the changes do not create the possibility of a new or different kind of accident from an accident previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

Margin of safety is associated with the ability of the fission product barriers (*i.e.,* fuel cladding, reactor coolant system pressure boundary, and containment structure) to limit the level of radiation dose to the public. The proposed changes do not impact operation of the plant and no accident analyses are affected by the proposed changes. The changes do not affect the Technical Specifications or the method of operating the plant. Additionally, the proposed changes will not relax any criteria used to establish safety limits and will not relax any safety system settings. The safety analysis acceptance criteria are not affected by these changes. The proposed changes will not result in plant operation in a configuration outside the design basis. The proposed changes do not adversely affect systems that respond to safely shut down the plant and to maintain the plant in a safe shutdown condition.

Therefore, the changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Anna Vinson Jones, Senior Counsel, Entergy Services, Inc., 101 Constitution Avenue NW, Suite 200 East, L–ENT–WDC, Washington, DC 20001.

NRC Branch Chief: Robert J. Pascarelli.

Exelon Generation Company, LLC, Docket Nos. STN 50–456 and STN 50–457, Braidwood Station, Unit Nos. 1 and 2, Will County, Illinois

Date of amendment request: February 1, 2018. A publicly-available version is in ADAMS under Accession No. ML18036A227.

Description of amendment request: The proposed amendments would revise the Braidwood Station licensing basis for protection from tornado-generated missiles by identifying the TORMIS Computer Code as the methodology used for assessing tornado-generated missile protection of unprotected plant structures, systems, and components (SSCs).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The NRC TORMIS Safety Evaluation Report [ADAMS Accession No. ML080870291] states the following:

''The current Licensing criteria governing tornado missile protection are contained in [NUREG–0800] Standard Review Plan (SRP) Section 3.5.1.4, [Missiles Generated by Natural Phenomena] and 3.5.2 [Structures, Systems and Components [SSCs]] to be Protected from Externally Generated Missiles]. These criteria generally specify that safety-related systems be provided positive tornado missile protection (barriers) from the maximum credible tornado threat. However, SRP Section 3.5.1.4 includes acceptance criteria permitting relaxation of the above deterministic guidance, if it can be demonstrated that the probability of damage to unprotected essential safety-related features is sufficiently small.''

As permitted by these SRP sections, the combined probability will be maintained below an allowable level, *i.e.,* an acceptance criterion threshold, which reflects an extremely low probability of occurrence. SRP Section 2.2.3, ''Evaluation of Potential Accidents,'' established this threshold as approximately 1.0E–06 per year if, ''when combined with reasonable qualitative arguments, the realistic probability can be shown to be lower.'' The Braidwood Station analysis approach assumes that if the sum of the individual probabilities calculated for tornado missiles striking and damaging portions of safety-significant SSCs is greater than or equal to 1.0E–06 per year per unit, then installation of tornado missile protection barriers would be required for certain components to lower the total cumulative damage probability below the acceptance criterion of 1.0E–06 per year per unit. Conversely, if the total cumulative damage probability remains below the acceptance criterion of 1.0E–06 per year per unit, no additional tornado missile protection barriers would be required for any of the unprotected safety-significant components.

With respect to the probability of occurrence or the consequences of an accident previously evaluated in the UFSAR [Updated Final Safety Analysis Report], the possibility of a tornado impacting the Braidwood Station site and causing damage to plant SSCs is a licensing basis event currently addressed in the UFSAR. The change being proposed (*i.e.,* the use of the TORMIS methodology for assessing tornado-generated missile protection of unprotected plant SSCs), does not affect the probability of a tornado strike on the site; however, from a licensing basis perspective, the proposed change does affect the probability that missiles generated by a tornado will strike and damage certain safety-significant plant SSCs. There are a defined number of safety-significant components that could theoretically be struck and damaged by tornado-generated missiles. The probability of tornado-generated missile hits on these ''important'' systems and components is calculated using the TORMIS probabilistic methodology. The combined probability of damage for unprotected safety-significant equipment will be maintained below the acceptance criterion of 1.0E–06 per year per unit to ensure adequate equipment remains available to safely shutdown the reactors, and maintain overall plant safety, should a tornado strike occur. Consequently, the proposed change does not constitute a significant increase in the probability of occurrence or the consequences of an accident based on the extremely low probability of damage caused by tornado-generated missiles and the commensurate extremely low probability of a radiological release.

Finally, the use of the TORMIS methodology will have no impact on accident initiators or precursors; does not alter the accident analysis assumptions or the manner in which the plant is operated or maintained; and does not affect the probability of operator error.

Based on the above discussion, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The impact of a tornado strike on the Braidwood Station site is a licensing basis event that is explicitly addressed in the

UFSAR. The proposed change simply involves recognition of the acceptability of using an analysis tool (*i.e.,* the TORMIS methodology) to perform probabilistic tornado missile damage calculations in accordance with approved regulatory guidance. The proposed change does not result in the creation of any new accident precursors; does not result in changes to any existing accident scenarios; and does not introduce any operational changes or mechanisms that would create the possibility of a new or different kind of accident.

Therefore, the proposed change will not create the possibility of a new or different kind of accident than those previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The existing Braidwood Station licensing basis regarding tornado missile protection of safety-significant SSCs assumes that missile protection barriers are provided for safety-significant SSCs; or the unprotected component is assumed to be unavailable post-tornado.

The results of the Braidwood Station TORMIS analysis have demonstrated that there is an extremely low probability, below an established regulatory acceptance limit, that these ''important'' SSCs could be struck and subsequently damaged by tornado-generated missiles. The change in licensing basis from protecting safety-significant SSCs from tornado missiles, to demonstrating that there is an extremely low probability that safety-significant SSCs will be struck and damaged by tornado-generated missiles, does not constitute a significant decrease in the margin of safety.

Therefore, the proposed change to use the TORMIS methodology does not involve a significant reduction in the margin of safety.

Based on the above, EGC concludes that the proposed amendment does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92, and accordingly, a finding of ''no significant hazards consideration'' is justified.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the requested amendments involve no significant hazards consideration.

Attorney for licensee: Tamra Domeyer, Associate General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555.

NRC Branch Chief: David J. Wrona.

Northern States Power Company, Docket Nos. 50–282 and 50–306, Prairie Island Nuclear Generating Plant, Unit Nos. 1 and 2, Goodhue County, Minnesota

Date of amendment request: March 15, 2018. A publicly-available version is in ADAMS under Accession No. ML18074A308.

Brief description of amendment request: The proposed amendments would revise Prairie Island Nuclear Generating Plant Technical Specifications (TSs) by relocating specific surveillance frequencies to a licensee-controlled program with implementation of Nuclear Energy Institute (NEI) 04–10, ''Risk-Informed Technical Specification Initiative 5b, Risk-Informed Method for Control of Surveillance Frequencies,'' Revision 1. The changes are consistent with Technical Specifications Task Force (TSTF) Traveler TSTF–425, ''Relocate Surveillance Frequencies to Licensee Control—Risk Informed Technical Specifications Task Force (RITSTF) Initiative 5b,'' Revision 3.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relocates the specified frequencies for periodic surveillance requirements to licensee control under a new SFCP [surveillance frequency control program]. Surveillance frequencies are not an initiator to any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased. The systems and components required by the technical specifications for which the surveillance frequencies are relocated are still required to be operable, meet the acceptance criteria for the surveillance requirements, and be capable of performing any mitigation function assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any previously evaluated?

Response: No.

No new or different accidents result from utilizing the proposed change. The changes do not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements. The changes do not alter assumptions made in the safety analysis. The proposed changes are consistent with the safety analysis assumptions and current plant operating practice.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The design, operation, testing methods, and acceptance criteria for systems, structures, and components (SSCs), specified in applicable codes and standards (or alternatives approved for use by the NRC) will continue to be met as described in the plant licensing basis (including the final safety analysis report and bases to TS), since these are not affected by changes to the surveillance frequencies. Similarly, there is no impact to safety analysis acceptance criteria as described in the plant licensing basis. To evaluate a change in the relocated surveillance frequency, NSPM will perform a probabilistic risk evaluation using the guidance contained in NRC approved NEI 04–10, Rev. 1 in accordance with the TS SFCP. NEI 04–10, Rev. 1, methodology provides reasonable acceptance guidelines and methods for evaluating the risk increase of proposed changes to surveillance frequencies consistent with Regulatory Guide 1.177.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Peter M. Glass, Assistant General Counsel, Xcel Energy Services, Inc., 414 Nicollet Mall, Minneapolis, MN 55401.

NRC Branch Chief: David J. Wrona.

Northern States Power Company—Minnesota, Docket No. 50–263, Monticello Nuclear Generating Plant, Wright County, Minnesota

Date of amendment request: March 28, 2018. A publicly-available version is in ADAMS under Accession No. ML18087A323.

Description of amendment request: The proposed amendment would modify the Monticello Nuclear Generating Plant licensing basis by the addition of a license condition to allow for the implementation of the provisions of 10 CFR 50.69, ''Risk-Informed Categorization and Treatment of Structures, Systems and Components for Nuclear Power Reactors.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or

consequences of an accident previously evaluated?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of Structures, Systems and Components (SSCs) subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The process used to evaluate SSCs for changes to NRC special treatment requirements and the use of alternative requirements ensure the ability of the SSCs to perform their design function. The potential change to special treatment requirements does not change the design and operation of the SSCs. As a result, the proposed change does not significantly affect any initiators to accidents previously evaluated or the ability to mitigate any accidents previously evaluated. The consequences of the accidents previously evaluated are not affected because the mitigation functions performed by the SSCs assumed in the safety analysis are not being modified. The SSCs required to safely shut down the reactor and maintain it in a safe shutdown condition following an accident will continue to perform their design functions.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any previously evaluated?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not change the functional requirements, configuration, or method of operation of any SSC. Under the proposed change, no additional plant equipment will be installed.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed change will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not affect any Safety Limits or operating parameters used to establish the safety margin. The safety margins included in analyses of accidents are not affected by the proposed change. The regulation requires that there be no significant effect on plant risk due to any change to the special treatment requirements for SSCs and that the SSCs continue to be capable of performing their design basis functions, as well as to perform any beyond design basis functions consistent with the categorization process and results.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Peter M. Glass, Assistant General Counsel, Xcel Energy Services, Inc., 414 Nicollet Mall, Minneapolis, MN 55401.

NRC Branch Chief: David J. Wrona.

South Carolina Electric & Gas Company, South Carolina Public Service Authority, Docket No. 50–395, Virgil C. Summer Nuclear Station, Unit No. 1, Fairfield County, South Carolina

Date of amendment request: April 3, 2018. A publicly-available version is in ADAMS under Accession No. ML18094A189.

Description of amendment request: The proposed amendment would change Functional Units 17.A and 17.B of Technical Specification (TS) Table 4.3–1, ''Reactor Trip System Instrumentation Surveillance Requirements.'' The Trip Actuating Device Operational Test (TADOT) column of this table would be revised to delete the ''S/U'' frequency and replace it with a reference to Table Notation (8), which would state, ''Prior to entering MODE 1 whenever the unit has been in MODE 3.'' The licensee stated that the change would align the surveillance requirements and the mode requirement for the Turbine Trip TADOT with the TS ¾.3.1, Table 3.3–1, ''Reactor Trip System Instrumentation,'' channels and interlocks mode requirement.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes revise the surveillance frequency for reactor trip functions from a turbine trip event. These changes do not alter these functions physically, or how they are maintained. Changing the surveillance from ''prior to Startup'' to ''prior to entering MODE 1'' will continue to ensure operability of the function before the plant is in a condition that would benefit from the associated actuation and prior to applicability. Since these changes will not affect the ability of these trips to perform the initiation of reactor trips when appropriate, the offsite dose consequences for an accident will not be impacted. Equally, the potential to cause an accident is not affected because no plant system or component has been altered by the proposed changes.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes only affect surveillance frequency requirements for the turbine trip functions. This does not affect any physical features of the plant, or the manner in which these functions are utilized. The proposed surveillance frequency will require the functions to be verified operable before the turbine trip functions are applicable and able to perform their trip functions. Changing the surveillance from ''prior to Startup'' to ''prior to entering MODE 1'' will continue to ensure operability of the function before the plant is in a condition that would benefit from the associated actuation. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed changes do not alter any plant setpoints or functions that are assumed to actuate in the event of postulated accidents. The proposed changes do not alter any plant feature and only alters the MODE which the surveillance tests must be performed. The proposed changes ensure the functionality of the turbine trips when assumed in the analysis for accident mitigation. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Kathryn M. Sutton, Morgan, Lewis & Bockius LLP, 1111 Pennsylvania Avenue NW, Washington, DC 20004.

NRC Branch Chief: Michael T. Markley.

Southern Nuclear Operating Company, Inc., Docket Nos. 52–025 and 52–026, Vogtle Electric Generating Plant, Unit Nos. 3 and 4, Burke County, Georgia

Date of amendment request: April 6, 2018. A publicly-available version is in ADAMS under Accession No. ML18096B463.

Description of amendment request: The requested amendments require changes to the Updated Final Safety Analysis Report (UFSAR) in the form of

departures from the incorporated plant-specific Design Control Document (DCD) Tier 2 information and related changes to the Vogtle Electric Generating Plant, Unit Nos. 3 and 4, combined license (COL) and COL Appendix C (and corresponding plant-specific DCD Tier 1) information. Specifically, the requested amendments include changes to the equipment survivability assessment requirements associated with hydrogen burns during beyond design-basis accidents as described in the licensing basis documents, including COL Condition 2.D(12)(g)9 and plant-specific Tier 1 Sections 2.2.3 and 2.3.9.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes and clarifications to the locations of Hydrogen Igniters 27, 30, 35, 36, 37, and 38 do not adversely affect any safety-related structure, system or component (SSC) or function. The hydrogen ignition subsystem is designed to mitigate beyond design basis hydrogen generation in the containment. With the proposed changes, the hydrogen ignition subsystem continues to maintain the designed and analyzed beyond design basis functions. The hydrogen ignition subsystem maintains its design function to maintain containment integrity. The proposed changes also reconcile the as-built equipment with the list of equipment on which the equipment survivability assessment is performed to provide additional assurance containment penetrations and combustible gas control components will perform their design functions after a hydrogen burn in containment. The changes are to the equipment assessed, not to the design functions of the equipment. The changes do not involve an interface with any SSC accident initiator or initiating sequence of events, and thus, the probabilities of the accidents evaluated in the plant-specific UFSAR are not affected. The proposed changes do not involve a change to any mitigation sequence or the predicted radiological releases due to postulated accident conditions, thus, the consequences of the accidents evaluated in the UFSAR are not affected.

The maximum allowable containment vessel leakage rate specified in the Technical Specifications is unchanged, and radiological material release source terms are not affected; thus, the radiological releases in the accident analyses are not affected. The proposed changes do not affect the prevention and mitigation of other abnormal events (*e.g.* anticipated operational occurrences, earthquakes, floods and turbine missiles), or their safety or design analyses. Therefore, the consequences of the accidents evaluated in the UFSAR are not affected.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes do not affect the operation of any systems or equipment that may initiate a new or different kind of accident, or alter any SSC such that a new accident initiator or initiating sequence of events is created. The proposed changes reconcile the as-built equipment with the list of equipment on which the equipment survivability assessment is performed to provide additional assurance that containment penetrations and combustible gas control components will perform their design functions after a hydrogen burn in containment. The equipment survivability assessment changes are to the equipment assessed, not to the design functions of the equipment. The VLS Hydrogen Ignition subsystem does not interface with/affect safety-related equipment or a fission product barrier. The subsystem is provided to address the production of hydrogen following a beyond design basis accident in accordance with 10 CFR 50.44(c). The hydrogen ignition subsystem is a non-Class 1E subsystem and does not interface with any safety-related system; thus, no system or design function or equipment qualification is affected by the proposed changes. The changes to the hydrogen ignition subsystem do not result in a new failure mode, malfunction or sequence of events that could affect a radioactive material barrier or safety-related equipment. The proposed changes do not adversely affect any system or design function or equipment qualification as the changes do not modify any SSCs that prevent safety functions from being performed. The changes do not introduce a new failure mode, malfunction or sequence of events that could adversely affect safety or safety-related equipment.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes and clarifications to the locations of Hydrogen Igniters 27, 30, 35, 36, 37, and 38 maintain the beyond design basis function of the hydrogen ignition subsystem. The proposed changes also reconcile the as-built equipment with the list of equipment on which the equipment survivability assessment is performed to provide additional assurance containment penetrations and combustible gas control components will perform their design functions after a hydrogen burn in containment. The equipment survivability assessment changes are to the equipment assessed, not to the design functions of the equipment. The proposed changes would not affect any safety-related design code, function, design analysis, safety analysis input or result, or existing design/safety margin. No safety analysis or design basis acceptance limit/criterion is challenged or exceeded by the requested changes.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: M. Stanford Blanton, Balch & Bingham LLP, 1710 Sixth Avenue North, Birmingham, AL 35203–2015.

NRC Branch Chief: Jennifer Dixon-Herrity.

Southern Nuclear Operating Company, Inc., Docket Nos. 52–025 and 52–026, Vogtle Electric Generating Plant, Unit Nos. 3 and 4, Burke County, Georgia

Date of amendment request: April 13, 2018. A publicly-available version is in ADAMS under Accession No. ML18103A249.

Description of amendment request: The requested amendments require changes to combined license (COL) Appendix A, Technical Specifications and the Updated Final Safety Analysis Report (UFSAR) in the form of departures from the incorporated plant-specific Design Control Document Tier 2 information. Specifically, the requested amendments include changes to the COL Appendix A, Technical Specifications related to the statuses of the remotely operated containment isolation valves.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

This change clarifies that only Class 1E valves in the nonessential containment penetration flow paths that receive the containment isolation signal (T signal) are part of the [Post-Accident Monitoring (PAM)] Technical Specifications and adds additional valves to the PAM table in the UFSAR. The Normal Residual Heat Removal System (RNS), Chemical and Volume Control System (CVS), Component Cooling Water System (CCS), and Steam Generator System (SGS) have containment isolation valves that do not

close on a T signal because they have an accident mitigation function to be open.

The status of the valves in the essential containment flow paths are summarized on one non-safety display screen and are separately indicated on the safety display screens within their respective systems. Keeping these indications separate from the ''Remotely Operated Containment Isolation Valve Status'' which is on the Category 1 display allows the operators to quickly verify that the nonessential containment flow paths are isolated and then focus on the availability of the essential flow paths for their defense-in-depth capabilities.

The valve position indications in the essential flow paths that penetrate containment are not Post-Accident Monitoring System (PAMS) B1 variables. These essential flow paths support accident mitigation functions of non-safety systems and may be intentionally opened for extended periods of time following an accident. As a result, excluding them from the PAMS B1 summary indication will increase the value of the summary indication during operation of the essential flow paths.

Furthermore, opening these essential flow paths pose low risk of becoming an unmonitored leak path through the containment vessel. The valves are isolated when required by separate Protection and Safety Monitoring System (PMS) signals that are associated with each system's post-accident functions, and the valve position indications are designated as PAMS D2 accordingly.

No structure, system, or component (SSC) or function is changed within this activity. Therefore, the proposed amendment does not involve a significant increase in the probability of an accident previously evaluated.

The proposed amendment does not affect the prevention and mitigation of abnormal events, *e.g.,* accidents, anticipated operation occurrences, earthquakes, floods, turbine missiles, and fires or their safety or design analyses. This change does not involve containment of radioactive isotopes or any adverse effect on a fission product barrier. There is no impact on previously evaluated accidents.

Therefore, the proposed changes do not involve a significant increase in the consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes do not involve a new failure mechanism or malfunction, which affects an SSC accident initiator, or interface with any SSC accident initiator or initiating sequence of events considered in the design and licensing bases. There is no adverse effect on radioisotope barriers or the release of radioactive materials. The proposed amendment does not adversely affect any accident, including the possibility of creating a new or different kind of accident from any accident previously evaluated.

Therefore, the proposed changes do not create the possibility of a new or different type of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

This activity clarifies that only Class 1E valves in the nonessential containment penetration flow paths that receive the containment isolation signal (T signal) are part of the PAM Technical Specifications and adds additional valves to the PAM table in the UFSAR.

The status of the valves in the essential containment flow paths are summarized on one non-safety display screen and are separately indicated on the safety display screens within their respective systems. Keeping these indications separate from the ''Remotely Operated Containment Isolation Valve Status'' which is on the Category 1 display allows the operators to quickly verify that the nonessential containment flow paths are isolated and then focus on the availability of the essential flow paths for their defense-in-depth capabilities.

The valve position indications in the essential flow paths that penetrate containment are not PAMS B1 variables. These essential flow paths support accident mitigation functions of non-safety systems and may be intentionally opened for extended periods of time following an accident. As a result, excluding them from the PAMS B1 summary indication will increase the value of the summary indication during operation of the essential flow paths.

Furthermore, opening these essential flow paths pose low risk of becoming an unmonitored leak path through the containment vessel. The valves are isolated when required by separate PMS signals that are associated with each system's post-accident functions and the valve position indications are designated as PAMS D2 accordingly.

No SSC or function is changed within this activity. The proposed changes would not affect any safety-related design code, function, design analysis, safety analysis input or result, or existing design/safety margin. No safety analysis or design basis acceptance limit/criterion is challenged or exceeded by the requested changes.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: M. Stanford Blanton, Balch & Bingham LLP, 1710 Sixth Avenue North, Birmingham, AL 35203–2015.

NRC Branch Chief: Jennifer Dixon-Herrity.

Southern Nuclear Operating Company, Docket Nos. 52–025 and 52–026, Vogtle Electric Generating Plant, Unit Nos. 3 and 4, Burke County, Georgia

Date of amendment request: April 20, 2018. A publicly-available version is in ADAMS under Accession No. ML18110A113.

Description of amendment request: The requested amendments propose changes to the Updated Final Safety Analysis Report (UFSAR) in the form of departures from the plant-specific Design Control Document (DCD) Tier 2 information and involves changes to the plant-specific Tier 1 information (and associated Combined License (COL) Appendix C information). Specifically, the amendment proposes changes to plant-specific Tier 1 (and COL Appendix C) Table 2.5.2–3, ''PMS Automatically Actuated Engineered Safety Features,'' to revise the nomenclature for ''Auxiliary Spray and Letdown Purification Line Isolation'' and to include ''Component Cooling System Containment Isolation Valve Closure.'' Pursuant to the provisions of 10 CFR 52.63(b)(1), an exemption from elements of the design as certified in the 10 CFR part 52, Appendix D, design certification rule is also requested for the plant-specific DCD Tier 1 material departures.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed nomenclature changes reflect the current plant design. These changes provide consistency with the approved plant design. The changes do not affect the operation of any systems or equipment that initiate an analyzed accident or alter any structures, systems, and components accident initiator or initiating sequence of events. The proposed changes do not result in any increase in probability of an analyzed accident occurring. Therefore, the requested amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed nomenclature changes reflect the current plant design. These changes provide consistency with the approved plant design. The proposed changes do not affect plant electrical systems,

and do not affect the design function, support, design, or operation of mechanical and fluid systems. The proposed changes do not result in a new failure mechanism or introduce any new accident precursors. No design function described in the UFSAR is affected by the proposed changes. Therefore, the requested amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed nomenclature changes reflect the current plant design. These changes provide consistency with the approved plant design. No safety analysis or design basis acceptance limit/criterion is involved. Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: M. Stanford Blanton, Balch & Bingham LLP, 1710 Sixth Avenue North, Birmingham, AL 35203–2015.

NRC Branch Chief: Jennifer Dixon-Herrity.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed no significant hazards consideration determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation, and/or Environmental Assessment, as indicated. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

Energy Northwest, Docket No. 50–397, Columbia Generating Station, Benton County, Washington

Date of amendment request: August 30, 2016, as supplemented by letter dated November 20, 2017.

Brief description of amendment: The amendment revised the Columbia Generating Station Final Safety Analysis Report to reclassify reactor water cleanup piping, valves, pumps, and mechanical modules located outside of the primary and secondary containment in the radwaste building from Quality Group C to Quality Group D.

Date of issuance: April 17, 2018.

Effective date: As of its date of issuance and shall be implemented from the date of issuance until restart after Refueling Outage 24 (spring 2019).

Amendment No.: 248. A publicly-available version is in ADAMS under Accession No. ML18075A351; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment. This Notice of Issuance is being reissued in its entirety to reflect a correction to the ''Effective date'' by letter dated April 27, 2018 (ADAMS Accession No. ML18109A215).

Renewed Facility Operating License No. NPF–21: The amendment revised the Final Safety Analysis Report.

Date of initial notice in ***Federal Register:*** December 6, 2016 (81 FR 87968). The supplemental letter dated November 20, 2017, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 17, 2018.

No significant hazards consideration comments received: No.

Energy Northwest, Docket No. 50–397, Columbia Generating Station, Benton County, Washington

Date of amendment request: July 25, 2017.

Brief description of amendment: The amendment revised Technical Specification (TS) 3.5.1, ''ECCS [Emergency Core Cooling Systems]—Operating,'' and deleted the Note associated with Surveillance Requirement 3.5.1.2 to reflect the residual heat removal system design and ensure the residual heat removal system's operation is consistent with the TS 3.5.1 limiting condition for operation requirements.

Date of issuance: May 2, 2018.

Effective date: As of its date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment No.: 249. A publicly-available version is in ADAMS under Accession No. ML18100A199; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–21: The amendment revised the Renewed Facility Operating License and TSs.

Date of initial notice in ***Federal Register:*** November 7, 2017 (82 FR 51649).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 2, 2018.

No significant hazards consideration comments received: No.

Entergy Operations, Inc., Docket No. 50–382, Waterford Steam Electric Station, Unit 3, St. Charles Parish, Louisiana

Date of amendment request: March 28, 2017, as supplemented by letter dated February 28, 2018.

Brief description of amendment: The amendment revised Technical Specification (TS) 3.8.1.3, ''Diesel Fuel Oil,'' by relocating the current required stored diesel fuel oil numerical volumes from the TSs to the TS Bases and replacing them with comparable duration-based requirements. In addition, the amendment revised TS 3.8.1.1 and TS 3.8.1.2, ''AC [Alternating Current] Sources Operating,'' and ''AC Sources Shutdown,'' respectively, to relocate the specific numerical value for feed tank fuel oil volume to the TS Bases and replace it with the feed tank operating time requirement. The changes are consistent with Technical Specifications Task Force (TSTF) Traveler TSTF–501, Revision 1, ''Relocate Fuel Oil and Lube Oil Volume Values to Licensee Control.''

Date of issuance: April 26, 2018.

Effective date: As of the date of issuance and shall be implemented 60 days from the date of issuance.

Amendment No.: 251. A publicly-available version is in ADAMS under Accession No. ML18026B053; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–38: The amendment revised the Facility Operating License and TSs.

*Date of initial notice in **Federal Register:*** July 5, 2017 (82 FR 31093). The supplemental letter dated February 28, 2018, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 26, 2018.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. STN 50–456 and STN 50–457, Braidwood Station, Units 1 and 2, Will County, Illinois, and Docket Nos. STN 50–454 and STN 50–455, Byron Station, Unit Nos. 1 and 2, Ogle County, Illinois

Date of amendment request: June 30, 2017.

Brief description of amendments: The amendments revised Technical Specification (TS) 3.7.11, ''Control Room Ventilation (VC) Temperature Control System,'' to modify the TS Actions for two inoperable VC temperature control system trains.

Date of issuance: April 30, 2018.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment Nos.: 195/195; 201/201. A publicly-available version is in ADAMS under Accession No. ML18054B436; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. NPF–72, NPF–77, NPF–37, and NPF–66: The amendments revised the TSs and Licenses.

*Date of initial notice in **Federal Register:*** August 29, 2017 (82 FR 41068).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated April 30, 2018.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket No. 50–461, Clinton Power Station, Unit No. 1, DeWitt County, Illinois

Date of amendment request: July 18, 2017.

Brief description of amendment: The amendment revised the design value for the spent fuel storage pool in Technical Specification 4.3.2, ''Drainage,'' to an appropriate value, consistent with the original design basis.

Date of issuance: April 30, 2018.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment No: 217. A publicly-available version is in ADAMS under Accession No. ML18072A050; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–62: The amendment revised the Facility Operating License and Technical Specifications.

*Date of initial notice in **Federal Register:*** September 12, 2017 (82 FR 42848).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 30, 2018.

No significant hazards consideration comments received: No.

Northern States Power Company—Minnesota, Docket Nos. 50–282 and 50–306, Prairie Island Nuclear Generating Plant, Unit Nos. 1 and 2, Goodhue County, Minnesota

Date of amendment request: August 4, 2017, as supplemented by letter dated November 6, 2017.

Brief description of amendments: The amendments revised the non-destructive examination inspection interval for special lifting devices from annually or prior to each use, typically at each refueling outage, to a 10-year interval.

Date of issuance: May 1, 2018.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment Nos.: 225 (Unit 1) and 212 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML18100A788; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–42 and DPR–60: The amendments revised the Prairie Island Nuclear Generating Plant, Unit Nos. 1 and 2, Updated Safety Analysis Report.

*Date of initial notice in **Federal Register:*** September 26, 2017 (82 FR 44855). The supplemental letter dated November 6, 2017, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 1, 2018.

No significant hazards consideration comments received: No.

Pacific Gas and Electric Company, Docket Nos. 50–275 and 50–323, Diablo Canyon Nuclear Power Plant, Units 1 and 2, San Luis Obispo County, California

Date of amendment request: September 28, 2017.

Brief description of amendments: The amendments revised Technical Specification (TS) 3.1.4, ''Rod Group Alignment Limits''; TS 3.1.5, ''Shutdown Bank Insertion Limits''; TS 3.1.6, ''Control Bank Insertion Limits''; and TS 3.1.7, ''Rod Position Indication,'' to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–547, Revision 1, ''Clarification of Rod Position Requirements.'' The NRC approved the TSTF and issued an associated model safety evaluation by letter dated March 4, 2016.

Date of issuance: April 30, 2018.

Effective date: As of the date of issuance and shall be implemented within 120 days from the date of issuance.

Amendment Nos.: 232 (Unit 1) and 234 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML18096A054; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License Nos. DPR–80 and DPR–82: The amendments revised the Facility Operating Licenses and TSs.

*Date of initial notice in **Federal Register:*** November 7, 2017 (82 FR 51653).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated April 30, 2018.

No significant hazards consideration comments received: No.

PSEG Nuclear LLC, Docket No. 50–354, Hope Creek Generating Station, Salem County, New Jersey

Date of amendment request: July 7, 2017, as supplemented by letters dated November 1, November 27, December 14, December 19 (four letters), and

December 22, 2017, and January 22, 2018.

Brief description of amendment: The amendment revised the Renewed Facility Operating License and Technical Specifications to implement a measurement uncertainty recapture power uprate. Specifically, the amendment authorized an increase in the maximum licensed thermal power level from 3,840 megawatts thermal to 3,902 megawatts thermal, which is an increase of approximately 1.6 percent.

Date of issuance: April 24, 2018.

Effective date: As of the date of issuance and shall be implemented within 120 days of issuance.

Amendment No.: 212. A publicly-available version is in ADAMS under Accession No. ML18096A542; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–57: The amendment revised the Renewed Facility Operating License and Technical Specifications.

Date of initial notice in ***Federal Register:*** October 3, 2017 (82 FR 46098). The supplemental letters dated November 1, November 27, December 14, December 19 (four letters), and December 22, 2017, and January 22, 2018, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 24, 2018.

No significant hazards consideration comments received: No.

Southern California Edison Company, et al., Docket Nos. 50–206, 50–361, and 50–362, San Onofre Nuclear Generating Station (SONGS), Unit Nos. 1, 2, and 3, San Diego County, California

Date of amendment request: December 19, 2016, as supplemented by letters dated April 25, 2017, and November 2, 2017.

Brief description of amendments: The amendments replaced the SONGS, Unit Nos. 1, 2, and 3, Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan (the Security Plan) with an Independent Spent Fuel Storage Installation (ISFSI) Only Security Plan. The NRC staff determined that the proposed SONGS ISFSI-Only Security Plan continues to meet the standards in 10 CFR 72.212, ''Conditions of general license issued under § 72.210,'' paragraph (b)(9). As such, the SONGS ISFSI-Only Security Plan provides reasonable assurance that adequate protective measures can and will be taken in the event of a design-basis threat of radiological sabotage related to the spent fuel. These changes more fully reflect the status of the facility, as well as the reduced scope of potential physical security challenges at the site once all spent fuel has been moved to dry cask storage within the onsite ISFSI, an activity that is currently scheduled for completion in 2019.

Date of issuance: April 23, 2018.

Effective date: As of its date of issuance and shall be implemented within 60 days following Southern California Edison Company's submittal of a written certification to the NRC that all spent nuclear fuel assemblies have been transferred out of the spent fuel pools and placed in storage within the onsite ISFSI.

Amendment Nos.: 170 (Unit 1), 238 (Unit 2), and 231 (Unit 3). A publicly-available version is in ADAMS under Accession No. ML17311A364; the Safety Evaluation enclosed with the amendments includes safeguards information and is withheld from public disclosure.

Facility Operating License Nos. DPR–13, NPF–10, and NPF–15: The amendments revised the Facility Operating Licenses.

Date of initial notice in ***Federal Register:*** April 4, 2017 (82 FR 16422).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated April 5, 2018.

No significant hazards consideration comments received: No.

Southern Nuclear Operating Company, Docket Nos. 52–025 and 52–026, Vogtle Electric Generating Plant, Unit Nos. 3 and 4, Burke County, Georgia

Date of amendment request: August 18, 2017, as supplemented by letter dated December 15, 2017.

Description of amendments: The amendments authorized the Southern Nuclear Operating Company to depart from the Vogtle Electric Generating Plaint Updated Final Safety Analysis Report (UFSAR) Tier 2* and Tier 2 information regarding changes necessary to reflect an increase in the design pressure of the main steam isolation valve (MSIV) compartments from 6.0 pounds per square inch (psi) to 6.5 psi and other changes regarding descriptions of the MSIV compartments. The Tier 2* changes affect Wall 11 information contained in UFSAR Subsections 3H.3.3, 3H.5.1, and 3H.5.1.3. This change provides additional design margin for the MSIV Compartments A and B at the Vogtle Electric Generating Plant.

Date of issuance: April 18, 2018.

Effective date: As of the date of issuance and shall be implemented within 30 days of issuance.

Amendment Nos.: 122 (Unit 3) and 121 (Unit 4). Publicly-available versions are in ADAMS Package Accession No. ML18085A932, which includes the Safety Evaluation that references documents related to these amendments.

Facility Combined Licenses No. NPF–91 and NPF–92: Amendments revised the Facility Combined Licenses.

Date of initial notice in ***Federal Register:*** November 21, 2017 (82 FR 55411). The supplemental letter dated December 15, 2017, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendments is contained in the Safety Evaluation dated April 18, 2018.

No significant hazards consideration comments received: No.

United States Maritime Administration (MARAD), Docket No. 50–238, Nuclear Ship SAVANNAH (NSS), Baltimore, Maryland

Date of amendment request: October 31, 2017.

Brief description of amendment: The amendment permits MARAD to begin dismantling and disposing of the NSS without prior approval of the NRC, consistent with existing decommissioning regulations.

Date of issuance: April 23, 2018.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment No.: 15. A publicly-available version is in ADAMS under Accession No. ML18081A134.

Facility Operating License No. NS–1: This amendment revised the License.

Date of initial notice in ***Federal Register:*** February 13, 2018 (83 FR 6235).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 23, 2017.

No significant hazards consideration comments received: No.

Virginia Electric and Power Company, Docket Nos. 50–280 and 50–281, Surry Power Station, Unit Nos. 1 and 2, Surry County, Virginia

Date of amendment request: May 23, 2017, as supplemented by letters dated January 16, 2018, and March 14, 2018.

Brief description of amendments: The amendments revised plant Technical Specifications Table 3.7–2 and associated Table Notations, Table 3.7–4 and Table 4.1–1, reflecting the installation of the Class 1E 4160V negative sequence voltage (open phase) protective circuitry at Surry Power Station, Unit Nos. 1 and 2, to address the potential for a consequential open phase condition that could exist on one or two phases of a primary offsite power source and that would not currently be detected and mitigated by the existing station electrical protection scheme.

Date of issuance: May 3, 2018.

Effective date: As of the date of issuance and shall be implemented within 30 days of issuance.

Amendment Nos.: 292 (Unit No. 1) and 292 (Unit No. 2). A publicly-available version is in ADAMS under Accession No. ML18106A007; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–32 and DPR–37: The amendments revised the Renewed Facility Operating Licenses and Technical Specifications.

Date of initial notice in ***Federal Register:*** October 10, 2017 (82 FR 47040). The supplemental letters dated January 16, 2018, and March 14, 2018, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 3, 2018.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 14th day of May, 2018.

For the Nuclear Regulatory Commission.

Tara Inverso,

Acting Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2018–10565 Filed 5–21–18; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40–9083; NRC–2018–0084]

U.S. Army Installation Command

AGENCY: Nuclear Regulatory Commission.

ACTION: Director's decision under 10 CFR 2.206; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued a director's decision in response to a petition dated March 16, 2017, filed by Dr. Michael Reimer (the petitioner), requesting that the NRC take enforcement-related action with regard to the U.S. Army Installation Management Command (the licensee). The petitioner's requests and the director's decision are included in the **SUPPLEMENTARY INFORMATION** section of this document.

DATES: The director's decision was issued on May 15, 2018.

ADDRESSES: Please refer to Docket ID NRC–2018–0084 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2018–0084. Address questions about NRC dockets to Jennifer Borges; telephone: 301–287–9127; email: *Jennifer.Borges@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Amy Snyder, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301–415–6822, email: *Amy.Snyder@nrc.gov.*

SUPPLEMENTARY INFORMATION: The text of the director's decision is attached.

Dated at Rockville, Maryland, this 16th day of May, 2018.

For the Nuclear Regulatory Commission.

Stephen Koenick,

Chief, Materials Decommissioning Branch, Division of Decommissioning, Uranium Recovery, and Waste Programs, Office of Nuclear Material Safety and Safeguards.

Attachment—Director's Decision DD–18–02

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS

Marc L. Dapas, Director

In the Matter of United States Army Installation Management Command

Pohakuloa Training Area

License No. SUC–1593

Docket No. 40–9083

DIRECTOR'S DECISION UNDER 10 CFR 2.206

I. Introduction

By letter dated March 16, 2017,[1] as supplemented on April 10,[2] May 21,[3] June 25,[4] July 24,[5] August 16,[6] August 18,[7] October 11,[8] October 12,[9] October 15,[10] and November 10, 2017,[11] and January 15, 2018,[12] Dr. Michael Reimer (the petitioner) filed a petition pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.206, ''Requests for action under this subpart,'' with the U.S. Nuclear Regulatory Commission (NRC or the Commission).[13]

The petitioner requested that the NRC reconsider the issuance of Amendment No. 2 to Source Materials License No. SUC–1593 (license),[14] for the U.S. Army Installation Management Command's (licensee's) Pohakuloa Training Area (PTA). As the basis for the request, the petitioner asserted that the Environmental Radiation Monitoring Plan (ERMP)[15] for the licensed depleted uranium (DU) that is located in the radiation control areas (RCAs) at the PTA is inadequate

[1] Agencywide Documents Access and Management System (ADAMS) Accession No. ML17110A308.

[2] ADAMS Accession No. ML17250A248.

[3] ADAMS Accession No. ML17143A165.

[4] ADAMS Accession No. ML17177A703.

[5] ADAMS Accession No. ML17249A091.

[6] ADAMS Accession No. ML17248A524.

[7] ADAMS Accession No. ML17249A075.

[8] ADAMS Accession No. ML17297A372.

[9] ADAMS Accession No. ML17292A690 (Pkg.).

[10] ADAMS Accession No. ML18011A202 (Pkg.).

[11] ADAMS Accession No. ML17346B028.

[12] ADAMS Accession No. ML18022A567.

[13] Copies of the petition and other publicly available records are available for inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and from the ADAMS Electronic Reading Room on the NRC's Web site at *http://ww.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS should contact the reference staff in the NRC Public Document Room by telephone at 1–800–397–4209 or 301–413–4737, or by email to *PDR.Resource@nrc.gov.*

[14] ADAMS Accession No. ML16343A164.

[15] ADAMS Accession No. ML16265A231.

to detect DU leaving the RCAs. In the petition and its supplements, the petitioner stated specific concerns about the lack of air monitoring and soil sampling at the PTA; the appropriateness of the sediment sampling location at the PTA; the number of sediment samples to be collected; the frequency of sediment sampling; the appropriateness of analytical techniques, including sample analysis methods; the geologic sampling procedures for sediment collection, including the appropriateness of data evaluation methods; the applicability of a guidance document used by the NRC to evaluate the location and frequency of sediment sampling; the sufficiency of the Davy Crockett DU inventory conducted for the PTA; the lack of evaluation of DU oxides; the lack of transparency in the implementation and reporting of the licensee's environmental radiation monitoring results for the licensed DU; the lack of transparency in the NRC's licensing of Davy Crockett DU at the PTA; and the licensee's use of ranges at the PTA for high explosive fire.

In a letter to the petitioner dated April 25, 2017,[16] the NRC staff (staff) acknowledged receipt of the petition. The petition was assigned to the Office of Nuclear Material Safety and Safeguards (NMSS) for review and appropriate action pursuant to 10 CFR 2.206. A petition review board (PRB) was formed to evaluate the petitioner's concerns following the 10 CFR 2.206 process per Management Directive 8.11, ''Review Process for 10 CFR 2.206 Petitions'' (MD 8.11).[17] The petitioner was offered an opportunity to meet with the PRB before the PRB's first meeting, but declined this opportunity.[18]

The PRB recommended that the petition be partially accepted for review under the 10 CFR 2.206 process. The NRC shared its preliminary recommendation [19] with the petitioner and offered the petitioner a second opportunity to address the PRB.[20] The petitioner accepted the opportunity and requested a teleconference with the PRB.[21] The petitioner met with the PRB via teleconference on October 11, 2017, to clarify the basis for the petition. The transcript [22] of this teleconference was treated as a supplement to the petition.

The petitioner provided additional information on October 12,[23] October 15,[24] and November 10, 2017,[25] and January 15, 2018,[26] to supplement the petition. At the petitioner's request, a third party provided information on his behalf [27] to supplement the petition. The licensee provided comments and information on the petition by e-mails dated July 31 [28] and October 13, 2017,[29] and in the October 11, 2017, teleconference.

By letter dated November 9, 2017,[30] the NRC informed the petitioner that the following concerns raised in the petition were accepted for review under 10 CFR 2.206: (1) inappropriate number of sediment samples; (2) inappropriate frequency of sediment sampling; (3) inappropriate and poorly described analytical techniques (sample analysis methods); (4) inappropriate geological sampling procedures for sediment collection; and (5) inappropriate data evaluation methods (leading to dilution of samples) to determine the presence of depleted uranium outside the ranges (or RCAs) associated with the PTA. In this letter, the NRC also informed the petitioner that the other concerns raised in the petition were not accepted for review under 10 CFR 2.206 and stated the basis for this determination. The PRB used the criteria for petition evaluation found in Part III of MD 8.11 to disposition the petitioner's concerns for acceptance or rejection for review under the 10 CFR 2.206 process. On November 29, 2017,[31] the NRC provided notice that the PRB would address the petition pursuant to 10 CFR 2.206.

By letter dated November 29, 2017,[32] the NRC requested that the licensee provide a voluntary response to the petition. By letters dated December 15, 2017,[33] and January 19, 2018,[34] the licensee provided its voluntary response, and the information provided was considered by the PRB in its evaluation of the petition, as explained in the proposed director's decision.[35]

The NRC sent a copy of the proposed director's decision to the petitioner and to the licensee for comment on February 20, 2018.[36] The petitioner responded with comments on the proposed director's decision on March 13, 2018.[37] The licensee did not provide comments on the proposed director's decision. The petitioner's comments and the staff's responses to the comments are included as an attachment to this director's decision.

Based on the staff's evaluation of the petitioner's March 13, 2018, comments, and the information presented in Section II, Discussion, and Section III, Conclusions, of this director's decision, the final director's decision has not changed from the proposed director's decision.

The petition and other references related to this petition are available for inspection in the NRC's Public Document Room (PDR), located at O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library at *https://www.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff by telephone at 1–800–397–4209, or 301-415–4737, or by e-mail to *pdr.resource@nrc.gov.*

II. Discussion

Under 10 CFR 2.206(b), the Director of the NRC office with responsibility for the subject matter shall either institute the requested proceeding to modify, suspend, or revoke a license, or take any other action as may be proper, or advise the petitioner who made the request in writing that no proceeding will be instituted, in whole or in part, with respect to the request and the reasons for the decision.

The petitioner raised concerns regarding the adequacy of the ERMP for the licensed DU that is located in the RCAs at the PTA (PTA ERMP).[38] The PRB analyzed the information provided by the petitioner in support of his concerns and the results of those analyses are discussed below. After consideration of the petition, including the supplemental information supplied by the petitioner, the NRC denies the petitioner's request to modify, suspend, or take other action with respect to Source Materials License No. SUC–1593 under 10 CFR 2.206. The decision of the NMSS Director is provided with respect to each of these concerns.

Concern 1: The PTA ERMP allows for an inappropriate number of sediment samples in that a single sediment sampling location is inadequate.

The petitioner states that the single sampling point as detailed in the PTA ERMP [39] is not sufficient. The petitioner specifies that ''multiple sampling sites should be selected adjacent to each of the four RCA boundaries and each should be in a water way that has had observed intermittent water flow sufficient to carry a sediment load that is deposited at the sample collection site.'' [40]

In the staff's safety evaluation report (SER) for Amendment No. 2,[41] the staff concluded that the site-specific ERMPs were ''consistent with the previously approved [Programmatic ERMP] approach for preparation of site-specific environmental monitoring plans,'' as well as with license conditions in Source Materials License No. SUC–1593, Amendment No. 1.[42] The approach to selecting sediment sampling locations specified in the Programmatic ERMP [43] is to sample sediment in water ways that flow from the RCAs. In sites with multiple water ways, multiple sediment sampling locations are used. The PTA has a single sampling site because the staff considers it a ''dry site'' with no perennial water ways flowing from the RCAs. The PTA ERMP states that ''[D]ue to low rainfall, porous soils, and lava

[16] ADAMS Accession No. ML17116A083.
[17] ADAMS Accession No. ML041770328.
[18] ADAMS Accession Nos. ML17159A83, ML17177A703 and ML17177A688.
[19] ADAMS Accession No. ML17279A757.
[20] ADAMS Accession No. ML17279A759.
[21] ADAMS Accession No. ML17279A761.
[22] ADAMS Accession No. ML17297A372.
[23] ADAMS Accession No. ML17292A690 (Pkg.).
[24] ADAMS Accession No. ML18011A202.
[25] ADAMS Accession No. ML17346B028.
[26] ADAMS Accession No. ML18022A567.
[27] ADAMS Accession No. ML18011A202 (Pkg.).
[28] ADAMS Accession No. ML17240A219.
[29] ADAMS Accession No. ML17290A307 (Pkg.).
[30] ADAMS Accession No. ML17279A300 (Pkg.).
[31] 82 Fed. Reg. 228 (Nov. 29, 2017), *https://www.gpo.gov/fdsys/pkg/FR–2017–11–29/pdf/2017–25830.pdf.*
[32] ADAMS Accession No. ML17297B403.
[33] ADAMS Accession No. ML18009A456.
[34] ADAMS Accession No. ML18023A991.
[35] ADAMS Accession No. ML17341A126 (Pkg.).
[36] ADAMS Accession Nos. ML17340A697 and ML17342A395, respectively.
[37] ADAMS Accession No. ML18087A134.
[38] ADAMS Accession No. ML16265A231.
[39] ADAMS Accession No. ML16265A231.
[40] ADAMS Accession No. ML17177A703.
[41] ADAMS Accession No. ML16343A163.
[42] ADAMS Accession No. ML16039A234.
[43] ADAMS Accession No. ML16265A218.

substrates, no perennial surface water bodies are located on, or immediately adjacent to, [PTA]. The closest known surface water body is located 4.5 miles upgradient of [PTA]. There are no perennial streams within 15 miles of [PTA], but there are intermittent streams located northeast of [PTA] and only one intermittent stream, Popoo Gulch, drains the northern portion of [PTA]. Despite occasional flow, water in the intermittent stream channels infiltrates rapidly once precipitation stops and the streams become dry.'' [44] In the staff's SER for Amendment No. 1,[45] the NRC approved the Programmatic ERMP. The staff found that due to the small doses anticipated from environmental transport pathways, a limited environmental monitoring program is justified.

In short, the water in the channel, where the sediment sampling point is identified in the PTA ERMP, flows only occasionally after heavy rainfall events with the water in the intermittent stream's channel infiltrating rapidly once precipitation stops, resulting in the stream channel becoming dry. The sediment sampling location was selected by the licensee based on the ''surface water hydrology and potential for DU contribution [migration].'' [46] The license requires the licensee to collect a sediment sample in a designated area in the only intermittent stream downstream from the RCAs. This location and the number of sediment samples were found to be acceptable by the staff in the SER for Amendment No. 2 [47] because the approach was consistent with the Programmatic ERMP and limited sampling for the PTA is appropriate based upon the small risk posed by the material.

Further, the staff concluded in its SER for Amendment No. 1 [48] that the dose from airborne contamination is considered to be highly unlikely to exceed a potential 1 mrem/yr dose.[49] The dose from all other environmental pathways, as bounded by a resident farmer pathways analysis using RESRAD,[50] is projected to be less than 4 mrem/yr. Furthermore, actual doses would be further limited because actual exposure durations are expected to be far less than subsistence farming residence times. In addition, in the SER for Amendment No. 1,[51] the staff independently verified the RESRAD calculations provided by the licensee and found the use of those scenarios, parameters, and assumptions to be reasonable and appropriate. The results from the RESRAD analysis supported the staff's decision [52] to require a limited amount of environmental monitoring outside of the RCA under certain conditions, as required per Section 4.3 of the Programmatic ERMP, and as required by the PTA ERMP. Sampling locations at the site are limited; however, this approach was found to be acceptable by the staff because it is consistent with the Programmatic ERMP and limited sampling is acceptable based upon the small risk posed by the material. The staff found the proposed frequencies, analyses, and actions sufficient to ensure DU migration outside of the RCA is adequately monitored while not exposing personnel to undue risk due to accessing unexploded ordnance areas. Accordingly, the staff concluded in its SER for License Amendment No. 2 that the PTA ERMP is adequate for monitoring for transport of DU from the RCAs.

For the reasons set forth above, the staff finds that the PTA ERMP does allow for an appropriate number of sediment samples in that a single sediment sampling location is adequate.

Concern 2: The PTA ERMP allows for an inappropriate frequency of sediment samples.

The petitioner states that the licensee should be required to sample more frequently than quarterly, and that ''sampling several times a year is not sufficient.'' [53] The PTA ERMP commits the licensee to performing sediment sampling on a quarterly basis. This quarterly sampling frequency exceeds the semi-annual sampling frequency for sediment sampling recommended in NUREG–1301, ''Offsite Dose Calculation Manual Guidance: Standard Radiological Effluent Controls for Pressurized Water Reactors,'' [54] April 1991. Because no guidance exists that is specific to DU in the form of spent rounds present in the environment, the staff used NUREG–1301 to inform its review of the licensee's proposed sampling methods and frequency. Although the PTA RCAs do not produce effluents, as do pressurized-water reactors, the guidance in NUREG–1301 is conservative for reviewing the licensee's proposed sampling methods and frequency because the expected risks from the presence of DU at the PTA are significantly less than those associated with radiological releases from an operating nuclear power plant. The sediment sampling frequency for the PTA is considered by the staff to be conservative, and therefore adequate because it exceeds the sampling frequency recommended for effluents from pressurized-water reactors, for a site with a much lower potential all pathway dose.

For the reasons set forth above, the staff finds that the site-specific ERMP for the PTA is adequate with respect to the frequency of samples taken at the PTA.

Concern 3: The PTA ERMP provides inappropriate and poorly described analytical techniques for the sediment sample analysis methods.

The petitioner states that for the PTA ERMP, the licensee's ''sediment monitoring program is improperly configured.'' [55] The petitioner states that there is an ''[i]ncomplete description of laboratory preparation methods for alpha spectrometry'' and explains that ''[c]hemicals used in preparation, exchange resins, internal standards, concentration methods for uranium, preparation of sample on planchet (electrodeposition or precipitation), counting times, reference standards, etc. must be identified.'' [56] Further, the petitioner states with regard to the PTA sediment monitoring program, that there is an ''[i]nadequate description of technique of alpha spectrometry'' and inquires, ''[w]hat is the sensitivity and what energies will be used for isotope determination? Can other U isotopes be detected (U–236) and transuranics (Pu, Np, Am)?'' [57]

In the context of the analytical techniques for the ''sediment sampling program for the PTA,'' the petitioner states that there are ''[i]nadequate analyses for isotopes to identify DU (U–236 and Mo, the alloy material, and transuranics would be of paramount interest)'' [58] and explains that ''[t]he samples should be analyzed also by an ICP [inductively coupled-plasma] technique that can identify other isotopes including U–236, and isotopes of Pu, Np and Am. Such would give a specific indication of reprocessed fuel rods. These are important for conclusive DU presence.'' [59] Further, the petitioner disagrees with the NRC statement that ''[t]he methods for sample analysis are commonly utilized methods . . . '' [60]

As an initial matter, the staff notes that the licensee is not required to submit information on laboratory preparation methods beyond the information presented in the Quality Assurance Plan (Annex 19 to the Programmatic ERMP). [61] However, the staff may ask to review documentation regarding the analysis of sediment samples, such as laboratory procedures and methods, during NRC inspections.

The staff disagrees with the petitioner that the proposed analytical methods are not commonly used methods. Alpha spectrometry (US DOE HASL method 300) [62] and inductively coupled-plasma mass spectrometry (ICP–MS) are commonly used methods for sample analysis to determine uranium isotopic activity or mass and have sufficient detection capability to accomplish the stated objectives of the monitoring activity.[63] [64] As described in the license at

[44] ADAMS Accession No. ML16265A231.

[45] ADAMS Accession No. ML16039A230.

[46] ADAMS Accession No. ML16265A231.

[47] ADAMS Accession No. ML16343A163.

[48] ADAMS Accession No. ML16039A230.

[49] See the SER for Amendment 2 (ADAMS Accession No. ML16343A163, pages 5 and 6 regarding the significance of 1 mrem/year as related to License Condition 19.

[50] RESRAD, or RESidual RADioactivity, is a computer code for evaluation of risk posed by radioactively contaminated sites. The NRC has approved RESRAD for dose evaluation by licensees involved in decommissioning, and for staff to assess waste disposal requests and dose evaluations.

[51] ADAMS Accession No. ML16039A230.

[52] ADAMS Accession No. ML16343A163.

[53] ADAMS Accession No. ML17110A308.

[54] ADAMS Accession No. ML091050061.

[55] ADAMS Accession No. ML17177A703.

[56] ADAMS Accession No. ML17177A703.

[57] ADAMS Accession No. ML17177A703.

[58] ADAMS Accession No. ML17177A703.

[59] ADAMS Accession No. ML17177A703.

[60] ADAMS Accession No. ML17110A308.

[61] ADAMS Accession No. ML16265A233.

[62] HASL–300 EML Procedures Manual at *https://www.orau.org/ptp/PTP%20Library/library/DOE/eml/hasl300/HASL300TOC.htm*

[63] J. Sabine Becker, International Journal of Spectrometry, ''Inductively coupled plasms mass spectrometry (ICP–MS) and laser ablation ICP–MS for isotopic analysis of long-live radionuclides,'' Volume 242, Issues 2–3, 1 April 2005, Pages 183–195, Elsevier.

[64] Carvalho, F.P. & Oliveira, J.M. ''Performance of alpha spectrometry in the analysis of uranium isotopes in environmental and nuclear materials,'' J Radioanal Nucl Chem (2009) 281: 591. *https://doi.org/10.1007/s10967-009-0046-2.*

Annex 19, the ''Programmatic Uniform Federal Policy-Quality Assurance Project Plan (UFP–QAPP)'' for the Environmental Radiation Monitoring Program,[65] ICP–MS will be used to supplement alpha spectrometry in samples in which the alpha spectrometry results indicate a U–238/U–234 ratio above 3.0.

The petitioner states that the current method of evaluation is not sensitive enough to distinguish DU from natural uranium, and that using a technique that could detect radionuclides that are present in trace quantities in DU, but are not naturally occurring, would provide better evidence of DU transport. Specifically, the petitioner states that using ICP–MS on each sample, or using it to detect radionuclides other than U–234, U–235, or U–238, is necessary. However, as indicated in Annex 19, the minimum detectable concentration (MDC) for the licensee's proposed alpha spectrometry technique is 0.1 picocuries per gram (pCi/g). That value is far below the NRC soil screening values of 13 pCi/g, 8.0 pCi/g, and 14 pCi/g, for U–234, U–235, and U–238, respectively.[66] Those screening values, given in Table H.2 in NUREG–1757, Volume 2, Rev. 1, ''Consolidated Decommissioning Guidance,''[67] are concentrations of individual radionuclides in surficial soil that staff has determined to be protective of public health and safety.[68] The staff determined in its SER for Amendment No. 2[69] that the two-step analysis method (i.e., using ICP–MS only as a confirmatory technique for samples with a U–238/U–234 ratio above 3.0) is appropriate. Based on the comparison of the MDC of the licensee's proposed method to the NRC soil screening values, the staff continues to find the licensee's proposed use of alpha spectrometry to be appropriate.

The petitioner raises a related point about the effects of the natural variation of the U–238 to U–234 ratio in the environment, on the licensee's ability to detect DU. The petitioner states that ''[t]he heterogeneity of the sample ROC [radionuclide of concern] will likely provide dilution effects for analysis and minimize threshold concentrations. This issue has not been addressed by the Army or the analytical laboratory.''[70] Also, the petitioner states that ''[g]iven the probable dilution factors of sediment sourcing and mixing multiple collected samples, any ratio of U238/234 greater than one should be considered indicative of DU. This was seen in a contractor report (Cabrerra), where soil samples often showed uranium 238/234 increased activity ratios.''[71] As discussed in further detail in the staff's disposition of Concern 5, the staff found that the natural variation in the U–238 to U–234 ratio in the environment did not affect the staff's conclusion about the adequacy of the licensee's proposed method of evaluation.

The commitments that the licensee makes in its Programmatic ERMP, which is tied to the license, require the licensee to periodically review its Programmatic ERMP and each site-specific ERMP for revisions that it believes should be made related to changes in the understanding of risk associated with exposure to DU in the environment; changes in local/regional land use; changes in environmental transport characteristics or environmental conditions that violate the conservative assumptions of the bounding RESRAD analysis of the Programmatic ERMP in such a way that the RESRAD analysis is no longer bounding; trends in sampling results indicating increased mobilization of DU, but at levels below the bounding RESRAD analysis of the Programmatic ERMP or other regulatory thresholds; and any other new information that indicates a need to adjust the site-specific ERMP. Further, the Programmatic ERMP requires that if the licensee determines that changing site conditions result in environmental transport or exposure hazards that exceed those used in the bounding RESRAD calculations, the licensee must notify the NRC license program manager within 30 days. The staff found the licensee's commitments reasonable given the expected level of risk.

The licensee's strategy for routine, as well as periodic, environmental radiation monitoring at the PTA was addressed in its applications for Amendment Nos. 1 and 2. In its SERs for Amendment Nos. 1 and 2, the staff determined that the Programmatic ERMP and PTA ERMP, respectively, would ensure adequate protection of public health and safety. The staff previously determined in the SER for License Amendment No. 2[72] that the methods described in the PTA ERMP and UFP–QAPP were sensitive enough. Through inspection, the staff may inspect the data collected from implementation of the PTA ERMP to verify that the sensitivity remains appropriate.

For the reasons set forth above, the NRC finds that the licensee's description of its analytical methods in the PTA ERMP is adequate and the licensee's analytical methods for sediment analysis are appropriate.

Concern 4: The PTA ERMP allows for inappropriate geological procedures for sediment collection.

The petitioner expresses concern about the geological procedures for sediment collection methods, stating, ''[w]hat is presented, if given to any reasonable person familiar with geologic sampling procedures, is so egregiously defective and disparate from accepted sampling procedures, it must be deemed fatally flawed.''[73] The petitioner asserts that the licensee's specific sampling techniques, method of sample collection, and training are inadequate.[74] The petitioner states ''[f]urther, there is no indication that the samplers will have had specific training in the simple and common aspects of sampling. Can they distinguish the difference between a sediment sample and a soil sample or a slump deposit?''[75] The petitioner specifically notes issues with the composite sample method employed by the licensee. The petitioner also states that ''organics and water'' should be sent for separate analysis and suggests that core sampling would be beneficial.[76]

The types of procedures for sediment collection are identified in each site-specific ERMP and in the Programmatic Quality Assurance Plan for ERMPs, which are tied to the license.[77] In the SER for Amendment No. 1,[78] the staff found that ''. . . each ERMP contains prescribed general methods for sample collection and sample analysis . . .'' Annex 19, ''Programmatic Uniform Federal Policy-Quality Assurance Project Plan (UFP–QAPP),'' for the ERMP includes worksheets stating the licensee's action levels for sample evaluation and what actions the licensee is required to take should the sample data exceed these action levels. The license requires the licensee to use the type of sampling procedures specified in the UFP–QAPP.[79] During inspections, the staff will review site-specific procedures, such as sediment sampling procedures, as determined by inspection plans.

The petitioner expresses concerns about the adequacy of the licensee's geological training for individuals tasked with implementing the environmental monitoring program, but does not specify why geological training is necessary to take samples sufficient for the purposes of the PTA ERMP or the Programmatic ERMP. The NRC does not require geological training to implement the PTA ERMP. In its SER for License Amendment No. 1,[80] the staff found the licensee's commitments regarding training acceptable. In its application for Amendment No. 2, the licensee made training commitments with regard to implementation of the ERMP in its UFP–QAPP[81] and Programmatic Radiation Safety Plan,[82] and the staff found them acceptable as detailed in its associated SER.[83] The licensee did not commit to requiring geological training to implement the PTA ERMP or the Programmatic ERMP.

In its SER for Amendment No. 2,[84] the staff concluded that the findings described in the SER support the issuance of a license amendment requiring the use of the site-specific ERMPs and the associated UFP–QAPP applicable to each military

[65] ADAMS Accession No.ML16265A233.

[66] The NUREG–1757 Volume 2, Rev. 1, Table H.2 values for the individual radionuclides were used instead of the values that account for progeny (i.e., the ''+C'' values) because the enrichment process that creates DU typically removes most of the progeny with an atomic weight less than U–234 from the DU.

[67] ADAMS Accession No. ML063000243.

[68] Soil screening values represent surficial surface soil concentrations of individual radionuclides that would be deemed in compliance with the 25 mrem/y (0.25 mSv/y) unrestricted release dose limit in 10 CFR 20.1402.

[69] ADAMS Accession No. ML16343A163.

[70] ADAMS Accession No. ML18017A784.

[71] ADAMS Accession No. ML17177A703.

[72] ADAMS Accession No. ML16343A163.

[73] ADAMS Accession No. ML17110A308.

[74] ADAMS Accession No. ML17110A308.

[75] ADAMS Accession No. ML17177A703.

[76] ADAMS Accession No. ML17177A703.

[77] ADAMS Accession No. ML16265A221 (Pkg.).

[78] ADAMS Accession No. ML16039A230.

[79] ADAMS Accession No. ML16265A233.

[80] ADAMS Accession No. ML16039A230.

[81] ADAMS Accession No. ML16265A233.

[82] ADAMS Accession No. ML16004A369.

[83] ADAMS Accession No. ML16343A163.

[84] ADAMS Accession No. ML16343A163.

installation. The UFP–QAPP addresses the quality assurance, quality control, and additional technical activities that must be implemented to ensure that data collected during ERMP activities at the Davy Crockett installations are of sufficient quality to support the NRC requirements. The petitioner did not support the claim that specific geological training is necessary to take samples sufficient to meet NRC requirements.

The petitioner has not provided information to support his assertion that ''organics and water'' should be sent for separate analysis. The concentrations of the radionuclides of concern are obtained from the analysis of the total sample. The analysis procedure does not require such a separation, nor does the license require the licensee to separate organics from water for separate analysis before sediment samples are analyzed. With respect to his statement that core sampling would be beneficial, the petitioner states that core sampling would provide historical information. However, obtaining historical information is not one of the purposes of the PTA ERMP. Scoping [85] and characterization surveys were performed by the licensee in the past,[86] and the staff, as documented in the SER for Amendment No. 1, found that they were sufficient to determine the extent and depth of Davy Crockett DU at the PTA. In its application for Amendment No. 1, the licensee reported that the average soil concentrations of uranium inside the RCA are less than the default NRC screening level for license termination. The NRC does not require additional characterization for the PTA.

For the reasons set forth above, the NRC finds that the site-specific ERMP for the PTA is adequate with respect to its description of procedures for sediment collection methods.

Concern 5: The PTA ERMP allows for inappropriate data evaluation methods to determine the presence of DU outside the ranges associated with PTA.

The petitioner states that there is an ''[i]nadequate definition of the activity ratios used to define DU presence,'' explaining that ''[g]iven the probable dilution factors of sediment sourcing and mixing multiple collected samples, any ratio of U238/234 greater than one should be considered indicative of DU. This was seen in a contractor report (Cabrerra), where soil samples often showed uranium 238/234 increased activity ratios.'' [87]

As part of its evaluation of this concern, the staff requested information[88] from the licensee, regarding how it intends to meet the 3-to-1 ratio of U–238 to U–234 in License Condition 17 when compositing sediment samples. In its response to the request,[89] the licensee clarified that the ''composite'' samples were all taken in essentially one location and a provision for taking 10 sub-samples was included to ensure sufficient sample volume was collected. Based on the licensee's clarification, the staff determined that dilution is not a concern as the sub-samples are more representative of a single sample than a ''composite'' sample.

The staff verified that the 3-to-1 ratio of U–238 to U–234 is appropriate. DU used for military purposes typically has a U–238 to U–234 activity ratio of approximately 5.5.[90] If that DU is mixed with natural uranium in the environment, that ratio will be lower because natural uranium has a U–238 to U–234 activity ratio of approximately 1.0.[91] Pursuant to License Condition 17, the licensee is required to notify the NRC of any uranium detected with a U–238 to U–234 ratio of 3 or more. Based on the assumption that the DU has a U–238 to U–234 ratio of 5.5 and natural uranium has a U–238 to U–234 activity ratio of 1.0, an activity ratio of 3.0 reflects a mixture of approximately 28 percent natural uranium and 72 percent DU (percent by activity).[92] Background levels of natural uranium in soil from PTA are approximately 0.4 pCi/g.[93]

A sample with 72 percent depleted uranium (by activity) and 0.4 pCi/g natural uranium would contain approximately 1 pCi/g DU, or approximately 0.15 pCi/g U–234, 0.01 pCi/g U–235, and 0.84 pCi/g U–238, which are well below the NRC soil screening values for decommissioning.[94] Therefore, the licensee's use of the 3.0 activity ratio is acceptable because it would allow the licensee to identify DU at concentrations below values that NRC finds protective of public health and safety.

The petitioner refers to a journal article [95] that explains that the ratio of U–238 to U–234 in natural uranium can vary because of differences in how U–238 and U–234 are transported in the environment. [96] However, the background concentrations of natural uranium at PTA are sufficiently low that variation in the U–238 to U–234 ratio of natural uranium at PTA is not expected to be large enough to compromise the licensee's ability to detect significant migration of DU in soils or sediments. For example, if the U–238 to U–234 ratio of natural uranium in PTA site soil or sediment were only 0.5 instead of 1.0 (a relatively large natural variation), a sample would have a U–238 to U–234 ratio of 3.0 if it had 19 percent natural uranium and 81 percent DU (by activity). Given the natural uranium background concentration of 0.4 pCi/g in PTA soil, that mixture would have a total activity of 2.1 pCi/g, or 1.7 pCi/g DU. As previously indicated, that concentration is well below the NRC soil screening values for uranium isotopes.

The environmental processes that cause variation in the U–238 to U–234 ratio in natural uranium can also affect the U–238 to U–234 ratio in DU exposed to the natural environment. However, the effect of the alpha recoil process described in the reference [97] supplied by the petitioner is to allow more U–234 than U–238 to be transported in water. That process would tend to increase the U–238 to U–234 ratio in solid samples of DU (i.e., soil and sediment), making the U–238 to U–234 ratio in those samples greater (i.e., more likely to exceed the threshold value of 3.0). Therefore, the staff finds that the previous conclusion that the licensee's proposed method to detect DU is adequate, is not challenged by either the expected natural variation in the U–238 to U–234 ratio in site soil and sediment or consideration of the potential effects of alpha recoil on DU at the site.

For the reasons set forth above, the NRC finds that the licensee has adequate data evaluation methods to determine the presence of DU at PTA.

III. Conclusion

The NRC fully evaluated the petitioner's concerns and based on the results of that evaluation, determined that there was no basis for granting the petitioner's request to modify, suspend, or take other action with respect to, Source Materials License No. SUC–1593 under 10 CFR 2.206. Accordingly, the NRC denies the petitioner's request to modify, suspend, or take other action with respect to Source Materials License No. SUC–1593. As provided in 10 CFR 2.206(c), the staff will file a copy of this final director's decision with the Secretary of the Commission for the Commission to review. As provided for by that regulation, the director's decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the decision within that time.

Dated at Rockville, Maryland, this 15th day of May, 2018.

For the Nuclear Regulatory Commission.

[85] ADAMS Accession No. ML092950352.

[86] USACE, 2007. Archives Search Report on the Use of Cartridge, 20MM Spotting Round M101, Davy Crockett Light Weapon M28, Schofield Barracks and Associated Training Areas, Islands of Oahu and Hawaii. Prepared by USACE, St Louis District.

[87] ADAMS Accession No. ML17177A703.

[88] ADAMS Accession No. ML17297B403.

[89] ADAMS Accession No. ML18009A456.

[90] IAEA, Depleted Uranium, retrieved at *https://www.iaea.org/topics/spent-fuel-management/depleted-uranium* on January 29, 2018.

[91] U–238 and U–234 in secular equilibrium have an activity ratio of 1.0; however, that ratio is only approximate in the natural environment because of differences in how U–238 and U–234 are retained in rock and soil.

[92] Because DU has a lower specific activity than natural uranium, that mixture would be 19 percent natural uranium and 81 percent DU by mass.

[93] ADAMS Accession No. ML12265A173 (Table 3).

[94] The NRC soil screening values for decommissioning are: U–234: 1.3E+01pCi/g; U–235: 8.0E+00pCi/g, and U–238 1.4E+01pCi/g. ADAMS Accession No. ML063000243 (Appendix B, Table B.2).

[95] Fleischer, R.L., 2008, Difficulties in using 234U/238U values to detect enriched or depleted uranium, Health Physics, v. 94, p.292–293.

[96] ADAMS Accession No. ML17249A091.

[97] Fleischer, R.L., 2008, Difficulties in using 234U/238U values to detect enriched or depleted uranium, Health Physics, v. 94, p.292–293.

Marc L. Dapas, Director,

Office of Nuclear Material

Safety and Safeguards

Attachment:

Petitioner's Comments on the

Proposed Director's Decision and

NRC's Responses

ATTACHMENT: PETITIONER'S COMMENTS ON THE PROPOSED DIRECTOR'S DECISION AND NRC'S RESPONSES

The petitioner provided comments to the U.S. Nuclear Regulatory Commission (NRC) on the proposed director's decision (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17341A126 (Pkg.)) by electronic mail (e-mail) dated March 13, 2018 (ADAMS Accession No. ML18087A134). In the petitioner's March 13, 2018 e-mail, the petitioner notes that he has ''rephrased some statements to make it clearer to the review panel members who do not have full familiarity with the issues.'' For completeness, and where appropriate, the NRC staff (staff) provides clarifying remarks on its previous evaluation of the petitioner's concerns on the Davy Crockett depleted uranium (DU) inventory and the sediment sampling outside the Pohakuloa Training Area (PTA) Radiation Control Areas (RCAs).

The petitioner's comments do not alter the staff's overall analyses or conclusions in the director's decision and, therefore, do not require modification to the final director's decision.

Comment 1:

The petitioner asserts that the review process is flawed, as evidenced by (1) the selection and expertise of the reviewing staff members; (2) an emphasis on administrative review over technical review; and (3) the rejection of new and materially relevant facts presented in the petition and its supplements. With respect to this latter point, the petitioner provided information on an historic lava flow and referred to a statement made by the licensee previously indicating that sediment samples will not be collected because no sediment is present at the PTA.

Response 1:

The petition was reviewed in accordance with NRC Management Directive (MD) 8.11. MD 8.11 describes the composition and role of the petition review board and the process for reviewing Title 10 of the *Code of Federal Regulations* (10 CFR) 2.206 petitions. A copy of MD 8.11 was provided to the petitioner on April 25, 2017 (ADAMS Accession No. ML17110A299 (Pkg.)).

The staff considered all of the information provided by the petitioner in its review of the petition and its supplements. The staff notes that at the time the licensee submitted its initial license application for Source Materials License No. SUC–1593, the licensee had not identified an intermittent stream at the PTA. Since that time, as documented in its application for License Amendment No. 2, the licensee has identified an intermittent stream for sediment sampling outside of the PTA RCA boundaries. On page 2–1 of the Environmental Radiation Monitoring Plan (ERMP) in effect for the PTA (ADAMS Accession No. ML1625A231), the licensee states: ''The sediment sampling location at Pohakuloa TA was selected based on the surface water hydrology and potential for DU contribution and is located as follows:

- ERM–01—The selected sampling point is located at an intermittent stream at the installation's northern boundary, downstream from the RCAs. ERM–01 is accessible using the Lightning Trail or via Saddle Road.''

As explained in Enclosure 1 (ADAMS Accession No. ML17279A082) to the NRC's letter to the petitioner dated November 9, 2017 (ADAMS Accession No. ML17279A300 (Pkg.)), the licensee submitted a license amendment application (ADAMS Accession No. ML17158B356) to correct figure sizing/scaling errors in the ERMP annex for the PTA and two other sites. Because the petitioner's concern regarding the sediment sampling location at the PTA is now under staff's consideration as part of its review of this license amendment request, the 10 CFR 2.206 process is not appropriate for addressing that concern. The staff will inform the petitioner of the outcome of this licensing review.

Comment 2:

The petitioner asserts that the amount of DU specified in the license for the PTA is grossly underestimated and must be revised. In support of this assertion, the petitioner states that the component parts of the main warhead show a yellow coating consistent with DU oxide and the existence of firing pistons shows the dummy Davy Crockett warhead (M–390) was fired. The petitioner states that this concern is now supported with ''anecdotal evidence'' that the dummy warhead contained DU. The petitioner provides a link to a blog and web forum as this anecdotal evidence.

Response 2:

The petitioner's comments are directed at a concern that was not accepted for review under the 10 CFR 2.206 process and is not the subject of this director's decision. The basis for the rejection of this concern under the 10 CFR 2.206 process is described on pages 5 and 6 of Enclosure 1 to the proposed director's decision, under the concern identified as ''Insufficient Davy Crockett DU Inventory.''

The staff is unable to substantiate the new ''anecdotal evidence'' referred to in the petitioner's comment, and is therefore unable to conclude that this anecdotal evidence is evidence that the license underestimates the amount of DU present at the PTA. As explained in Enclosure 1 to the November 9, 2017, letter, the sufficiency of the Davy Crockett DU inventory was addressed in a previous application and safety evaluation report (SER) (Amendment No. 1). The staff evaluated the licensee's estimate of the DU inventory and documented its conclusions in the associated SERs for the initial licensing of the ranges with DU at the two military installations located in the Hawaiian Islands, and for Amendment No. 1. As part of its evaluations in both SERs, the staff considered the information in the licensee's report entitled ''Project Archive Search Report Use of Cartridge, 20mm Spotting M101 Davy Crockett Light Weapon M28 on U.S. Army Installations January 2008 Revised, June 2011.'' In addition, as part of its review of the initial license application for the PTA (ADAMS Accession No. ML13259A081), the staff previously reviewed the photographs (ADAMS Accession No. ML09295032) that were referenced in the petitioner's July 24, 2017, supplement (ADAMS Accession No. ML17249A091), as well as other reference documents provided by the licensee in its initial ERMP for the PTA (ADAMS Accession No. ML12046A506) that support the conclusion that the yellow residue on other Davy Crockett weapon system components is not DU.

Comment 3:

The petitioner asserts that the staff improperly introduced health-effect possibility as a reason to accept ''corrupt monitoring methodologies.'' The petitioner states that, even so, the estimated number of dummy warheads from the piston count should be used in configuring the RESRAD dose. The petitioner asserts that dose risk to the public should be assessed in a different manner from the resident farmer scenario.

Response 3:

The licensee did not include dummy warheads in its dose assessment because there is no evidence that dummy rounds contain DU at PTA. Source Materials License No. SUC–1593 applies to Davy Crockett M101 spotting rounds, which contain DU. As explained in the director's decision under Concern 4, scoping and characterization surveys were performed by the licensee in the past. The staff, as documented in the SER for Amendment No. 1, found that the licensee's efforts were sufficient to determine the extent and depth of Davy Crockett DU at the PTA.

The licensee used the resident farmer exposure scenario for its dose assessment for the PTA. The resident farmer is one who grows her or his own food on the contaminated site and collects her or his own water also from the contaminated site. The staff considers this scenario to be a bounding scenario for the Davy Crockett M101 spotting rounds at the RCAs. Once the exposure scenario is chosen, the second step in a dose assessment is to predict how the radionuclides will move through the environment to where they could come into contact with humans. The final step in a dose assessment is to then predict what the resulting dose would be. The total lifetime dose received by the individual is calculated from a given amount of a radionuclide ingested or inhaled (measured in curies) multiplied by a dose conversion factor from a related calculation of the dose from external penetrating radiation. Given that calculations for dose assessments are complex, they are best done on a computer.

The licensee used the computer program or code called RESRAD (short for RESidual

RADioactivity) to carry out the three steps described above using the resident farmer scenario. RESRAD is commonly used to make regulatory decisions about residual radioactivity levels at nuclear sites. This code was used by the licensee, and reviewed by the staff, to assess radiation exposures of a human receptor located on top of soils contaminated with DU. RESRAD allows users to specify the features of their site and to predict the dose received by an individual at any time over the next 100,000 years. RESRAD is particularly important because it has been accepted for use by the NRC in making regulatory decisions and is freely available to the public.

Comment 4:

The petitioner states that the use of NUREG–1301 is improper because it does not address stream sediment sampling.

Response 4:

As stated in the director's decision, while NUREG–1301 is not specific to DU in the form of spent rounds present in the environment, it is conservative for reviewing the licensee's proposed sampling methods and frequency because the expected risks from the presence of DU at the PTA are significantly less than those associated with radiological releases from an operating nuclear power plant. Also, the fact that this guidance addresses sediment from [the] shoreline of surface water instead of stream sediment does not affect the conservatism of applying the NUREG to environmental sampling at PTA.

Comment 5:

The petitioner challenges the staff's conclusions that the analytical methods in the PTA ERMP are appropriate and that the laboratory preparation methods are adequately described in the PTA ERMP. The petitioner states that the analytical method selected, an alpha spectrometer, presumably cannot detect ^{235}U unless very long counting times are used. The petitioner states ''an overwhelming number of procedural descriptions are provided with the phrase, 'TBD (to be determined)''' in Annex 17 and 19.

Response 5:

As stated in the director's decision under Concern 3, the staff disagrees with the petitioner that the analytical methods are not commonly used methods. Alpha spectrometry (US DOE HASL method 300) and inductively coupled-plasma mass spectrometry (ICP–MS) are commonly used methods for sample analysis to determine uranium isotopic activity or mass and have sufficient detection capability to accomplish the stated objectives of the monitoring activity.

Furthermore, the petitioner expressed concerns about appropriateness of the analytical methods by raising the issue of the long counting times for U–235. However, as described in Concern 3, the licensee has not proposed to count U–235, but instead plans to use the U–238 to U–234 ratio, as a surrogate, as required by License Condition 17.

With regard to the analytical procedures being adequately described including the use of the phrase ''TBD'', as described in the director's decision under Concern 3, the licensee is not required to submit information on laboratory preparation methods beyond the information presented in the Quality Assurance Plan (Annex 19 to the Programmatic ERMP) (ADAMS Accession No. ML16265A233). Also, the licensee is not required to submit environmental sampling procedures beyond the information presented in Annex 19 to the Programmatic ERMP. The licensee has made a commitment in its application for License Amendment No. 1 (ADAMS Accession No. ML16004A369) that:

''Each installation-specific ERMP will describe sampling in terms of sampling objectives, sampling protocols, analytical methods, and data quality assurance protocols. These descriptions will conform to commonly accepted practices and reliable sources as described in the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) (NRC, DOE, EPA, DOD 2000). Acceptable analytical methods include those commonly accepted from reliable references, as presented in MARSSIM, Table 7.2.''

The staff found this approach acceptable. In the SER for License Amendment No. 1 (ADAMS Accession No. ML16039A230), the staff found that, ''. . . in accordance with 10 CFR 40.32(c) . . . that the Army's proposed equipment and procedures in the programmatic RSP [Radiation Safety Plan] are adequate to protect health and safety and minimize danger to life or property.'' Review of specific procedures are covered in the NRC inspection process, not licensing. The staff may ask to review documentation regarding the analysis of sediment samples, such as laboratory procedures and methods and sampling procedures, during NRC inspections.

Comment 6:

The petitioner asserts that an Oak Ridge report (ADAMS Accession No. ML13101A090) demonstrates that the analytical methods used by the licensee are improper and that the proposed director's decision improperly ignores this report.

Response 6:

As explained in the director's decision under Concern 5, as part of the staff's review of the petitioner's concern regarding composite sample dilution, the staff requested information (ADAMS Accession No. ML17297B403) from the licensee, regarding how it intends to meet the 3-to-1 ratio of U–238 to U–234 in License Condition 17 when compositing sediment samples. The staff referred to the Oak Ridge Report (ADAMS Accession No. ML13101A090) in its request letter (ADAMS Accession No. ML17297B403), stating that ''this guidance indicates that a statistically-informed sampling regime should be followed if composite sampling is used over an area (i.e., not just at one sample location). The detailed guidance referenced above recommends (1) retaining sub-samples in case further analysis is needed, (2) establishing an adjusted limit that would trigger analysis of individual subsamples, and (3) using sub-samples of the same volume.'' In its response to the request (ADAMS Accession No. ML18009A456), the licensee clarified that the ''composite'' samples were all taken in essentially one location and a provision for taking 10 sub-samples was included to ensure sufficient sample volume was collected. Based on the licensee's clarification, the staff determined that dilution is not a concern as the sub-samples are more representative of a single sample than a ''composite'' sample.

Comment 7:

The petitioner states that there are significant barriers to flow from the RCAs at the PTA to the proposed sample collection site, and that the staff should have used objective programs to trace out surface flows. The petitioner states that the staff should mandate that the sampling location be adjacent to the RCA, ''not miles away with an intermittent lava berm.''

Response 7:

The petitioner's comments are directed at a concern that was not accepted for review under the 10 CFR 2.206 process and is not the subject of this director's decision. The basis for the rejection of this concern under the 10 CFR 2.206 process is described on pages 3 and 4 of Enclosure 1 (ADAMS Accession No. ML17279A082) to the NRC's letter to the petitioner dated November 9, 2017 (ADAMS Accession No. ML17279A300 (Pkg.)), under the concern identified as ''Inappropriate Sampling Location.'' As described in the staff's Response 1, above, the licensee submitted a license amendment application to the NRC to correct figure sizing/scaling errors in the ERMP annex for the PTA and two other sites. Because the petitioner's concern regarding the sediment sampling location at the PTA is now under staff's consideration as part of its review of this license amendment request, the 2.206 process is not appropriate for addressing that concern. The staff will inform the petitioner of the outcome of this licensing review.

[FR Doc. 2018–10840 Filed 5–21–18; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–247 and 50–286; NRC–2008–0672]

Entergy Nuclear Operations, Inc.; Indian Point Nuclear Generating Unit Nos. 2 and 3

AGENCY: Nuclear Regulatory Commission.

ACTION: Final Supplemental Environmental Impact Statement; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Volume 5 of the plant-specific Final Supplemental Environmental Impact Statement (FSEIS), Supplement 38 to NUREG–1437, ''Generic Environmental Impact

Statement for License Renewal of Nuclear Plants'' (GEIS), regarding the renewal of the Entergy Nuclear Operations, Inc., operating licenses DPR–26 and DPR–64 (Docket Nos. 50–247 and 50–286) for extended plant operation for Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and IP3).

This volume of the FSEIS was issued as part of the NRC staff's review of Entergy Nuclear Operations, Inc.'s request for extended plant operation beyond the initial period of 40 years.

This volume incorporates new information that the NRC staff has obtained since the publication of Volume 4 of the FSEIS in June 2013.

DATES: Volume 5 of the Final Supplemental Environmental Impact Statement referenced in this document became effective on April 20, 2018.

ADDRESSES: Please refer to Docket ID NRC–2008–0672 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2008–0672. Address questions about NRC dockets to Jennifer Borges; telephone: 301–287–9127; email: *Jennifer.Borges@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* Supplement 38 to the GEIS and its supplements are available under ADAMS Accession Nos. ML103350405, ML103350438, ML103360209, ML103360212, ML103350442, ML13162A616, and ML18107A759, respectively.
- *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.
- *Local Libraries:* The following local libraries have agreed to make the final supplement available for public inspection:
  - White Plains Public Library, 100 Martine Ave. White Plains, NY 10601
  - Field Library, 4 Nelson Ave. Peekskill, NY 10566
  - Hendrick Hudson Free Library, 185 Kings Ferry Rd, Montrose, NY 10548

FOR FURTHER INFORMATION CONTACT: Mr. William Burton, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6332, email: *William.Burton@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC received an application, dated April 23, 2007, from Entergy Nuclear Operations, Inc., (Entergy), filed pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, and part 54 of title 10 of the *Code of Federal Regulations,* (10 CFR part 54), to renew, the operating licenses for IP2 and IP3. The IP2 and IP3 site is located along the Hudson River, approximately 24 miles north of New York, NY. Renewal of the licenses would authorize the applicant to operate the facilities beyond the initial 40-year period specified in the current operating licenses. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources.

The NRC issued a plant-specific Final Supplemental Environmental Impact Statement (FSEIS) as a supplement to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants (GEIS), NUREG–1437, regarding the renewal of Facility Operating License Nos. DPR–26 and DPR–64 for Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and IP3).

As discussed in Section 8.2 of the FSEIS, the NRC staff determined that the adverse environmental impacts of license renewal for IP2 and IP3 are not so great that preserving the option of license renewal for energy-planning decisionmakers would be unreasonable. This recommendation is based on: (1) The analysis and findings in the GEIS; (2) information provided in the environmental report and other documents submitted by Entergy Nuclear Operations, Inc.; (3) consultation with Federal, State, local, and tribal agencies; (4) the NRC staff's independent review; and (5) NRC staff's consideration of public comments received during the scoping process and on the draft Supplemental Environmental Impact Statement.

II. Matters Addressed in Supplement 2 to the FSEIS

This supplement includes the NRC staff's evaluation of revised engineering project cost information for severe accident mitigation alternatives (SAMAs), a summary of the results of additional sensitivity analyses to address uncertainties in the SAMA cost-benefit conclusions as directed by the Commission, newly available aquatic impact information, and the additional environmental issues associated with license renewal resulting from the June 2013, revision to Table B–1 in Appendix B to Subpart A of 10 CFR part 51 and NUREG–1437. This supplement also incorporates the impact determinations of NUREG–2157, ''Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel,'' in accordance with the requirements in 10 CFR 51.23(b). Additionally, this supplement describes the reinitiation of consultation under Section 7 of the Endangered Species Act of 1973, as amended (ESA), regarding the northern long-eared bat, the initiation of a conference under Section 7 of the ESA for proposed critical habitat of the Atlantic sturgeon, the staff's November 2017, request for the National Marine Fisheries Service to amend the 2013 biological opinion's Incidental Take Statement, and to provide its concurrence with staff's effect determination with respect to the final designated Atlantic Sturgeon critical habitat. The supplement also provides an update on the status of the operating licenses for IP2 and IP3. In addition, this supplement reflects the closure agreement signed in January 2017, by the parties to legal proceedings related to the renewal of the operating licenses for IP2 and IP3. The closure agreement, among other things, resolves all litigation concerning license renewal and calls for an early shut down of IP2 and IP3.

Dated at Rockville, Maryland, this 16th day of May, 2018.

For the Nuclear Regulatory Commission.

Eric R. Oesterle,

Chief, License Renewal Project Branch, Division of Materials and License Renewal, Office of Nuclear Reactor Regulation.

[FR Doc. 2018–10831 Filed 5–21–18; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket No. CP2018–220]

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:* May 24, 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 has filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The requests(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).:* CP2018–220; *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 Material Filed Under Seal; *Filing Acceptance Date:* May 16, 2018; *Filing Authority:* 39 CFR 3015.5; *Public Representative:* Kenneth R. Moeller; *Comments Due:* May 24, 2018.

This notice will be published in the **Federal Register**.

Stacy L. Ruble,

Secretary.

[FR Doc. 2018–10857 Filed 5–21–18; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83255; File No. SR–CboeEDGA–2018–008]

Self-Regulatory Organizations; Cboe EDGA Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 2.12 To Add References to Cboe Options and C2

May 16, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 14, 2018, Cboe EDGA Exchange, Inc. (''EDGA'' or the ''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 Exchange has designated this proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6)(iii) thereunder,[4] which renders it effective upon filing with the Commission. 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 filed a proposal to amend Rule 2.12 to add references to Cboe Exchange, Inc. (''Cboe Options'') and Cboe C2 Exchange, Inc. (''C2''). The Exchange does not propose to amend the requirements of this rule.

(additions are *italicized;* deletions are [bracketed])

* * * * *

Cboe EDGA Exchange, Inc. Rules

* * * * *

Rule 2.12. Cboe Trading, Inc. as Inbound Router

(a) For so long as the Exchange is affiliated with *Cboe Exchange, Inc., Cboe C2 Exchange, Inc.,* Cboe EDGX Exchange, Inc., Cboe BYX Exchange, Inc., or Cboe BZX Exchange, Inc. (each, a ''Cboe Exchange''), and Cboe Trading, Inc. (''Cboe Trading') in its capacity as a facility of each Cboe Exchange is utilized for the routing of orders from a Cboe Exchange to the Exchange, the Exchange undertakes as follows:

(1)–(4) No change.

(b) No change.

* * * * *

The text of the proposed rule change is available at the Exchange's website at *www.markets.cboe.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 parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In December 2016, the Exchange and its affiliates[5] received approval to effect

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6)(iii).

[5] As of December 2016, the Exchange's affiliates included Cboe BZX Exchange, Inc. (formerly Bats

a merger (the ''Merger'') of the Exchange's parent company, Bats Global Markets, Inc. with CBOE Holdings, Inc. (now known as Cboe Global Markets, Inc.), the parent company of Cboe Options and C2.[6] Hereinafter, the Exchange, BZX, BYX, EDGX, Cboe Options, and C2 will be collectively referred to as the ''Cboe Affiliated Exchanges.''

In connection with the Merger, the Cboe Affiliated Exchanges are working to migrate Cboe Options and C2 onto the Bats technology platform, and align certain system functionality, retaining only intended differences between the Cboe Affiliated Exchanges.[7] The Exchange proposes to amend Rule 2.12 to reflect that Cboe Options and C2 are affiliated with the Exchange and that upon completion of the migration, Cboe Trading, Inc. (''Cboe Trading'') may also act as the inbound router for routing orders from Cboe Options and C2 to the Exchange. The Exchange previously implemented limitations and conditions on Cboe Trading's affiliation with the Exchange in order to permit the Exchange to accept inbound orders that Cboe Trading routes in its capacity as a facility of the Exchange, BZX, BYX, and EDGX.[8] Those same conditions and limitations will apply to any inbound orders that Cboe Trading routes in its capacity as a facility of Cboe Options and C2.

Cboe Trading currently provides Members of the Exchange, BZX, BYX, and EDGX with optional routing services to other market centers. In certain circumstances, Cboe Trading provides inbound routing from BZX, BYX, and EDGX to the Exchange. Exchange Rule 2.12 governs this inbound routing of orders by Cboe Trading to the Exchange in Cboe Trading's capacity as a facility of the Exchange. The Exchange proposes to amend Rule 2.12 to reflect that Cboe Options and C2 are affiliated with the Exchange and that Cboe Trading may also act as the inbound router for routing orders from Cboe Options and C2 to the Exchange upon migration of Cboe Options and C2 onto the Bats technology platform. The Exchange does not propose to amend the requirements of this rule. Therefore, the conditions and limitations set forth in Exchange Rule 2.12(a) will remain the same. The Exchange believes that Rule 2.12 will continue to adequately manage the potential for conflicts of interest that could arise from Cboe Trading routing orders to the Exchange.

Implementation Date

With respect to C2, the Exchange intends to implement the proposed rule change on or about May 14, 2018, which is the anticipated date upon which the migration of C2 onto the Bats technology platform will be complete. With respect to Cboe Options, the Exchange intends to implement the proposed rule change on or about October 7, 2019, which is the anticipated date upon which the migration of Cboe Options onto the Bats technology platform will be complete.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[10] requirements that the rules of an exchange be 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 regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[11] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange does not propose to amend the requirements of the rule and the proposed rule change is intended only to reflect that Cboe Options and C2 are affiliated with the Exchange and that Cboe Trading may also route inbound orders from Cboe Options and C2 to the Exchange upon migration of Cboe Options and C2 onto the Bats technology platform. A consistent technology offering through the use of Cboe Trading by each of the Cboe Affiliated Exchanges will, in turn, simplify the technology implementation, changes, and maintenance by users of the Exchange that are also participants on BZX, BYX, EDGX, Cboe Options, and C2. As such, the proposed rule change 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 market system.

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 Exchange reiterates that the proposed rule change is being proposed in the context of the technology integration of the Cboe Affiliated Exchanges. Thus, the Exchange believes this proposed rule change is necessary to permit fair competition among national securities exchanges. In addition, the Exchange believes the proposed rule change will benefit Exchange participants in that it is one of several changes necessary to achieve a consistent technology offering by the Cboe Affiliated Exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No comments were solicited or received on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[12] and Rule 19b–4(f)(6) thereunder.[13]

BZX Exchange, Inc.) (''BZX''), Cboe BYX Exchange, Inc. (formerly Bats BYX Exchange. Inc.) (''BYX''), and Cboe EDGX Exchange, Inc. (formerly Bats EDGX Exchange, Inc.) (''EDGX'').

[6] *See* Securities Exchange Act Release No. 79585 (December 16, 2016), 81 FR 93988 (December 22, 2016) (SR–BatsBZX–2016–68; SR–BatsBYX–2016–29; SR–BatsEDGA–2016–24; SR–BatsEDGX–2016–60).

[7] It is anticipated that the C2 migration onto the Bats technology platform will be completed on May 14, 2018, and the Cboe Options migration onto the Bats technology platform will be completed on October 7, 2019.

[8] *See* Securities Exchange Act Release No. 61698 (March 12, 2010), 75 FR 13151 (March 18, 2010) (order approving application of EDGA Exchange, Inc. (currently named Cboe EDGA Exchange, Inc.) for registration as a national securities exchange).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) 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,

Continued

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) [14] 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. Waiver of the operative delay would allow the Exchange to implement the proposed rule change on May 14, 2018, which is same day as the anticipated date for the migration of C2 to the Bats technology platform. The Exchange stated that the proposed rule change promotes the protection of investors and the public interest because it would minimize the amount of disruption as C2 (and eventually Cboe Options) migrates to the Bats technology platform. 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.[15]

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 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–CboeEDGA–2018–008 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–CboeEDGA–2018–008. 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–CboeEDGA–2018–008, and should be submitted on or before June 12, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–10828 Filed 5–21–18; 8:45 am]

BILLING CODE 8011–01–P

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.

[14] 17 CFR 240.19b–4(f)(6)(iii).

[15] 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).

[16] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83257; File No. SR–ISE–2018–42]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchanges Schedule of Fees

May 16, 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 May 1, 2018, Nasdaq ISE, LLC (''ISE'' 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 amend the Exchanges Schedule of Fees.

The text of the proposed rule change is available on the Exchange's website at *http://ise.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 purpose of the proposed rule change is to amend the Exchange's Schedule of Fees, as described further below.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

Fee for Responses to PIM Orders

Currently, for regular orders in Non-Select Symbols,[3] the Exchange charges all market participants a fee for Responses to Price Improvement Mechanism (''PIM'') orders that is $0.20 per contract. For complex orders in both Select Symbols[4] and Non-Select Symbols, the fee for Responses to PIM orders is likewise $0.20 per contract for all market participants. The Exchange now proposes to increase the aforementioned fees to $0.25 per contract for all market participants.

Fee for Responses to Crossing Orders Except PIM Orders

Today, the Exchange charges all market participants a fee for Responses to Crossing Orders[5] except PIM orders that is $0.48 per contract for complex orders in Select Symbols. The Exchange now proposes to increase this fee to $0.50 per contract for all market participants.

QCC and Solicitation Rebate

Currently, members using QCC and/or other solicited crossing orders, including solicited orders executed in the Solicitation, Facilitation or Price Improvement Mechanisms, receive rebates for each originating contract side in all symbols traded on the Exchange. Once a member reaches a certain volume threshold in QCC orders and/or solicited crossing orders during a month, the Exchange provides rebates to that member for all of its QCC and solicited crossing order traded contracts for that month.[6] The applicable rebates are applied on QCC and solicited crossing order traded contracts once the volume threshold is met. Members receive the Non-''Customer to Customer'' rebate for all QCC and/or other solicited crossing orders except for QCC and solicited orders between two Priority Customers.[7] QCC and solicited orders between two Priority Customers receive the ''Customer to Customer'' rebate. Non-''Customer to Customer'' and ''Customer to Customer'' volume is aggregated in determining the applicable volume tier. The current volume threshold and corresponding rebates are as follows:

Originating contract sides	Non-''Customer to Customer'' rebate	''Customer to Customer'' rebate
0 to 99,999	$0.00	$0.00
100,000 to 199,999	(0.05)	(0.01)
200,000 to 499,999	(0.07)	(0.01)
500,000 to 999,999	(0.09)	(0.03)
1,000,000+	(0.11)	(0.03)

To incentive greater QCC and/or other solicited crossing order flow to ISE, the Exchange now proposes to amend the tier schedule by adjusting current tier 4 (*i.e.,* 500,000 to 999,999) so that it becomes 500,000 to 749,999 originating contract sides, and adopting a new tier 5 for 750,000 to 999,999 originating contract sides. With this proposed change, members that execute between 500,000 to 749,999 originating contract sides of eligible volume will earn the current tier 4 rebates (*i.e.,* a Non-''Customer to Customer'' rebate of $0.09 per originating contract side and a ''Customer to Customer'' rebate of $0.03 per originating contract side). For members that meet the volume threshold in the new tier 5, the Exchange proposes to pay a Non-''Customer to Customer'' rebate of $0.10 per originating contract side and a ''Customer to Customer'' rebate of $0.03 per originating contract side. The new tier schedule and corresponding rebates will be as follows:

Originating contract sides	Non-''Customer to Customer'' rebate	''Customer to Customer'' rebate
0 to 99,999	$0.00	$0.00
100,000 to 199,999	(0.05)	(0.01)
200,000 to 499,999	(0.07)	(0.01)
500,000 to 749,999	(0.09)	(0.03)
750,000 to 999,999	(0.10)	(0.03)
1,000,000+	(0.11)	(0.03)

Clean-up Change

The Exchange proposes to make a non-substantive change to remove an obsolete reference to its old website in its Schedule of Fees. In particular, the definition of Select Symbols in the Exchange's Schedule of Fees presently states that: '' 'Select Symbols' are options overlying all symbols listed on the Nasdaq ISE that are in the Penny Pilot Program. The current list of Nasdaq ISE-listed Penny Pilot Program symbols is available at *http://www.ise.com/assets/files/products/pennies/penny_stocks.xls.*'' The Exchange proposes to delete the second sentence in the definition of Select Symbols now that the legacy website is no longer available.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[8] in general, and furthers the

[3] ''Non-Select Symbols'' are options overlying all symbols excluding Select Symbols.

[4] ''Select Symbols'' are options overlying all symbols listed on the Nasdaq ISE that are in the Penny Pilot Program.

[5] A ''Crossing Order'' is an order executed in the Exchange's Facilitation Mechanism, Solicited Order Mechanism, PIM or submitted as a Qualified Contingent Cross (''QCC'') order. For purposes of the Fee Schedule, orders executed in the Block Order Mechanism are also considered Crossing Orders.

[6] All eligible volume from affiliated members will be aggregated in determining QCC and Solicitation volume totals, provided there is at least 75% common ownership between the members as reflected on each member's Form BD, Schedule A.

[7] A ''Priority Customer'' is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in Nasdaq ISE Rule 100(a)(37A).

[8] 15 U.S.C. 78f(b).

objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[9] in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Fee for Responses to PIM Orders

The Exchange believes that its proposal to increase the regular and complex order fees for Responses to PIM orders from $0.20 to $0.25 per contract for all market participants is reasonable, equitable and not unfairly discriminatory. With the proposed changes, market participants that respond to PIM auctions will pay response fees that remain significantly lower than those charged for Responses to other Crossing Orders. Accordingly, the Exchange believes that the PIM response fees proposed herein will remain attractive to market participants and will continue to encourage them to respond to PIM auctions, thereby increasing price improvement opportunities for PIM orders. Furthermore, the Exchange believes that the proposed PIM response fees are equitable and not unfairly discriminatory they will apply uniformly to all market participants.

Fee for Responses to Crossing Orders Except PIM Orders

The Exchange believes that its proposal to increase the complex order fees for Responses to Crossing Orders except PIM orders in Select Symbols to $0.50 per contract for all market participants is reasonable because the proposed fee remains within the range of similar fees charged by other options exchanges, including, for example, BOX Options Exchange (''BOX''), which charges up to $0.50 per contract for responses in its solicitation or facilitation auction mechanisms for penny pilot classes.[10] Accordingly, the Exchange believes that the response fees proposed herein for Crossing Orders except PIM orders are set at levels that the Exchange believes will remain attractive to market participants that trade on ISE. Additionally, the Exchange believes that the proposed fees for Responses to Crossing Orders except PIM orders are equitable and not unfairly discriminatory because they will apply uniformly to all market participants.

QCC and Solicitation Rebate

The Exchange believes that the proposed changes to the QCC and Solicitation rebate tier schedule are reasonable because the proposed changes are designed to encourage members to bring additional QCC and/or other solicited crossing order volume to the Exchange in order to benefit from the enhanced rebates. As explained above, the Exchange is (i) adjusting the volume threshold in the current tier 4 from 500,000 to 999,999 to 500,000 to 749,999 originating contract sides and offering the current tier 4 Non-''Customer to Customer'' rebate of $0.09 per originating contract side and ''Customer to Customer'' rebate of $0.03 per originating contract side, and (ii) adopting a new tier 5 for 750,000 to 999,999 originating contract sides with a corresponding Non-''Customer to Customer'' rebate of $0.10 per originating contract side and ''Customer to Customer'' rebate of $0.03 per originating contract side. With the proposed changes, members will be provided more opportunities to meet the volume thresholds and qualify for enhanced rebates by bringing greater QCC and/or other solicited crossing order flow to the Exchange. The Exchange also believes that the proposed changes to the tier schedule are equitable and not unfairly discriminatory because all members will be able to attain the enhanced rebates by executing the required volume of QCC and/or other solicited crossing orders on the Exchange.

Clean-up Change

The Exchange believes that its proposal to remove the obsolete reference to its old website from its Schedule of Fees is reasonable, equitable and not unfairly discriminatory because it is a non-substantive change designed to make the Schedule of Fees more transparent to members and investors.

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. In this instance, the Exchange is proposing various changes to its fees and rebates program for Crossing Orders, specifically to increase the response fees for Crossing Orders, including PIM orders, and to enhance its QCC and Solicitation rebate program by modifying the current tier schedule, each as described in detail above. The Exchange does not believe that the proposed changes impose an undue burden on competition because the proposed fees and rebates will apply uniformly to all market participants, as discussed above. Furthermore, the Exchange believes that its fees and rebates program for Crossing Orders will remain attractive with the changes proposed herein, and will continue to attract additional order flow to ISE, thereby enhancing the competitiveness of ISE relative to other options exchanges.

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited. In sum, if the changes proposed herein are unattractive to market participants, it is likely that the Exchange will lose market share as a result. Accordingly, the Exchange does not believe that the proposed changes will impair the ability of members or competing order execution venues to maintain their competitive standing in the financial markets.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,[11] and Rule

[9] 15 U.S.C. 78f(b)(4) and (5).

[10] BOX charges a fee for responses in the solicitation or facilitation auction mechanisms for all account types that is $0.25 per contract for penny pilot classes. *See* BOX Fee Schedule, Section I.C. As set forth in the BOX Fee Schedule, ''[r]esponses to Facilitation and Solicitation Orders executed in these mechanisms shall be charged the ''add'' fee.'' *Id.* at Section III.B, second bullet. For all account types, this fee (*i.e.,* the Fee for Adding Liquidity) is $0.25 for penny pilot classes. *Id.* Thus, BOX may charge a fee for responses in its solicitation or facilitation auction mechanisms of up to $0.50 per contract.

[11] 15 U.S.C. 78s(b)(3)(A)(ii).

19b–4(f)(2)[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: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml);* or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–ISE–2018–42 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–ISE–2018–42. 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–ISE–2018–42 and should be submitted on or before June 12, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–10830 Filed 5–21–18; 8:45 am]

BILLING CODE 8011–01–P

[12] 17 CFR 240.19b–4(f)(2).

[13] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83256; File No. SR–CboeEDGX–2018–015]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 2.12 To Add References to Cboe Options and C2

May 16, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 14, 2018, Cboe EDGX Exchange, Inc. (''EDGX'' or the ''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 Exchange has designated this proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6)(iii) thereunder,[4] which renders it effective upon filing with the Commission. 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 filed a proposal to amend Rule 2.12 to add references to Cboe Exchange, Inc. (''Cboe Options'') and Cboe C2 Exchange, Inc. (''C2''). The Exchange does not propose to amend the requirements of this rule.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6)(iii).

(additions are *italicized;* deletions are [bracketed])

* * * * *

Cboe EDGX Exchange, Inc.

Rules

* * * * *

Rule 2.12. Cboe Trading, Inc. as Inbound Router

(a) For so long as the Exchange is affiliated with *Cboe Exchange, Inc., Cboe C2 Exchange, Inc.,* Cboe EDGA Exchange, Inc., Cboe BYX Exchange, Inc., or Cboe BZX Exchange, Inc. (each, a ''Cboe Exchange''), and Cboe Trading, Inc. (''Cboe Trading') in its capacity as a facility of each Cboe Exchange is utilized for the routing of orders from a Cboe Exchange to the Exchange, the Exchange undertakes as follows:

(1)–(4) No change.

(b) No change.

* * * * *

The text of the proposed rule change is available at the Exchange's website at *www.markets.cboe.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 parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In December 2016, the Exchange and its affiliates[5] received approval to effect a merger (the ''Merger'') of the Exchange's parent company, Bats Global Markets, Inc. with CBOE Holdings, Inc. (now known as Cboe Global Markets, Inc.), the parent company of Cboe Options and C2.[6] Hereinafter, the

[5] As of December 2016, the Exchange's affiliates included Cboe BZX Exchange, Inc. (formerly Bats BZX Exchange, Inc.) (''BZX''), Cboe BYX Exchange, Inc. (formerly Bats BYX Exchange. Inc.) (''BYX''), and Cboe EDGA Exchange, Inc. (formerly Bats EDGA Exchange, Inc.) (''EDGA'').

[6] *See* Securities Exchange Act Release No. 79585 (December 16, 2016), 81 FR 93988 (December 22,

Continued

Exchange, BZX, BYX, EDGA, Cboe Options, and C2 will be collectively referred to as the ''Cboe Affiliated Exchanges.''

In connection with the Merger, the Cboe Affiliated Exchanges are working to migrate Cboe Options and C2 onto the Bats technology platform, and align certain system functionality, retaining only intended differences between the Cboe Affiliated Exchanges.[7] The Exchange proposes to amend Rule 2.12 to reflect that Cboe Options and C2 are affiliated with the Exchange and that upon completion of the migration, Cboe Trading, Inc. (''Cboe Trading'') may also act as the inbound router for routing orders from Cboe Options and C2 to the Exchange. The Exchange previously implemented limitations and conditions on Cboe Trading's affiliation with the Exchange in order to permit the Exchange to accept inbound orders that Cboe Trading routes in its capacity as a facility of the Exchange, BZX, BYX, and EDGA.[8] Those same conditions and limitations will apply to any inbound orders that Cboe Trading routes in its capacity as a facility of Cboe Options and C2.

Cboe Trading currently provides Members of the Exchange, BZX, BYX, and EDGA with optional routing services to other market centers. In certain circumstances, Cboe Trading provides inbound routing from BZX, BYX, and EDGA to the Exchange. Exchange Rule 2.12 governs this inbound routing of orders by Cboe Trading to the Exchange in Cboe Trading's capacity as a facility of the Exchange. The Exchange proposes to amend Rule 2.12 to reflect that Cboe Options and C2 are affiliated with the Exchange and that Cboe Trading may also act as the inbound router for routing orders from Cboe Options and C2 to the Exchange upon migration of Cboe Options and C2 onto the Bats technology platform. The Exchange does not propose to amend the requirements of this rule. Therefore, the conditions and limitations set forth in Exchange Rule 2.12(a) will remain the same. The Exchange believes that Rule 2.12 will continue to adequately manage the potential for conflicts of interest that could arise from Cboe Trading routing orders to the Exchange.

Implementation Date

With respect to C2, the Exchange intends to implement the proposed rule change on or about May 14, 2018, which is the anticipated date upon which the migration of C2 onto the Bats technology platform will be complete. With respect to Cboe Options, the Exchange intends to implement the proposed rule change on or about October 7, 2019, which is the anticipated date upon which the migration of Cboe Options onto the Bats technology platform will be complete.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[10] requirements that the rules of an exchange be 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 regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[11] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange does not propose to amend the requirements of the rule and the proposed rule change is intended only to reflect that Cboe Options and C2 are affiliated with the Exchange and that Cboe Trading may also route inbound orders from Cboe Options and C2 to the Exchange upon migration of Cboe Options and C2 onto the Bats technology platform. A consistent technology offering through the use of Cboe Trading by each of the Cboe Affiliated Exchanges will, in turn, simplify the technology implementation, changes, and maintenance by users of the Exchange that are also participants on BZX, BYX, EDGA, Cboe Options, and C2. As such, the proposed rule change 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 market system.

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 Exchange reiterates that the proposed rule change is being proposed in the context of the technology integration of the Cboe Affiliated Exchanges. Thus, the Exchange believes this proposed rule change is necessary to permit fair competition among national securities exchanges. In addition, the Exchange believes the proposed rule change will benefit Exchange participants in that it is one of several changes necessary to achieve a consistent technology offering by the Cboe Affiliated Exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[12] and Rule 19b–4(f)(6) thereunder.[13]

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)[14] permits the Commission to designate a shorter time if such action is consistent with the protection of

2016) (SR–BatsBZX–2016–68; SR–BatsBYX–2016–29; SR–BatsEDGA–2016–24; SR–BatsEDGX–2016–60).

[7] It is anticipated that the C2 migration onto the Bats technology platform will be completed on May 14, 2018, and the Cboe Options migration onto the Bats technology platform will be completed on October 7, 2019.

[8] *See* Securities Exchange Act Release No. 61698 (March 12, 2010), 75 FR 13151 (March 18, 2010) (order approving application of EDGX Exchange, Inc. (currently named Cboe EDGX Exchange, Inc.) for registration as a national securities exchange).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) 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.

[14] 17 CFR 240.19b–4(f)(6)(iii).

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. Waiver of the operative delay would allow the Exchange to implement the proposed rule change on May 14, 2018, which is same day as the anticipated date for the migration of C2 to the Bats technology platform. The Exchange stated that the proposed rule change promotes the protection of investors and the public interest because it would minimize the amount of disruption as C2 (and eventually Cboe Options) migrates to the Bats technology platform. 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.[15]

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 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–CboeEDGX–2018–015 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–CboeEDGX–2018–015. 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–CboeEDGX–2018–015, and should be submitted on or before June 12, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–10829 Filed 5–21–18; 8:45 am]

BILLING CODE 8011–01–P

[15] 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).

[16] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83254; File No. SR-CboeBYX–2018–005]

Self-Regulatory Organizations; Cboe BYX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 2.12 To Add References to Cboe Options and C2

May 16, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 14, 2018, Cboe BYX Exchange, Inc. (''BYX'' or the ''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 Exchange has designated this proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6)(iii) thereunder,[4] which renders it effective upon filing with the Commission. 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 filed a proposal to amend Rule 2.12 to add references to Cboe Exchange, Inc. (''Cboe Options'') and Cboe C2 Exchange, Inc. (''C2''). The Exchange does not propose to amend the requirements of this rule.

(additions are *italicized;* deletions are [bracketed])

* * * * *

Cboe BYX Exchange, Inc.

Rules

* * * * *

Rule 2.12. Cboe Trading, Inc. as Inbound Router

(a) For so long as the Exchange is affiliated with *Cboe Exchange, Inc., Cboe C2 Exchange, Inc.,* Cboe BZX Exchange, Inc., Cboe EDGA Exchange, Inc. or Cboe EDGX Exchange, Inc., (each, a ''Cboe Exchange''), and Cboe Trading, Inc. in its capacity as a facility of each Cboe Exchange is utilized for the routing of orders from each Cboe Exchange to the Exchange, (such function of Cboe Trading, Inc. is referred to as the ''Inbound Router''), the Exchange undertakes as follows:

(1)–(4) No change.

(b) No change.

* * * * *

The text of the proposed rule change is available at the Exchange's website at *www.markets.cboe.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4 .

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6)(iii).

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 parts of such statements.

Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In December 2016, the Exchange and its affiliates [5] received approval to effect a merger (the ''Merger'') of the Exchange's parent company, Bats Global Markets, Inc. with CBOE Holdings, Inc. (now known as Cboe Global Markets, Inc.), the parent company of Cboe Options and C2.[6] Hereinafter, the Exchange, BZX, EDGA, EDGX, Cboe Options, and C2 will be collectively referred to as the ''Cboe Affiliated Exchanges.''

In connection with the Merger, the Cboe Affiliated Exchanges are working to migrate Cboe Options and C2 onto the Bats technology platform, and align certain system functionality, retaining only intended differences between the Cboe Affiliated Exchanges.[7] The Exchange proposes to amend Rule 2.12 to reflect that Cboe Options and C2 are affiliated with the Exchange and that upon completion of the migration, Cboe Trading, Inc. (''Cboe Trading'') may also act as the inbound router for routing orders from Cboe Options and C2 to the Exchange. The Exchange previously implemented limitations and conditions on Cboe Trading's affiliation [8] with the Exchange in order to permit the Exchange to accept inbound orders that Cboe Trading routes in its capacity as a facility of the Exchange, BZX, EDGA, and EDGX. Those same conditions and limitations will apply to any inbound orders that Cboe Trading routes in its capacity as a facility of Cboe Options and C2.

Cboe Trading currently provides Members of the Exchange, BZX, EDGA, and EDGX with optional routing services to other market centers. In certain circumstances, Cboe Trading provides inbound routing from BZX, EDGA, and EDGX to the Exchange. Exchange Rule 2.12 governs this inbound routing of orders by Cboe Trading to the Exchange in Cboe Trading's capacity as a facility of the Exchange. The Exchange proposes to amend Rule 2.12 to reflect that Cboe Options and C2 are affiliated with the Exchange and that Cboe Trading may also act as the inbound router for routing orders from Cboe Options and C2 to the Exchange upon migration of Cboe Options and C2 onto the Bats technology platform. The Exchange does not propose to amend the requirements of this rule. Therefore, the conditions and limitations set forth in Exchange Rule 2.12(a) will remain the same. The Exchange believes that Rule 2.12 will continue to adequately manage the potential for conflicts of interest that could arise from Cboe Trading routing orders to the Exchange.

Implementation Date

With respect to C2, the Exchange intends to implement the proposed rule change on or about May 14, 2018, which is the anticipated date upon which the migration of C2 onto the Bats technology platform will be complete. With respect to Cboe Options, the Exchange intends to implement the proposed rule change on or about October 7, 2019, which is the anticipated date upon which the migration of Cboe Options onto the Bats technology platform will be complete.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [10] requirements that the rules of an exchange be 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 regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [11] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange does not propose to amend the requirements of the rule and the proposed rule change is intended only to reflect that Cboe Options and C2 are affiliated with the Exchange and that Cboe Trading may also route inbound orders from Cboe Options and C2 to the Exchange upon migration of Cboe Options and C2 onto the Bats technology platform. A consistent technology offering through the use of Cboe Trading by each of the Cboe Affiliated Exchanges will, in turn, simplify the technology implementation, changes, and maintenance by users of the Exchange that are also participants on BZX, EDGA, EDGX, Cboe Options, and C2. As such, the proposed rule change 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 market system.

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 Exchange reiterates that the proposed rule change is being proposed in the context of the technology integration of the Cboe Affiliated Exchanges. Thus, the Exchange believes this proposed rule change is necessary to permit fair competition among national securities exchanges. In addition, the Exchange believes the proposed rule change will benefit Exchange participants in that it is one of several changes necessary to achieve a consistent technology offering by the Cboe Affiliated Exchanges.

[5] As of December 2016, the Exchange's affiliates included Cboe BZX Exchange, Inc. (formerly Bats BZX Exchange, Inc.) (''BZX''), Cboe EDGA Exchange, Inc. (formerly Bats EDGA Exchange. Inc.) (''EDGA''), and Cboe EDGX Exchange, Inc. (formerly Bats EDGX Exchange, Inc.) (''EDGX'').

[6] *See* Securities Exchange Act Release No. 79585 (December 16, 2016), 81 FR 93988 (December 22, 2016) (SR–BatsBZX–2016–68; SR–BatsBYX–2016–29; SR–BatsEDGA–2016–24; SR–BatsEDGX–2016–60).

[7] It is anticipated that the C2 migration onto the Bats technology platform will be completed on May 14, 2018, and the Cboe Options migration onto the Bats technology platform will be completed on October 7, 2019.

[8] *See* Securities Exchange Act Release No. 62716 (August 13, 2010), 75 FR 51295 (August 19, 2010) (order approving application of BATS Y-Exchange, Inc. (currently named Cboe BYX Exchange, Inc.) for registration as a national securities exchange).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No comments were solicited or received on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [12] and Rule 19b–4 (f)(6) thereunder.[13]

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) [14] 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. Waiver of the operative delay would allow the Exchange to implement the proposed rule change on May 14, 2018, which is same day as the anticipated date for the migration of C2 to the Bats technology platform. The Exchange stated that the proposed rule change promotes the protection of investors and the public interest because it would minimize the amount of disruption as C2 (and eventually Cboe Options) migrates to the Bats technology platform. 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.[15]

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4 (f)(6). In addition, Rule 19b–4 (f)(6)(iii) 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.

[14] 17 CFR 240.19b–4 (f)(6)(iii).

[15] 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).

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 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–CboeBYX–2018–005 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–CboeBYX–2018–005. 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–CboeBYX–2018–005, and should be submitted on or before June 12, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–10827 Filed 5–21–18; 8:45 am]

BILLING CODE 8011–01–P

[16] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of Categorical Exclusion and Record of Decision for the Proposed West Flow Area Navigation Standard Instrument Departure Procedures at Phoenix Sky Harbor International

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

ACTION: Notice of availability.

SUMMARY: The FAA, Western Service Area is issuing this notice to advise the public of the availability of the Categorical Exclusion/Record of Decision (CATEX/ROD) for the Proposed West Flow Area Navigation (RNAV) Standard Instrument Departure (SID) Procedures at Phoenix Sky Harbor International Airport in Phoenix, AZ. The FAA reviewed the action and determined it to be categorically excluded from further environmental documentation.

FOR FURTHER INFORMATION CONTACT: Marina Landis, Federal Aviation Administration, Operations Support Group, Western Service Center, 2200 S 216th St., Des Moines, WA 98198–6547 or (206) 231–2238 or *https://www.faa.gov/nextgen/nextgen_near_you/community_involvement/phx/*.

SUPPLEMENTARY INFORMATION:

Background

The FAA is proposing to amend the west flow RNAV SID procedures from Runways 25 Left, 25 Right and 26 at Phoenix Sky Harbor International Airport, Phoenix, Arizona. The proposed amendments are consistent with the resolution of the parties as stipulated in the Memorandum

Regarding Implementation of the Court Order, jointly negotiated following the court's August 29, 2017, Order in *City of Phoenix, Arizona* v. *Huerta,* 869 F.3d 963 (D.C. Circuit 2017). In response to the Court's decision, the FAA and the Petitioners worked together on the best way to implement the Court's order and agreed on an approach to address the Petitioners' concerns while ensuring that aircraft operations remain safe and efficient. The FAA, in consultation with the City of Phoenix, developed the Proposed Action to comply with the Court's Order and to meet the requirements set forth in the Memorandum. The parties agreed to a two-step process for departures for the western RNAV routes. The first step (Step One) of the process would provide interim noise relief to the Petitioners by approximating the western departure routes that were in place before the September 2014 RNAV procedures. Step Two, which is not part of the current proposal, is described in the Memorandum.

Step One was further broken down into Step 1A and Step 1B.The FAA implemented Step 1A on March 29, 2018, to provide more immediate noise relief to the Petitioners. Step 1B is the subject of the current action and would involve replacing the departure routes in Step 1A and implementing nine new RNAV SID procedures. Step 1B is an independent proposed action consistent with Section 5 of the Memorandum and would complete Step One.

Right of Appeal: This CATEX/ROD constitutes a final order of the FAA Administrator and is subject to exclusive judicial review under 49 U.S.C. 46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate U.S. Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 U.S.C. 46110.

Issued in Des Moines, WA, on May 16, 2018.

B.G. Chew,

Acting Manager, Operations Support Group, Western Service Center, Air Traffic Organization.

[FR Doc. 2018–10950 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0079]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel MAYFLOWER; 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 June 21, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0079. 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 MAYFLOWER is:

—*Intended Commercial Use of Vessel:* ''Mayflower is intended to carry six or fewer passengers on weekend sailing trips to Catalina Island and along the coast of Southern California''

—*Geographic Region:* ''California''

The complete application is given in DOT docket MARAD–2018–0079 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: May 17, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–10887 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0075]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel BLACKBIRD X; 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 June 21, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0075. 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 BLACKBIRD X is:

—Intended Commercial use of Vessel: ''Tourism. Transporting passengers for sightseeing tours''

—Geographic Region: ''Alaska''

The complete application is given in DOT docket MARAD–2018–0075 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: May 17, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–10883 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0074]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel BLACKBIRD VII; 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 June 21, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0074. 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 BLACKBIRD VII is:

—INTENDED COMMERCIAL USE OF VESSEL: ''Tourism. Transporting passengers for sightseeing tours''

—GEOGRAPHIC REGION: ''Alaska''

The complete application is given in DOT docket MARAD–2018–0074 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: May 17, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–10882 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0078]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel MAGELLAN; 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 June 21, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0078. 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 MAGELLAN is:

—Intended Commercial Use of Vessel: ''The vessel will be chartered for up to six passengers to participate in sailboat racing''

—Geographic Region: ''Illinois, Wisconsin, Michigan, Indiana''

The complete application is given in DOT docket MARAD–2018–0078 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: May 17, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–10886 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0076]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel CATATONIC; 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 June 21, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0076. 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 CATATONIC is:

—Intended Commercial Use of Vessel: ''Private Sailing Charters—day trips and term (overnight) charters''

—Geographic Region: ''New York (excluding New York Harbor), New Jersey, Connecticut, Rhode Island, Massachusetts, Delaware, Maryland, Maine, New Hampshire''

The complete application is given in DOT docket MARAD–2018–0076 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: May 17, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–10884 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0073]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel ARCADIA; 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 June 21, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0073. 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 ARCADIA is:

—Intended Commercial Use Of Vessel: ''Sightseeing Tours ''

—Geographic Region: ''New York (excluding New York Harbor), New Jersey''

The complete application is given in DOT docket MARAD–2018–0073 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: May 17, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–10881 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0077]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel CATHERINE; 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 June 21, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0077. 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 CATHERINE is:

—Intended Commercial Use of Vessel: ''Private Charter''

—Geographic Region: ''New York (excluding New York Harbor)''

The complete application is given in DOT docket MARAD–2018–0077 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: May 17, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–10885 Filed 5–21–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

[OCC Charter Number 703360]

Sidney Federal Savings and Loan Association, Sidney, Nebraska; Approval of Conversion Application

Notice is hereby given that on May 15, 2018, the Office of the Comptroller of the Currency (OCC) approved the application of Sidney Federal Savings and Loan Association, Sidney, Nebraska, to convert to the stock form of organization. Copies of the application are available on the OCC website at the FOIA Reading Room (*https://foia-pal.occ.gov/palMain.aspx*) under Mutual to Stock Conversion Applications. If you have any questions, please contact Licensing Activities at (202) 649–6260.

By the Office of the Comptroller of the Currency.

Dated: May 15, 2018.

Donald W. Dwyer,

Thrift Licensing Lead Expert.

[FR Doc. 2018–10903 Filed 5–21–18; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury

ACTION: Notice.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of five individuals 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 person are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

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 and additional information concerning OFAC sanctions programs are available on OFAC's website (*www.treasury.gov/ofac*).

Notice of OFAC Action(s)

On May 16, 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 authorities listed below.

Individuals

1. AL-KHALIL, Husayn (a.k.a. KHALIL, Hossein; a.k.a. KHALIL, Husain; a.k.a. KHALIL, Hussein), Lebanon; DOB 1955; POB Burj Al Barajinah, Beirut, Lebanon; Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Political Adviser to the Secretary General of Hizballah (individual) [SDGT] (Linked To: HIZBALLAH).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

2. AL-SAYYID, Ibrahim Amin (a.k.a. ''AL-AMIN, Ibrahim''; a.k.a. SAYYED, Ibrahim Amin), Lebanon; DOB 1953; POB Nabi Ayla, Lebanon; Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Head of the Political Council of Hizballah (individual) [SDGT] (Linked To: HIZBALLAH).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23,

2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

3. QASIM, Naim (a.k.a. KASSEM, Naim; a.k.a. QASSEM, Naim), Lebanon; DOB 1953; POB Kafr Fila, Lebanon; Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Deputy Secretary General of Hizballah (individual) [SDGT] (Linked To: HIZBALLAH).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

4. YAZBAK, Muhammad (a.k.a. ASSAF, Hosein; a.k.a. YAZBECK, Mohammad; a.k.a. YAZBEK, Mohammad; a.k.a. YAZBIK, Muhammad), Lebanon; DOB 1950; POB Bodai, Lebanon; Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Head of the Judicial Council of Hizballah (individual) [SDGT] (Linked To: HIZBALLAH).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

5. NASRALLAH, Hasan (a.k.a. NASRALLAH, Hasan Abd-al-Karim), Lebanon; DOB 31 Aug 1960; alt. DOB 31 Aug 1953; alt. DOB 31 Aug 1955; alt. DOB 31 Aug 1958; POB Al Basuriyah, Lebanon; Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Passport 042833 (Lebanon); Secretary General of Hizballah (individual) [SDGT] [SDT] [SYRIA] (Linked To: HIZBALLAH).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of HIZBALLAH, a person whose property and interests in property are blocked pursuant to E.O. 13224.

Dated: May 16, 2018.

Andrea Gacki

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2018–10841 Filed 5–21–18; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action[s]

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is providing additional notice of the following actions, which were taken on March 24, 2016 and July 20, 2016. It is publishing the names of five persons and four entities that were 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.

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 and additional information concerning OFAC sanctions programs are available on OFAC's website (*www.treasury.gov/ofac*).

Notice of OFAC Action(s)

On March 24, 2016, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following two individuals and four entities are blocked under the relevant sanctions authority listed below.

Individuals

1. ASHFIELD, Jeffrey John James, Hayselden Manor, Sissinghurst, Cranbrook, Kent TN172A, United Kingdom; DOB 11 Feb 1950; Additional Sanctions Information—Subject to Secondary Sanctions; Passport 307893124 (United Kingdom) (individual) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for providing financial, material, or technological support for, or financial or other services to or in support of, Mahan Air, an entity whose property and interests in property are blocked pursuant to E.O. 13224.

2. MEADOWS, John Edward (a.k.a. MEADOWS, John), The Retreat, St. Mary's Lane, Bexhill on Sea, United Kingdom; DOB 17 Dec 1958; Additional Sanctions Information—Subject to Secondary Sanctions; Passport 099270130 (United Kingdom); alt. Passport 093032285 (United Kingdom) (individual) [SDGT] [IFSR] (Linked To: AIRCRAFT, AVIONICS, PARTS & SUPPORT LTD.).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of AIRCRAFT, AVIONICS, PARTS & SUPPORT LTD, an entity whose property and interests in property are blocked pursuant to E.O. 13224.

Entities

1. AVIATION CAPITAL SOLUTIONS LTD., 50 St. Leonards Road, Bexhill on Sea, East Sussex, United Kingdom; Additional Sanctions Information—Subject to Secondary Sanctions [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for providing financial, material, or technological support for, or financial or other services to or in support of, Mahan Air, an entity whose property and interests in property are blocked pursuant to E.O. 13224.

2. AIRCRAFT, AVIONICS, PARTS & SUPPORT LTD. (a.k.a. AIRCRAFT AVIONICS PARTS AND SUPPORT LTD.), 50 St. Leonards Road, Bexhill on

Sea, East Sussex, United Kingdom; 74 High Street, Battle, East Sussex, United Kingdom; Additional Sanctions Information—Subject to Secondary Sanctions; UK Company Number 03632365 [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for providing financial, material, or technological support for, or financial or other services to or in support of, Mahan Air, an entity whose property and interests in property are blocked pursuant to E.O. 13224.

3. GRANDEUR GENERAL TRADING FZE, P.O. Box 5480, Fujairah, United Arab Emirates; Additional Sanctions Information—Subject to Secondary Sanctions [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for providing financial, material, or technological support for, or financial or other services to or in support of, Mahan Air, an entity whose property and interests in property are blocked pursuant to E.O. 13224.

4. HSI TRADING FZE, Office CI-l3l7Q, Ajman Free Zone, Ajman, United Arab Emirates; Additional Sanctions Information—Subject to Secondary Sanctions [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for providing financial, material, or technological support for, or financial or other services to or in support of, Mahan Air, an entity whose property and interests in property are blocked pursuant to E.O. 13224.

On July 20, 2016, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following three persons are blocked under the relevant sanctions authority listed below.

Individuals

1. GHUMAYN, Abu Bakr Muhammad Muhammad (a.k.a. AL-JAZA'IRI, Abu Ubaida; a.k.a. AL-JAZAIRI, Abu Ubaydah; a.k.a. GEUMMANE, Abu Bakr; a.k.a. GUEMMANE, Aboubakir; a.k.a. GUEMMANE, Aboubakr; a.k.a. GUEMMANE, Aboubekr; a.k.a. GUEMMANE, Abu Bakr Muhammad Muhammad; a.k.a. JAMIN, Abu Bakr Muhammad Muhammad; a.k.a. MAZOUZ, Kheireddine; a.k.a. MAZOUZI, Khayr al-Din; a.k.a. ''LESAGE, Carol Jacques Ghislain''; a.k.a. ''LESAGE, Jacques Ghislain''), Iran; DOB 31 Mar 1981; POB Algeria; nationality Algeria; Passport 98LH90556 (France) (individual) [SDGT] (Linked To: AL QA'IDA).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of AL-QA'IDA, an entity determined to be subject to E.O. 13224.

2. AL-KHALIDI, Faisal Jassim Mohammed al-Amri (a.k.a. AL-KHALIDI, Faisal Jassim Mohammed al-Oamri; a.k.a. AL-KHALIDI, Faysal Jasim Muhammad al-'Amiri; a.k.a. AL-KHALIDI, Faysal Jasim Muhammad al-Umari; a.k.a. AL-KHALIDI, Hamzah), Iran; DOB 22 Jul 1984; POB Kuwait; nationality Saudi Arabia; Passport B542902 issued 23 Jul 1998; National ID No. 1074811678 (Saudi Arabia) (individual) [SDGT] (Linked To: AL QA'IDA).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of AL-QA'IDA, an entity determined to be subject to E.O. 13224.

3. BAYUMI, Yisra Muhammad Ibrahim (a.k.a. AL-MASRI, Hamam; a.k.a. AL-SA'IDI, Abu Hammam; a.k.a. AL-SA'IDI, Abu Humam; a.k.a. AL-SA'IDI, Hamam; a.k.a. BAYUMI, Yasri Muhammad Ibrahim), Iran; DOB 20 May 1968; POB Aswan Governorate, Egypt; nationality Egypt; Shaykh (individual) [SDGT] (Linked To: AL QA'IDA).

Designated pursuant to section 1(c) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism'' (E.O. 13224) for acting for or on behalf of AL-QA'IDA, an entity determined to be subject to E.O. 13224.

Dated: May 16, 2018.

Andrea Gacki

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2018–10842 Filed 5–21–18; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900—NEW]

Agency Information Collection Activity: Social Responsibility Survey

AGENCY: Office of Small and Disadvantaged Business Utilization, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Office of Small and Disadvantaged Business Utilization (OSDBU), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed reinstatement of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before July 23, 2018.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov*; or Milagros Ortiz (00SB), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email: *Milagros.Ortiz@va.gov*). Please refer to ''OMB Control No. 2900—NEW'' in any correspondence. During the comment period, comments may be viewed online through the Federal Docket Management System (FDMS) at *www.Regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Milagros Ortiz at (202) 461–4279 or FAX (202) 461–4301.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, OSDBU invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of OSDBU's functions, including whether the information will have practical utility; (2) the accuracy of OSDBU's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on

respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: Pub. L. 104–13; 44 U.S.C. 3501–3521.

Title: Social Responsibility Survey.

OMB Control Number: 2900—NEW.

Type of Review: New collection.

Abstract: OSDBU intends to collect information about Veteran suicide and homelessness programs from service-disabled Veteran-owned small businesses (SDVOSBs) and Veteran-owned small businesses (VOSBs). The prevention of Veteran suicides is one of VA Secretary's five strategic priorities. OSDBU's objective is to help VA reach this priority and reduce Veteran homelessness through the support and information to be provided by SDVOSBs and VOSBs.

Affected Public: Business or other for-profit.

Estimated Annual Burden: 1,400 hours.

Estimated Average Burden per Respondent: 7 minutes.

Frequency of Response: Once.

Estimated Number of Respondents: 12,000.

By direction of the Secretary.

Cynthia D. Harvey-Pryor,

Department Clearance Officer, Office of Privacy, Quality and Risk, Department of Veterans Affairs.

[FR Doc. 2018–10847 Filed 5–21–18; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0821]

Agency Information Collection Activity: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (Documents and Information Required for Specially Adapted Housing Assistive Technology Grant) and Scoring Criteria for SAH Assistive Technology Grants

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice to withdraw.

SUMMARY: On April 25, 2018, the Department of Veterans Affairs (VA) erroneously posted a consecutive 60-day **Federal Register** Notice (Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (Documents and Information Required for Specially Adapted Housing Assistive Technology Grant) and Scoring Criteria for SAH Assistive Technology Grants) Document Number: 2018–08607; OMB control number: 2900–0821.

FOR FURTHER INFORMATION CONTACT: Cynthia Harvey-Pryor, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, at 202–461–5870.

SUPPLEMENTARY INFORMATION: VA wishes to inform the public that it is withdrawing FR Document Number: 2018–08607, 83 FR 18132. This was a duplicate 60-day public Notice published in error. The correct and initial 60-day Notice posted March 19, 2018, Volume 83, No. 53, pages 12082–12083, FR Document Number: 2018–05445.

Dated: May 16, 2018.

By direction of the Secretary.

Cynthia D. Harvey-Pryor,

Department Clearance Officer, Office of Quality, Privacy and Risk, Department of Veterans Affairs.

[FR Doc. 2018–10846 Filed 5–21–18; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 83 Tuesday,

No. 99 May 22, 2018

Part II

The President

Executive Order 13834—Efficient Federal Operations

Federal Register
Vol. 83, No. 99
Tuesday, May 22, 2018

Presidential Documents

Title 3—

The President

Executive Order 13834 of May 17, 2018

Efficient Federal Operations

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. *Policy.* The Congress has enacted a wide range of statutory requirements related to energy and environmental performance of executive departments and agencies (agencies), including with respect to facilities, vehicles, and overall operations. It is the policy of the United States that agencies shall meet such statutory requirements in a manner that increases efficiency, optimizes performance, eliminates unnecessary use of resources, and protects the environment. In implementing this policy, each agency shall prioritize actions that reduce waste, cut costs, enhance the resilience of Federal infrastructure and operations, and enable more effective accomplishment of its mission.

Sec. 2. *Goals for Agencies.* In implementing the policy set forth in section 1 of this order, the head of each agency shall meet the following goals, which are based on statutory requirements, in a cost-effective manner:

(a) Achieve and maintain annual reductions in building energy use and implement energy efficiency measures that reduce costs;

(b) Meet statutory requirements relating to the consumption of renewable energy and electricity;

(c) Reduce potable and non-potable water consumption, and comply with stormwater management requirements;

(d) Utilize performance contracting to achieve energy, water, building modernization, and infrastructure goals;

(e) Ensure that new construction and major renovations conform to applicable building energy efficiency requirements and sustainable design principles; consider building efficiency when renewing or entering into leases; implement space utilization and optimization practices; and annually assess and report on building conformance to sustainability metrics;

(f) Implement waste prevention and recycling measures and comply with all Federal requirements with regard to solid, hazardous, and toxic waste management and disposal;

(g) Acquire, use, and dispose of products and services, including electronics, in accordance with statutory mandates for purchasing preference, Federal Acquisition Regulation requirements, and other applicable Federal procurement policies; and

(h) Track and, as required by section 7(b) of this order, report on energy management activities, performance improvements, cost reductions, greenhouse gas emissions, energy and water savings, and other appropriate performance measures.

Sec. 3. *Implementation and Immediate Actions.* (a) The Chairman of the Council on Environmental Quality (CEQ) and the Director of the Office of Management and Budget (OMB) shall coordinate in developing, issuing, and updating, as necessary, requirements and streamlined metrics to assess agency progress in achieving the goals set forth in section 2 of this order.

(b) Within 90 days of the date of this order, the Secretary of Agriculture, Secretary of Energy, Administrator of General Services, and the Administrator

of the Environmental Protection Agency (EPA) shall review relevant Government-wide guidance related to energy and environmental performance issued by their respective agencies and shall, in conjunction with CEQ, develop a plan and proposed timeline to modify, replace, or rescind such guidance, as necessary, to facilitate implementation of this order.

(c) Within 120 days of the date of this order, the Secretary of Energy, in coordination with the Secretary of Defense, the Administrator of General Services, and the heads of other agencies as appropriate, shall review existing Federal vehicle fleet requirements and report to the Chairman of CEQ and the Director of OMB regarding opportunities to optimize Federal fleet performance, reduce associated costs, and streamline reporting and compliance requirements.

(d) Within 150 days of the date of this order, the Chairman of CEQ, in coordination with the Director of OMB, shall review and, where needed, revise existing CEQ guidance related to energy and environmental performance, and shall issue instructions for implementation of this order.

Sec. 4. *Additional Duties of the Chairman of the Council on Environmental Quality.* In implementing the policy set forth in section 1 of this order, the Chairman of CEQ shall:

(a) in coordination with the Director of OMB, continue to oversee the Federal Interagency Sustainability Steering Committee (Steering Committee), which shall continue in effect, and shall advise the Director of OMB and the Chairman of CEQ regarding agency compliance with section 2 of this order; and

(b) issue, as necessary and appropriate and in coordination with the Director of OMB, additional guidance to assist agencies in implementing this order.

Sec. 5. *Additional Duties of the Director of the Office of Management and Budget.* In implementing the policy set forth in section 1 of this order, the Director of OMB shall:

(a) issue, as necessary and after consultation with the Chairman of CEQ, instructions, directions, and guidance to the heads of agencies concerning evaluation of agency progress and performance related to the implementation of this order; and

(b) prepare periodic scorecards evaluating agency performance and identify additional actions needed to implement this order.

Sec. 6. *Duties of the Federal Chief Sustainability Officer.* A Federal Chief Sustainability Officer, designated by the President, shall head an Office of Federal Sustainability, which shall be maintained as an interagency environmental project within CEQ, and for which EPA shall provide funding through the Office of Environmental Quality Management Fund, 42 U.S.C. 4375. In implementing the policy set forth in section 1 of this order, the Federal Chief Sustainability Officer shall:

(a) monitor progress and advise the Chairman of CEQ on agency performance and implementation of this order;

(b) lead the development of programs and policies to assist agencies in implementing the goals of this order; and

(c) chair, convene, and preside at meetings and direct the work of the Steering Committee.

Sec. 7. *Duties of Heads of Agencies.* In implementing the policy set forth in section 1 of this order, the head of each agency shall:

(a) within 45 days of the date of this order, designate an agency Chief Sustainability Officer—who shall be a senior civilian official, compensated annually in an amount at or above the amount payable at level IV of the Executive Schedule—and assign the designated official the authority to perform duties relating to the implementation of this order within the agency; and

(b) report to the Chairman of CEQ and the Director of OMB regarding agency implementation and progress toward the goals of this order and relevant statutory requirements.

Sec. 8. *Revocations.* Executive Order 13693 of March 19, 2015 (Planning for Federal Sustainability in the Next Decade), is revoked.

Sec. 9. *Limitations.* (a) This order shall apply only to agency activities, personnel, resources, and facilities that are located within the United States. The head of an agency may provide that this order shall apply in whole or in part with respect to agency activities, personnel, resources, and facilities that are not located within the United States, if the head of the agency determines that such application is in the interest of the United States.

(b) The head of an agency shall manage agency activities, personnel, resources, and facilities that are not located within the United States, and with respect to which the head of the agency has not made a determination under subsection (a) of this section, in a manner consistent with the policy set forth in section 1 of this order, and to the extent the head of the agency determines practicable.

Sec. 10. *Exemption Authority.* (a) The Director of National Intelligence may exempt an intelligence activity of the United States—and related personnel, resources, and facilities—from the provisions of this order, other than this subsection, to the extent the Director determines necessary to protect intelligence sources and methods from unauthorized disclosure.

(b) The head of an agency may exempt law enforcement activities of that agency, and related personnel, resources, and facilities, from the provisions of this order, other than this subsection, to the extent the head of an agency determines necessary to protect undercover operations from unauthorized disclosure.

(c) The head of an agency may exempt law enforcement, protective, emergency response, or military tactical vehicle fleets of that agency from the provisions of this order, other than this subsection. Heads of agencies shall manage fleets to which this paragraph refers in a manner consistent with the policy set forth in section 1 of this order to the extent they determine practicable.

(d) The head of an agency may exempt particular agency activities and facilities from the provisions of this order, other than this subsection, if it is in the interest of national security. If the head of an agency issues an exemption under this subsection, the agency must notify the Chairman of CEQ in writing within 30 days of issuance of that exemption. To the maximum extent practicable, and without compromising national security, each agency shall strive to comply with the purposes, goals, and implementation steps in this order.

(e) The head of an agency may submit to the President, through the Chairman of CEQ, a request for an exemption of an agency activity, and related personnel, resources, and facilities, from this order.

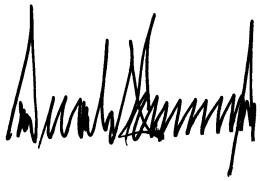
Sec. 11. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of OMB relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



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