

consents in writing to the receipt of the hazardous secondary material, EPA will send an EPA Acknowledgment of Consent to the hazardous secondary material generator. Where the country of import objects to receipt of the hazardous secondary material or withdraws a prior consent, EPA will notify the hazardous secondary material generator in writing. EPA will also notify the hazardous secondary material generator of any responses from countries of transit.

(vii) For exports to OECD Member countries, the receiving country may respond to the notification using tacit consent. If no objection has been lodged by any country of import or countries of transit to a notification provided pursuant to paragraph (a)(25)(i) of this section within thirty (30) days after the date of issuance of the acknowledgement of receipt of notification by the competent authority of the country of import, the transboundary movement may commence. In such cases, EPA will send an EPA Acknowledgment of Consent to inform the hazardous secondary material generator that the country of import and any relevant countries of transit have not objected to the shipment, and are thus presumed to have consented tacitly. Tacit consent expires one (1) calendar year after the close of the thirty (30) day period; renotification and renewal of all consents is required for exports after that date.

(viii) A copy of the EPA Acknowledgment of Consent must accompany the shipment. The shipment must conform to the terms of the EPA Acknowledgment of Consent.

(ix) If a shipment cannot be delivered for any reason to the reclaimer, intermediate facility or the alternate reclaimer or alternate intermediate facility, the hazardous secondary material generator must re-notify EPA of a change in the conditions of the original notification to allow shipment to a new reclaimer in accordance with paragraph (iii) of this section and obtain another EPA Acknowledgment of Consent.

(x) Hazardous secondary material generators must keep a copy of each notification of intent to export and each EPA Acknowledgment of Consent for a period of three years following receipt of the EPA Acknowledgment of Consent. They may satisfy this recordkeeping requirement by retaining electronically submitted notifications or electronically generated Acknowledgements in their account on EPA's Waste Import Export Tracking System (WIETS), or its successor

system, provided that such copies are readily available for viewing and production if requested by any EPA or authorized state inspector. No hazardous secondary material generator may be held liable for the inability to produce a notification or Acknowledgement for inspection under this section if they can demonstrate that the inability to produce such copies are due exclusively to technical difficulty with EPA's Waste Import Export Tracking System (WIETS), or its successor system for which the hazardous secondary material generator bears no responsibility.

(xi) Hazardous secondary material generators must file with the Administrator no later than March 1 of each year, a report summarizing the types, quantities, frequency and ultimate destination of all hazardous secondary materials exported during the previous calendar year. Annual reports must be submitted electronically using EPA's Waste Import Export Tracking System (WIETS), or its successor system. Such reports must include the following information:

(A) Name, mailing and site address, and EPA ID number (if applicable) of the hazardous secondary material generator;

(B) The calendar year covered by the report;

(C) The name and site address of each reclaimer and intermediate facility;

(D) By reclaimer and intermediate facility, for each hazardous secondary material exported, a description of the hazardous secondary material and the EPA hazardous waste number that would apply if the hazardous secondary material was managed as hazardous waste, the DOT hazard class, the name and U.S. EPA ID number (where applicable) for each transporter used, the total amount of hazardous secondary material shipped and the number of shipments pursuant to each notification;

(E) A certification signed by the hazardous secondary material generator which states: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment."

(xii) All persons claiming an exclusion under this paragraph (a)(25)

must provide notification as required by § 260.42 of this chapter.

\* \* \* \* \*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### 42 CFR Part 71

[Docket No. CDC-2016-0068]

RIN 0920-AA63

### Control of Communicable Diseases; Technical Correction

**AGENCY:** Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** The Centers for Disease Control and Prevention (CDC) in the Department of Health and Human Services (HHS) announces a technical correction to the final rule published on July 10, 2017. The July 10, 2017, technical correction provided amendments to a final rule published on January 19, 2017, but contained an error. HHS/CDC is therefore submitting a new correction to correct that error.

**DATES:** This correcting amendment is effective May 30, 2018.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Buigut, Division of Global Migration and Quarantine, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS-E03, Atlanta, Georgia 30329. Telephone: (404) 498-1600.

**SUPPLEMENTARY INFORMATION:** On January 19, 2017, HHS/CDC published a final rule (82 FR 6890) that included several non-substantive errors. On July 10, 2017, HHS/CDC published a technical correction (82 FR 31728) to correct errors made in the final rule. However, one new error was inadvertently created by including an instruction to change a word in the title of 42 CFR 71.5 dealing with vessels from "voyage" to "flight." HHS/CDC therefore, is publishing this correction notice amendment to fix the publication error that was made in the previous technical correction notice.

Section 553(b)(B) of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an

opportunity for public comment. We have determined that it is unnecessary to provide prior notice and the opportunity for public comment because the technical correction being made, as discussed below, addresses only a minor publication error that does not substantially change agency actions taken in the final rule.

*Control of Communicable Diseases; Correction* published at 82 FR 31728 (July 10, 2017), included an error in the title of 42 CFR 71.5 dealing with vessels by changing “voyage” to “flight.” We are now correcting the heading by amending it to read “§ 71.5 Requirements relating to the transmission of vessel passenger, crew, and voyage information for public health purposes.” This correction is minor, non-substantive, and therefore treated as if it had been included in the final rule published in the January 19, 2017, **Federal Register**.

**Summary of Technical Corrections to 42 CFR 71 Foreign Quarantine**

The final rule contains a section relating to the transmission of passenger and crew information for vessels, § 71.5. The technical correction published on July 10, 2017 (82 FR 31728), mistakenly changed the title of this section to, “Requirements relating to the transmission of vessel passenger, crew and *flight* information for public health purposes.” We are now correcting the heading for § 71.5 by changing “flight” to “voyage” because this section describes information pertaining to vessel voyages not aircraft flights.

**List of Subjects in 42 CFR 71**

Apprehension, CDC, Communicable diseases, Conditional release, Director, Ill person, Isolation, Non-invasive, Public health emergency, Public health prevention measures, Quarantine, Quarantinable Communicable Diseases.

**PART 71—FOREIGN QUARANTINE**

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

**Authority:** Secs. 215 and 311 of Public Health Service (PHS) Act, as amended (42 U.S.C. 216, 243); secs. 361–369, PHS Act, as amended (42 U.S.C. 264–272).

■ 2. In § 71.5, revise the section heading to read as follows:

**§ 71.5 Requirements relating to the transmission of vessel passenger, crew, and voyage information for public health purposes.**

\* \* \* \* \*

Dated: May 23, 2018.  
**Ann C. Agnew,**  
*Executive Secretary, Department of Health and Human Services.*  
 [FR Doc. 2018–11539 Filed 5–29–18; 8:45 am]  
**BILLING CODE 4163–18–P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Transit Administration**

**49 CFR Part 650**

[Docket No. FTA–2016–0008]

RIN 2132–AB27

**Private Investment Project Procedures**

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The Federal Transit Administration (FTA) is issuing a final rule describing new, experimental procedures to encourage increased project management flexibility, more innovation in project funding, improved efficiency, timely project implementation, and new project revenue streams for public transportation capital projects. A primary goal of this final rule is to address impediments to the greater use of public-private partnerships and private investment in public transportation capital projects. FTA anticipates using the lessons learned from these experimental procedures to develop more effective approaches to including private participation and investment in project planning, project development, finance, design, construction, maintenance, and operations.

**DATES:** The effective date of this final rule is June 29, 2018.

**FOR FURTHER INFORMATION CONTACT:** For program matters, Tom Yedinak, Private Sector Liaison, Office of Budget and Policy, (202) 366–5137 or *Tom.Yedinak@dot.gov*. For legal matters, Bonnie Graves, Attorney-Advisor, Office of Chief Counsel, (202) 366–4011 or *Bonnie.Graves@dot.gov*.

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**I. Executive Summary**

*A. Purpose of Regulatory Action*

This final rule establishes procedures by which FTA recipients contemplating public transportation capital projects may seek a waiver or modification of a mandatory FTA regulation, policy, procedure, or guidance document in order to address impediments to the use of public-private partnerships (P3s) and private investment in public transportation capital projects. The Private Investment Project Procedures (PIPP) are intended to encourage project sponsors to seek modifications of Federal requirements such that the modification will accelerate the project development process, attract private investment and lead to increased project management flexibility, more innovation, improved efficiency, and/or new revenue streams.

*B. Statutory Authority*

Section 20013(b)(1) of the Moving Ahead for Progress in the 21st Century Act (MAP–21), Public Law 112–141 (July 6, 2012), requires FTA to identify any provisions of 49 U.S.C. chapter 53, and any regulations or practices thereunder, that impede greater use of P3s and private investment. The law requires FTA to develop and implement, on a project basis, procedures and approaches that address such impediments in a manner similar to the Federal Highway Administration’s (FHWA) Special Experimental Project Number 15 process (SEP–15), and protect the public interest and any public investment in public transportation capital projects that involve P3s or private investment. Section 20013(b)(5) of MAP–21 requires FTA to issue a rule to carry out the procedures and approaches developed under Section 20013(b)(1).

In accordance with Section 20013(b)(6) of MAP–21, the PIPP may not be used to waive any requirement under the National Environmental Policy Act (NEPA), 42 U.S.C. 4321, *et seq.*; 49 U.S.C. chapter 53 (including 49 U.S.C. 5333); or any other provision of Federal statute. Thus, the PIPP will allow for innovations in project delivery while maintaining FTA’s stewardship responsibilities. FTA expects the lessons learned from projects approved under the PIPP to aid FTA in developing more effective approaches to project planning, project development, finance, design, construction, maintenance, and operations.