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Contents

Federal Register

Vol. 83, No. 129

Thursday, July 5, 2018

Agriculture Department

See Forest Service

Air Force Department

NOTICES

Intent To Grant Exclusive Patent Licenses, 31382

Meetings:

Board of Visitors of the U.S. Air Force Academy, 31382–31383

Alcohol, Tobacco, Firearms, and Explosives Bureau

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

FFL Out of Business Records Request, 31419–31420

Identification Markings Placed on Firearms, 31420–31421

Identification of Imported Explosives Materials, 31418–31419

Bureau of Safety and Environmental Enforcement

PROPOSED RULES

Oil and Gas and Sulfur Operations in Outer Continental Shelf:

Blowout Preventer Systems and Well Control Revisions; Correction; Extension of Comment Period, 31343–31344

Civil Rights Commission

NOTICES

Meetings; Sunshine Act, 31361

Coast Guard

PROPOSED RULES

Regulated Navigation Areas:

Savannah River, Georgia; Public Meeting, 31344

Commerce Department

See Economic Analysis Bureau

See Economic Development Administration

See Foreign-Trade Zones Board

See International Trade Administration

See National Institute of Standards and Technology

See National Oceanic and Atmospheric Administration

See Patent and Trademark Office

Defense Department

See Air Force Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Material and Workmanship, 31396–31397

U.S.-Flag Air Carriers Statement, 31397–31398

Drug Enforcement Administration

NOTICES

Importers of Controlled Substances; Applications:

S and B Pharma, Inc., 31421

Economic Analysis Bureau

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Annual Survey of Foreign Ocean Carriers' Expenses in the United States, 31361–31362

Quarterly Survey of Financial Services Transactions between U.S. Financial Services Providers and Foreign Persons, 31363–31364

Quarterly Survey of Foreign Airline Operators' Revenues and Expenses in the United States, 31362–31363

Quarterly Survey of Insurance Transactions by U.S. Insurance Companies With Foreign Persons, 31366–31367

Quarterly Survey of Ocean Freight Revenues and Foreign Expenses of U.S. Carriers; Quarterly Survey of U.S. Airline Operators' Foreign Revenues and Expenses, 31367–31368

Quarterly Survey of Transactions in Selected Services and Intellectual Property With Foreign Persons, 31364–31365

Economic Development Administration

NOTICES

Trade Adjustment Assistance; Petitions, 31368

Education Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

2019–20 National Postsecondary Student Aid Study Field Test Institution Contacting and Enrollment List Collection, 31383–31384

Fast Response Survey System 109: Teachers' Use of Technology for School and Homework Assignments, 31384–31385

National Teacher and Principal Survey of 2019–2020 Preliminary Field Activities, 31385

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency

RULES

Air Plan Approvals:

California; Eastern Kern Air Pollution Control District; Reclassification, 31334–31336

Air Quality State Implementation Plans; Approvals and Promulgations:

Colorado; Regional Haze State Implementation Plan, 31332–31334

Interstate Transport Prongs 1 and 2 for the 2012 Fine Particulate Matter Standard for Colorado, Montana, North Dakota, South Dakota and Wyoming, 31328–31330

Oklahoma; Interstate Transport Requirements for the 2012 PM_{2.5} NAAQS, 31330–31331

PROPOSED RULES

Air Quality State Implementation Plans; Approvals and Promulgations:
 District of Columbia; State Implementation Plan for the Interstate Transport Requirements for 2008 Ozone Standard, 31350–31352
 Maryland; Infrastructure Requirements for 2012 Fine Particulate Matter National Ambient Air Quality Standard, 31348–31350, 31352–31354

NOTICES

IRIS Assessment Plan for Naphthalene, 31388–31389

Federal Aviation Administration**RULES**

Airworthiness Directives:
 Safran Helicopter Engines, S.A., Turboshaft Engines, 31325–31327
 Revocation and Amendment of Class E Airspace:
 Philipsburg, PA, 31327–31328

Federal Communications Commission**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 31389–31390

Federal Emergency Management Agency**RULES**

National Flood Insurance Program:
 Removal of Monroe County Pilot Inspection Program Regulations, 31337–31340

Federal Energy Regulatory Commission**NOTICES**

Applications:
 Eagle Creek Sartell Hydro, LLC, 31387–31388
 Combined Filings, 31386, 31388
 Complaints:
 Radford's Run Wind Farm, LLC v. PJM Interconnection, LLC, 31385–31386
 Modifications of Procedural Schedules:
 Turlock Irrigation District; Modesto Irrigation District, 31386–31387

Federal Maritime Commission**NOTICES**

Requests for Additional Information, 31390

Federal Reserve System**NOTICES**

Changes in Bank Control:
 Acquisitions of Shares of a Bank or Bank Holding Company, 31390–31391
 Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 31396
 Requests for Comments:
 New Message Format for Fedwire Funds Service, 31391–31396

Fish and Wildlife Service**NOTICES**

Permit Applications:
 Four Habitat Conservation Plans for Sand Skink and Blue-Tailed Mole Skink, Polk and Osceola Counties, FL, 31415–31416

Food and Drug Administration**NOTICES**

Guidance:
 Abbreviated New Drug Application Submissions—
 Amendments to Abbreviated New Drug Applications Under the Generic Drug User Fee Act, 31399–31400
 Statements of Organizations, Functions, and Delegations of Authority, 31398–31399

Foreign-Trade Zones Board**NOTICES**

Applications for Reorganization Under Alternative Site Framework:
 Foreign-Trade Zone 78; Nashville, TN, 31368–31369

Forest Service**NOTICES**

Proposed New Fees:
 Blacksburg Shooting Range, 31360–31361
 Chattahoochee-Oconee National Forests, 31359–31360
 Francis Marion and Sumter National Forests, 31359
 National Forests in Florida, 31359
 National Forests in North Carolina, 31360

General Services Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Material and Workmanship, 31396–31397
 U.S.-Flag Air Carriers Statement, 31397–31398

Health and Human Services Department

See Food and Drug Administration
See Indian Health Service
See National Institutes of Health
See Substance Abuse and Mental Health Services Administration

NOTICES

Meetings:
 Advisory Council on Alzheimer's Research, Care, and Services, 31400–31401

Homeland Security Department

See Coast Guard
See Federal Emergency Management Agency

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Nationwide Cyber Security Review Assessment, 31412–31413

Housing and Urban Development Department**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Housing Trust Fund Program, 31413–31415

Indian Health Service**NOTICES**

Tribal Management Grant Program, 31401–31410

Interior Department

See Bureau of Safety and Environmental Enforcement
See Fish and Wildlife Service

International Trade Administration**NOTICES**

Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Certain Oil Country Tubular Goods From Ukraine, 31369–31370

International Trade Commission**NOTICES**

Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Non-Volatile Memory Devices and Products Containing Same, 31416–31418

Justice Department

See Alcohol, Tobacco, Firearms, and Explosives Bureau
See Drug Enforcement Administration

Labor Department**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Methylene Chloride Standard, 31421–31422
Slings Standard, 31422–31423
Vehicle-Mounted Elevating and Rotating Work Platforms Standard, 31423–31424

National Aeronautics and Space Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Material and Workmanship, 31396–31397
U.S.-Flag Air Carriers Statement, 31397–31398

National Archives and Records Administration

See Office of Government Information Services

National Institute of Standards and Technology**NOTICES**

Meetings:
National Construction Safety Team Advisory Committee, 31370–31371

National Institutes of Health**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
The Genetic Testing Registry, 31410–31411

National Oceanic and Atmospheric Administration**RULES**

Fisheries of the Exclusive Economic Zone Off Alaska:
Essential Fish Habitat Amendments, 31340–31342

PROPOSED RULES

Fisheries of the Northeastern United States:
Northeast Skate Complex; Framework Adjustment 5 and 2018–2019 Specifications, 31354–31358

NOTICES

Endangered and Threatened Species:
Takes of Anadromous Fish, 31371–31372
Takes of Marine Mammals Incidental to Specified Activities:
Seabird Research Activities in Central California, 31372–31378

National Science Foundation**NOTICES**

Requests for Comments:
Interagency Arctic Research Policy Committee's Draft Principles for Conducting Research in Arctic, 31424–31425

Nuclear Regulatory Commission**NOTICES**

Exemptions:
Exelon Generation Company, LLC; Oyster Creek Nuclear Generating Station, 31425–31429
Guidance:
Dispositioning of Technical Specifications That Are Insufficient To Ensure Plant Safety, 31429–31430

Office of Government Information Services**NOTICES**

Meetings:
Chief FOIA Officers' Council, 31424

Patent and Trademark Office**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Patent Reexaminations and Supplemental Examinations, 31379–31381
Trademark Petitions, 31381–31382
Websites Customer Satisfaction Surveys, 31378–31379

Personnel Management Office**NOTICES**

CyberCorps: Scholarship for Service Registration Website, 31430

Postal Regulatory Commission**PROPOSED RULES**

Periodic Reporting, 31344–31348

Postal Service**NOTICES**

Product Changes:
Priority Mail and First-Class Package Service Negotiated Service Agreement, 31431
Priority Mail Express and Priority Mail Negotiated Service Agreement, 31431

Securities and Exchange Commission**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 31431, 31433–31436, 31438
Applications:
Release No. 34–83554; File No. SR–NYSEArca–2018–49, 31434–31435
Self-Regulatory Organizations; Proposed Rule Changes:
NYSE American, LLC, 31431–31433
NYSE Arca, Inc., 31436–31438

Small Business Administration**NOTICES**

Small Business Investment Company Program:
Round Table Meeting With SBIC Limited Partners, 31439

**Substance Abuse and Mental Health Services
Administration****NOTICES**

Meetings:

Center for Mental Health Services, 31411–31412

Susquehanna River Basin Commission**NOTICES**

Public Hearings, 31439–31440

Transportation Department*See* Federal Aviation Administration**Reader Aids**

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

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CFR PARTS AFFECTED IN THIS ISSUE

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

14 CFR

39.....31325
71.....31327

30 CFR**Proposed Rules:**

250.....31343

33 CFR**Proposed Rules:**

165.....31344

39 CFR**Proposed Rules:**

3050 (2 documents)31344,
31346

40 CFR

52 (3 documents)31328,
31330, 31332
81.....31334

Proposed Rules:

52 (3 documents)31348,
31350, 31352

44 CFR

59.....31337
61.....31337

50 CFR

679.....31340

Proposed Rules:

648.....31354

Rules and Regulations

Federal Register

Vol. 83, No. 129

Thursday, July 5, 2018

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

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2013-0024; Product Identifier 2000-NE-12-AD; Amendment 39-19307; AD 2018-12-03]

RIN 2120-AA64

Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshaft Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2013-11-09 for all Safran Helicopter Engines, S.A., Arrius 2B1 and 2F turboshaft engines. AD 2013-11-09 required the repetitive replacement of the fuel injector manifolds and privilege injector, or only the privilege injector. This AD retains the repetitive hardware replacement requirements of AD 2013-11-09, but only allows replacement pipe injector preferred assembly, part number (P/N) 0 319 73 044 0, on the Arrius 2F engines. This AD was prompted by reports of engine flameouts as a result of reduced fuel flow due to the presence of coking. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 9, 2018.

ADDRESSES: For service information identified in this final rule, contact Safran Helicopter Engines, S.A., 40220 Tarnos, France; phone: (33) 05 59 74 40 00; fax: (33) 05 59 74 45 15; internet address: www.tools.safran-helicopter-engines.com. You may view this service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781-238-7759. It is also available on the internet

at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2013-0024.

Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2013-0024; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information, regulatory evaluation, any comments received, and other information. The address for Docket Operations (phone: 800-647-5527) is Document Operations, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Barbara Caufield, Aerospace Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7146; fax: 781-238-7199; email: barbara.caufield@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2013-11-09, Amendment 39-17469 (78 FR 32551, May 31, 2013), "AD 2013-11-09". AD 2013-11-09 applied to all Turbomeca S.A., Arrius 2B1 and 2F turboshaft engines. The NPRM published in the **Federal Register** on August 25, 2017 (82 FR 40503). The NPRM was prompted by a report that the corrective actions of the existing AD were insufficient to eliminate the unsafe condition. The NPRM proposed initial and repetitive replacement of the main fuel injector half-manifolds and preferred injector for Arrius 2B1 turboshaft engines, and initial and repetitive replacement of the preferred injector and replacing pipe injector preferred assemblies, P/N 0 319 73 835 0, with assembly, P/N 0 319 73 044 0, for Arrius 2F turboshaft engines. We are issuing this AD to address the unsafe condition on these products.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments

received on the NPRM and the FAA's response to each comment.

Request To Add Safran Service Bulletin (SB) 319 73 4085

An individual commenter requested that we incorporate Safran service bulletin (SB) No. 319 73 4085, which installs new insulating seals on the fuel manifold assemblies to limit coking, in this AD. The commenter does not believe that the proposed AD completely corrects the unsafe condition, which could result in another revised or superseded AD in the future.

We disagree. We have not determined that the Safran SB No. 319 73 4085, Version A, dated March 23, 2016, provides an effective terminating action to the current AD requirements. We did not change this AD.

Request To Revise Operating Hours in Figure 1

Safran Helicopter Engines stated there was an error in Figure 1 to paragraph (g)(1)(i) of this AD requiring the post-mod TU117 main fuel injector half-manifold be replaced every 600 operating hours. They stated the replacement interval is 500 hours (plus a 100 hour non-cumulative tolerance). The application of the non-cumulative tolerance specified in the Arrius 2B1 Maintenance Manual X 319 L5 301 2 was misinterpreted.

We agree with commenter's explanation and justification. We revised the main fuel injector half-manifold—post-mod TU117 operating hours in Figure 1 to paragraph (g) of this AD from 600 operating hours to 500 operating hours, which is consistent with the approved Airworthiness Limitations for this engine. We also added paragraph (g)(1)(i)(A) to this AD that allows a non-cumulative tolerance of 100 operating hours to the compliance time for the initial replacement of the post-mod TU117 main injector half-manifolds.

Request To Revise the Compliance Requirements

Safran Helicopter Engines requested that we revise paragraph (g)(2)(iii) of this AD to replace "within 16 months after the effective date of this AD" with "August 31, 2018." Safran Helicopter Engines asserted that 16 months was correct when EASA issued AD 2017-0070, but to be consistent with the compliance in Safran Helicopter

Engines Mandatory SB No. 319 73 4839, this date must be modified to match August 31, 2018.

We disagree. We determined that 16 months after the effective date of the AD is a reasonable timeframe to complete the actions and will meet our safety objectives. We did not change this AD.

Request To Revise the Required Actions

Safran Helicopter Engines requested we clarify paragraph (g)(2)(iii) of this AD by deleting the words “before next flight.”

We agree with the commenter’s request because this change clarifies paragraph (g)(2)(iii) of this AD. We revised paragraph (g)(2)(iii) of this AD as requested.

Request To Revise Contact Information

Safran Helicopter Engines requested that we revise the contact information

for service information in paragraph to the following: “Please contact your nearest SAFRAN Helicopter Engines technical representative or connect to www.tools.safran-helicopter-engines.com.”

We agree. We revised the contact information in the **ADDRESSES** section of this AD to include Safran’s internet address: www.tools.safran-helicopter-engines.com.

Conclusion

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

- Are consistent with the intent that was proposed in the NPRM for addressing the unsafe condition; and

- Do not add any additional burden upon the public than was already proposed in the NPRM.

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

Related Service Information

We reviewed Safran Helicopter Engines Mandatory SB No. 319 73 4839, Version A, dated December 13, 2016. The SB describes procedures for replacing pipe injector preferred assemblies.

Costs of Compliance

We estimate that this AD affects 50 Arrius 2B1 and 105 Arrius 2F turboshaft engines installed on helicopters of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Arrius 2B1 fuel injector manifolds and injector replacement.	3 work-hours × \$85 per hour = \$255	\$0	\$255	\$12,750
Arrius 2F pipe injector preferred assembly replacement.	3 work-hours × \$85 per hour = \$255	3,154	3,409	357,945

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 engines, propellers, and associated appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

Regulatory Findings

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

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

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- (3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends part 39 of the Code of Federal Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2013–11–09, Amendment 39–17469 (78 FR 32551), and adding the following new AD:

2018–12–03 Safran Helicopter Engines, S.A. (Type Certificate previously held by Turbomeca S.A.): Amendment 39–19307; Docket No. FAA–2013–0024; Product Identifier 2000–NE–12–AD.

(a) Effective Date

This AD is effective August 9, 2018.

(b) Affected ADs

This AD replaces AD 2013–11–09, Amendment 39–17469 (78 FR 32551, May 31, 2013).

(c) Applicability

This AD applies to all Safran Helicopter Engines, S.A., Arrius 2B1 and 2F turboshaft engines.

(d) Subject

Joint Aircraft System Component (JASC) Code 7320, Fuel Controlling System.

(e) Unsafe Condition

This AD was prompted by several reports of engine flameouts as a result of reduced fuel flow due to the presence of coking. We are issuing this AD to prevent an engine

flameout of Arrius 2B1 and 2F turboshaft engines. The unsafe condition, if not addressed, could result in an engine flameout and damage to the helicopter.

(f) Compliance

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

(g) Required Actions

(1) For Arrius 2B1 turboshaft engines, do the following:

(i) Replace each main fuel injector half-manifold and preferred injector with a part eligible for installation before exceeding the operating hours (hours accumulated by the part since installation on an engine) specified in Figure 1 to paragraph (g) of this AD.

(A) For the post-mod TU117 main injector half-manifold, a one-time, non-cumulative tolerance of 100 operating hours may be applied to the compliance interval specified in Figure 1. This one-time tolerance can be applied to the initial replacement or a subsequent replacement, as required.

(B) Reserved.

Figure 1 to Paragraph (g) – Replacement

Part	Operating hours
Main fuel injector half-manifold – post-mod TU117	500
Main fuel injector half-manifold – pre-mod TU117	200
Preferred injector pre/post-mod TU117	200

(ii) Borescope-inspect (BSI) the flame tube and the high-pressure turbine (HPT) area for turbine distress, when replacing the fuel injector manifolds and preferred injector for the first time.

(iii) Thereafter, replace the fuel injector manifolds and preferred injector with a part eligible for installation before exceeding the operating hours (hours accumulated by the part since installation on an engine) specified in Figure 1 to paragraph (g) of this AD.

(2) For Arrius 2F turboshaft engines, do the following:

(i) Replace each pipe injector preferred assembly, part number (P/N) 0 319 73 835 0 and P/N 0 319 73 044 0, with a part eligible for installation before exceeding 400 operating hours (hours accumulated by the part since installation on an engine).

(ii) BSI the flame tube and the HPT area for turbine distress, when replacing the privilege injector for the first time.

(iii) Unless already accomplished as required by paragraph (g)(2)(i) of this AD, within 16 months after the effective date of this AD, replace the pipe injector preferred assembly, P/N 0 319 73 835 0, with a part eligible for installation.

(iv) Thereafter, replace the pipe injector preferred assembly with a part eligible for installation within 400 operating hours since the last pipe injector preferred assembly replacement.

(h) Definitions

(1) For Arrius 2B1 turboshaft engines, a main fuel injector half-manifold or preferred injector is eligible for installation if it has not exceeded the operating hours specified in Figure 1 to paragraph (g) of this AD since first installation on an engine or since last cleaning.

(2) For Arrius 2F turboshaft engines, a pipe injector preferred assembly, P/N 0 319 73 044 0, is eligible for installation if it has not exceeded 400 operating hours since first

installation on an engine or since last cleaning.

(i) Installation Prohibition

(1) For Arrius 2B1 turboshaft engines, after the effective date of this AD, do not install a main fuel injector half-manifold or preferred injector onto any engine, or any engine onto a helicopter, unless the main fuel injector half-manifold and preferred injector are eligible for installation.

(2) For Arrius 2F turboshaft engines, after the effective date of this AD, do not install a pipe injector preferred assembly onto any engine, or any engine onto a helicopter, unless the pipe injector preferred assembly is eligible for installation.

(3) For Arrius 2F turboshaft engines, after the effective date of this AD, do not install a pipe injector preferred assembly, P/N 0 319 73 835 0, onto any engine.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, ECO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ECO Branch, send it to the attention of the person identified in paragraph (k)(1) of this AD. You may email your request to: ANE-AD-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local Flight Standards District Office/Certificate Holding District Office.

(k) Related Information

(1) For more information about this AD, contact Barbara Caufield, Aerospace Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781-

238-7146; fax: 781-238-7199; email: barbara.caufield@faa.gov.

(2) Refer to European Aviation Safety Agency AD 2017-0070, dated April, 25, 2017, for more information. You may examine the EASA AD on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2013-0024.

(l) Material Incorporated by Reference

None.

Issued in Burlington, Massachusetts, on June 27, 2018.

Robert J. Ganley,

Manager, Engine and Propeller Standards Branch, Aircraft Certification Service.

[FR Doc. 2018-14340 Filed 7-3-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2017-0755; Airspace Docket No. 17-AEA-11]

RIN 2120-AA66

Revocation and Amendment of Class E Airspace; Phillipsburg, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, correction.

SUMMARY: This action corrects a final rule published in the **Federal Register** on June 11, 2018, amending Class E airspace extending upward from 700 feet or more above the surface for Mid-State Airport, Phillipsburg, PA, by

adding the word 'side' to the legal description.

DATES: Effective 0901 UTC, July 19, 2018. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

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

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1700 Columbia Avenue, College Park, Georgia 30337.

SUPPLEMENTARY INFORMATION:

History

The FAA published a final rule in the **Federal Register** (83 FR 26839, June 11, 2018) for Doc. No. FAA-2017-0755, amending Class E airspace extending upward from 700 feet or more above the surface at Mid-State Airport, Philipsburg, PA. Subsequent to publication, the FAA found that in the legal description describing the Class E airspace area extending upward from 700 feet above the surface, the word 'side' was omitted from the text 3.1 miles each side of the Philipsburg VORTAC 067° radial. This action corrects the error.

Class E airspace designations are published in paragraph 6005, of FAA Order 7400.11B dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA

Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, in the **Federal Register** of June 11, 2018 (83 FR 26839) FR Doc. 2018-12410, the amendment of Class E Airspace for Mid-State Airport, Philipsburg, PA is corrected as follows:

§ 71.1 [Amended]

AEA PA E5 Philipsburg, PA
[Corrected]

■ On page 26840, column 1, line 38, after the word, 'each', add the word, 'side'.

Issued in College Park, Georgia, on June 27, 2018.

Ken Brissenden,

*Acting Manager, Operations Support Group,
Eastern Service Center, Air Traffic
Organization.*

[FR Doc. 2018-14337 Filed 7-3-18; 8:45 am]

BILLING CODE 4910-13-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R08-OAR-2018-0055; FRL-9980-12-Region 8]

Interstate Transport Prongs 1 and 2 for the 2012 Fine Particulate Matter (PM_{2.5}) Standard for Colorado, Montana, North Dakota, South Dakota and Wyoming

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving portions of State Implementation Plan (SIP) submissions from Colorado, Montana, North Dakota, South Dakota and Wyoming addressing the Clean Air Act (CAA or Act) interstate transport SIP requirements for the 2012 annual Fine Particulate Matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS). These submissions address the requirement that each SIP contain adequate provisions prohibiting air emissions that will have certain adverse air quality effects in other states. The EPA is approving portions of these infrastructure SIPs for the aforementioned states as containing adequate provisions to ensure that air emissions in the states will not significantly contribute to

nonattainment or interfere with maintenance of the 2012 annual PM_{2.5} NAAQS in any other state.

DATES: This rule is effective on August 6, 2018.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA-R08-OAR-2018-0055. All documents in the docket are listed on the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Adam Clark, Air Program, U.S. EPA Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-7104, or clark.adam@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document "we," "us," and "our" means the EPA.

I. Background

On May 9, 2018, the EPA proposed to approve submittals from Colorado, Montana, North Dakota, South Dakota and Wyoming as meeting the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I) for the 2012 PM_{2.5} NAAQS (83 FR 21226). An explanation of the CAA requirements, a detailed analysis of the states' submittals, and the EPA's rationale for approval of each submittal were all provided in the notice of proposed rulemaking and associated technical support documents, and will not be restated here. The public comment period for this proposed rule ended on June 8, 2018. The EPA received four anonymous comments on the proposal.

II. Response to Comments

After reviewing the comments received, the EPA has determined that the comments fall outside the scope of our proposed action or fail to identify any material issue necessitating a response.

III. Final Action

The EPA is approving the following submittals as meeting the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I) for the 2012 PM_{2.5}

NAAQS: Colorado's December 1, 2015 submittal; Montana's December 17, 2015 submittal; North Dakota's August 23, 2015 submittal; South Dakota's January 25, 2016 submittal; and Wyoming's June 24, 2016 submittal. This action is being taken under section 110 of the CAA.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and do not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, these SIPs are not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 4, 2018. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

Dated: June 28, 2018.

Debra Thomas,

Acting Regional Administrator, Region 8.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

- 1. The authority citation for part 52 continues to read as follows:

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

Subpart G—Colorado

- 2. Section 52.352 is amended by adding paragraph (e) to read as follows:

§ 52.352 Interstate transport.

* * * * *

(e) Addition to the Colorado State Implementation Plan of the Colorado Interstate Transport SIP regarding 2012 PM_{2.5} Standards, submitted to EPA on December 1, 2015, for both elements of CAA section 110(a)(2)(D)(i)(I) for the 2012 PM_{2.5} NAAQS.

Subpart BB—Montana

- 3. Section 52.1393 is amended by adding paragraph (d) to read as follows:

§ 52.1393 Interstate transport requirements.

* * * * *

(d) EPA is approving the Montana 2012 PM_{2.5} NAAQS Infrastructure Certification, submitted to EPA on December 17, 2015, for both elements of CAA section 110(a)(2)(D)(i)(I) for the 2012 PM_{2.5} NAAQS.

Subpart JJ—North Dakota

- 4. Section 52.1833 is amended by adding paragraph (g) to read as follows:

§ 52.1833 Section 110(a)(2) infrastructure requirements.

* * * * *

(g) EPA is approving the North Dakota 2012 PM_{2.5} NAAQS Infrastructure Certification, submitted to EPA on August 23, 2015, for both elements of CAA section 110(a)(2)(D)(i)(I) for the 2012 PM_{2.5} NAAQS.

Subpart QQ—South Dakota

- 5. Section § 52.2170, paragraph (e), is amended by adding table entry XXI to read as follows:

§ 52.2170 Identification of plan.

* * * * *

(e) * * *

Rule title	State effective date	EPA effective date	Final rule citation, date	Comments
XXI. Section 110(a)(2)(D)(i)(I) Interstate Transport Requirements for the 2012 PM _{2.5} NAAQS.	Submitted: 1/25/2016	8/6/2018	[Insert Federal Register citation], 7/5/2018.	

Subpart ZZ—Wyoming

§ 52.2620 Identification of plan.

■ 6. Section 52.2620, paragraph (e), is amended by adding table entry (30) to read as follows:

* * * * *
(e) * * *

Rule No.	Rule title	State effective date	EPA Effective date	Final rule citation, date	Comments
(30) XXX	Interstate transport SIP for Section 110(a)(2)(D)(i)(I) prongs 1 and 2 for the 2012 PM _{2.5} NAAQS.	6/24/2016	8/6/2018	[Insert Federal Register citation], 7/5/2018.	

[FR Doc. 2018–14386 Filed 7–3–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R06–OAR–2017–0052; FRL–9979–96—Region 6]

Approval and Promulgation of Implementation Plans; Oklahoma; Interstate Transport Requirements for the 2012 PM_{2.5} NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is approving portions of Oklahoma’s State Implementation Plan (SIP) submittal, that addresses a CAA requirement that SIPs account for potential interstate transport of air pollution that significantly contributes to nonattainment or interferes with maintenance of the 2012 fine particulate matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS) in other states. EPA finds that emissions from Oklahoma sources do not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with regard to the 2012 PM_{2.5} NAAQS.

DATES: This rule is effective on August 6, 2018.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R06–OAR–2017–0052. All documents in the docket are listed on the <http://www.regulations.gov> website. Although listed in the index, some

information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

FOR FURTHER INFORMATION CONTACT:

Sherry Fuerst, 214–665–6454, fuerst.sherry@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” and “our” means the EPA.

I. Background

The background for this action is discussed in detail in our May 18, 2018 proposal (83 FR 23244). In that document we proposed to approve portions of Oklahoma’s SIP submittal, that addresses a CAA requirement that SIPs account for potential interstate transport of air pollution that significantly contributes to nonattainment or interferes with maintenance of the 2012 PM_{2.5} NAAQS in other states. We proposed to determine that emissions from Oklahoma sources do not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with regard to the 2012 PM_{2.5} NAAQS.

We received three anonymous public comments on the proposed rulemaking action. The comments are posted to the docket (EPA–R06–OAR–2017–0052). In the first comment, received on May 19, 2018, the commenter makes a comment regarding the President and his recent

allegations against the FBI. Such comment is irrelevant and is outside the scope of this specific rule making action. In the second comment, received May 20, 2018, the commenter raised concerns regarding the validity of the UN Intergovernmental Panel on Climate Change and governments’ reliance on the panel’s recommendations. Such comment is irrelevant and is outside the scope of this specific rule making action. In the third and final comment, received on June 3, 2018, the commenter raised concerns and doubts about the effectiveness of environmental regulations. Such comment is irrelevant and is outside the scope of this specific rule making action.

II. Final Action

We are approving the portions of the December 19, 2016 Oklahoma SIP revision pertaining to emissions that significantly contribute to nonattainment or interfere with maintenance of the 2012 PM_{2.5} NAAQS in other states. We find that emissions from Oklahoma sources do not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with regard to the 2012 PM_{2.5} NAAQS.

III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not

impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 3, 2018. Filing a petition for

reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter.

Dated: June 28, 2018.

Anne Idsal,
Regional Administrator, Region 6.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

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

Subpart LL—Oklahoma

■ 2. In § 52.1920(e) the table titled “EPA-Approved Oklahoma Nonregulatory Provisions and Quasi-Regulatory Measures in the Oklahoma SIP” is amended by adding an entry at the end for “Interstate transport for the 2012 PM_{2.5} NAAQS (contribute to nonattainment or interfere with maintenance)” to read as follows:

§ 52.1920 Identification of plan.

* * * * *
(e) * * *

EPA-APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE OKLAHOMA SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanation
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Interstate transport for the 2012 PM _{2.5} NAAQS (contribute to nonattainment or interfere with maintenance).	Statewide	12/19/2016	7/5/2018, [Insert Federal Register citation].	

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R08-OAR-2018-0015; FRL-9980-13—Region 8]

Approval and Promulgation of Air Quality Implementation Plans; Colorado; Regional Haze State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving State Implementation Plan (SIP) revisions submitted by the State of Colorado on May 26, 2017, addressing regional haze. The revisions include source-specific revisions to the nitrogen oxides (NO_x) best available retrofit technology (BART) determination for Craig Station Unit 1 and to the NO_x reasonable progress determination for the Nucla Station. Both Craig Station Unit 1 and Nucla Station are owned in part and operated by Tri-State Generation & Transmission Association, Inc. (Tri-State). The EPA is taking this action pursuant to section 110 of the Clean Air Act (CAA).

DATES: This rule is effective on August 6, 2018.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R08-OAR-2018-0015. All documents in the docket are listed on the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Jaslyn Dobrahner, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mail Code 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-6252, dobrahner.jaslyn@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In our notice of proposed rulemaking published on April 26, 2018 (83 FR 18243), the EPA proposed to approve

revisions to Colorado Code of Regulations, Regulation Number 3, Part F, Section VI, submitted by the State of Colorado on May 26, 2017. In this rulemaking, we are taking final action to approve Colorado's modification of the NO_x BART determination for Craig Unit 1 and the NO_x reasonable progress determination for Nucla. Specifically, the EPA is approving the revised Craig Unit 1 NO_x BART determination, which requires Craig Unit 1 to meet an annual NO_x emission limit of 4,065 tons per year (tpy) by December 31, 2019. The SIP revision also requires the unit to either (1) convert to natural gas by August 31, 2023, and if converting to natural gas, comply with a NO_x emission limit of 0.07 lb/MMBtu (30-day rolling average) beginning August 31, 2021, or (2) shut down by December 31, 2025. The EPA is also approving the State's revised Nucla NO_x reasonable progress determination, which requires the source to meet an annual NO_x emission limit of 952 tpy by January 1, 2020, and shut down on or before December 31, 2022. The Colorado Air Quality Control Commission adopted the revisions on December 15, 2016 (effective February 14, 2017). The reasons for our approval are provided in detail in the proposed rule.

II. Response to Comments

We received five comments during the public comment period. After reviewing the comments, the EPA has determined that four of the comments are outside the scope of our proposed action or fail to identify any material issue necessitating a response. The remaining comment, submitted by Tri-State, raised concerns with the proposed rule regarding the amortization period and remaining useful life of Craig Unit 1.

Comment: First, Tri-State asserts that it is important that accurately representative periods of time be used in calculating the cost effectiveness of emission controls. Specifically, Tri-State asserts that amortization period calculations of eight years are incorrect. Instead, an amortization period of four years for SNCR and two years for SCR should be used, as these represent the periods of time following possible EPA approval of the Colorado SIP and complete installation of the respective technology until the closure date on or before December 31, 2025. The commenter also appreciates Colorado's acknowledgement of differing methodologies to calculate the amortization period and recognizes that a shorter amortization period would not alter Colorado's conclusion, and the

EPA's concurrence, that neither SCR or SNCR is cost-effective.

Response: We agree with Tri-State that it is important to accurately represent the amortization period used to calculate the cost effectiveness of emission control technologies. In past actions we have measured the amortization period as the time period from the projected compliance date to the date of retirement. In this case, there are multiple dates that could potentially be used, given the EPA's 2012 approval of Colorado's initial BART determination for Craig Unit 1, the revised BART determination associated with the 2014 settlement, and the updated analysis contained in the 2017 SIP submission. We agree with Colorado that it is appropriate to use a compliance date of August 31, 2021, as the start of the amortization period, as this is the date by which, as the State was conducting the BART analysis, SCR would have had to be installed and operational. Furthermore, August 31, 2021, is the date on which, under the natural gas conversion scenario, Craig Unit 1 must comply with an emission limit of 0.07 MMBtu, which mirrors the BART determination and compliance date in the 2014 settlement. We also agree with Colorado's decision to include a second scenario that conservatively estimates the amortization period based on the compliance dates associated with the State's original BART determinations. However, we disagree with the commenter that it is appropriate to reset the compliance dates based on the 2017 SIP submission, as this ignores the State's existing BART determinations and requirements that were in place at the time of the analysis. Finally, we appreciate the commenter's bringing to our attention Colorado's acknowledgement of Tri-State's alternative amortization period calculation, and we generally agree there may be differing methodologies for calculating the amortization period. However, and as Tri-State recognizes, a shorter amortization period would not alter Colorado's determination that neither SNCR or SCR is cost effective for Craig Unit 1.

Comment: Second, Tri-State notes that the natural gas conversion scenario would not shorten the remaining useful life of Craig Unit 1. Specifically, Tri-State argues that determining BART while taking into consideration the remaining useful life of the source does not include incorporating the type of fuel a source uses. Thus, the EPA lacks a basis to determine that the natural gas conversion scenario would shorten the

“remaining useful life of the existing coal-fired boiler.”¹

Response: We thank the commenter for bringing this distinction to our attention and agree with the commenter’s perspective that converting Craig Unit 1 to natural gas does not in itself shorten the remaining useful life of the source. Our intent was to agree with Colorado’s assertion that it is appropriate to reassess the NO_x BART limit under the remaining period that Craig Unit 1 will be burning coal.

III. Final Action

For the reasons expressed in the proposed rule, the EPA is approving revisions to Regulation Number 3, Part F, Section VI, shown in Table 1 submitted by the State of Colorado on May 26, 2017, addressing the NO_x BART and reasonable progress requirements for Craig Unit 1 and Nucla, respectively.

TABLE 1—LIST OF COLORADO AMENDMENTS THAT THE EPA IS APPROVING

Amended sections in May 26, 2017 submittal

Regulation Number 3, Part F: VI.A.2 (table); VI.A.3; VI.A.4; VI.B.2 (table); VI.B.3; VI.B.4; VI.D; VI.E

IV. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the Colorado Code of Regulations described in the amendments set forth to 40 CFR part 52. The EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA’s approval, and will be incorporated by reference in the next update to the SIP compilation.²

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an

Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 4, 2018. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Greenhouse gases, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: June 28, 2018.

Debra Thomas,

Acting Regional Administrator, Region 8.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

- 1. The authority citation for part 52 continues to read as follows:

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

Subpart G—Colorado

- 2. Section 52.320 paragraph (c) is amended by revising table entry for VI. under the centered heading “5 CCR 1001–05, Regulation Number 3, Part F, Regional Haze Limits—Best Available Retrofit Technology (BART) and Reasonable Progress (RP).”

The revision reads as follows:

§ 52.320 Identification of plan.

* * * * *

¹ 81 FR 18247 (April 26, 2018).

² 62 FR 27968 (May 22, 1997).

(c) * * *

Title	State effective date	EPA effective date	Final rule citation/date	Comments
*	*	*	*	*
5 CCR 1001–05, Regulation Number 3, Part F, Regional Haze Limits—Best Available Retrofit Technology (BART) and Reasonable Progress (RP)				
VI. Regional Haze Determinations	2/14/2017	8/6/2018	[Insert Federal Register citation], 7/5/2018.	
*	*	*	*	*

* * * * *
 [FR Doc. 2018–14387 Filed 7–3–18; 8:45 am]
 BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–R09–OAR–2018–0223; FRL–9980–48—Region 9]

Air Plan Approval; California; Eastern Kern Air Pollution Control District; Reclassification

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Under the Clean Air Act, the Environmental Protection Agency (EPA) is granting a request by the State of California to reclassify the Eastern Kern County (“Eastern Kern”) nonattainment area from “Moderate” to “Serious” for the 2008 ozone national ambient air quality standards (NAAQS). In connection with the reclassification, the EPA is establishing a deadline of no later than 12 months from the effective date of reclassification for submittal of revisions to the Eastern Kern portion of the California State Implementation Plan (SIP) to meet certain additional requirements for Serious ozone nonattainment areas. The EPA has already received SIP revision submittals addressing most of the additional SIP requirements.

DATES: This rule is effective on August 6, 2018.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2018–0223. All documents in the docket are listed on the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material,

is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Nancy Levin, EPA Region IX, (415) 972–3848, levin.nancy@epa.gov.

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

Table of Contents

- I. Proposed Action
- II. Public Comments and EPA Responses
- III. EPA Action
- IV. Statutory and Executive Order Reviews

I. Proposed Action

On May 14, 2018 (83 FR 22235), the EPA proposed to grant a request by the State of California to reclassify the Eastern Kern nonattainment area from Moderate to Serious for the 2008 ozone NAAQS. Our May 14, 2018 proposed rule provides: Background information concerning the Clean Air Act (CAA); the EPA’s promulgation of the NAAQS; SIPs to implement, maintain, and enforce the NAAQS within each state; ozone and its precursors (volatile organic compounds (VOC) and oxides of nitrogen (NO_x)); the 2008 ozone NAAQS; area designations, classifications and reclassifications for the 2008 ozone NAAQS; and SIP revisions required to address CAA ozone nonattainment area plan requirements based on classification.

Our proposed rule also describes the California Air Resources Board’s (CARB) request for reclassification of the Eastern Kern 2008 ozone nonattainment area from Moderate to Serious, our evaluation of the request, and the basis for our proposed approval of the request. Lastly, our proposed rule describes the SIP revisions that CARB has already submitted to the EPA for the Eastern Kern ozone nonattainment area

and finds that all the SIP elements that apply to Eastern Kern as a Serious ozone nonattainment area for the 2008 ozone NAAQS have been addressed except for new source review (NSR) and reasonably available control technology (RACT) for major sources of NO_x. Today, we are taking final action to grant CARB’s reclassification request for the Eastern Kern ozone nonattainment area and to establish a 12-month deadline (from the effective date of this final rule) for submittal of the two remaining SIP elements for this area. Please see our May 14, 2018 proposed rule for further detail concerning these topics.

II. Public Comments and EPA Responses

The EPA’s proposed action provided a 30-day public comment period. During this period, we received four comments that were submitted anonymously. The commenters raised issues that are outside of the scope of this rulemaking, including foreign policy, wildfire suppression, dams, wind turbines, air quality in China and India, water quality in China, and climate change. The comment letters are available in the docket for this rulemaking.

III. EPA Action

Pursuant to CAA section 181(b)(3) and 40 CFR 51.1103(b), the EPA is granting a request by the State of California to reclassify the Eastern Kern nonattainment area from Moderate to Serious for the 2008 ozone NAAQS. In connection with the reclassification, the EPA is establishing a deadline of no later than 12 months from the effective date of reclassification for submittal of the two remaining SIP elements (*i.e.*, NSR and RACT for major sources of NO_x) for Serious ozone nonattainment areas that have not already been submitted for the Eastern Kern ozone nonattainment area.¹

¹ Upon the effective date of reclassification, we note that certain regulatory changes would occur

IV. Statutory and Executive Order Reviews

Under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011), this final action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget. Voluntary reclassifications under section 181(b)(3) of the CAA are based solely upon requests by the state, and the EPA is required under the CAA to grant them. This final action does not, in and of itself, impose any new requirements on any sector of the economy. In addition, because the statutory requirements are clearly defined with respect to the differently classified areas, and because those requirements are automatically triggered by classification, reclassification does not impose a materially adverse impact under Executive Order 12866. For these reasons, this final action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). Furthermore, this final action is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because actions such as reclassifications made at the request of a state are exempt under Executive Order 12866.

In addition, I certify that this final rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This final action does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), because the EPA is required to grant requests by states for voluntary reclassifications and such reclassifications in and of themselves do not impose any federal intergovernmental mandate.

Executive Order 13175 (65 FR 67249, November 9, 2000) requires the EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal

implications” is defined in the Executive Order to include regulations that have “substantial direct effects 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.” There are no Indian reservation lands or other areas where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction within the Eastern Kern ozone nonattainment area, and thus, this final rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175. This final action also does not have Federalism implications because it does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This final action does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This final rule also is not subject to Executive Order 13045, “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997), because the EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. Reclassification actions do not involve technical standards and thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This final rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Executive Order 12898 (59 FR 7629, February 16, 1994) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States. This

final reclassification action relates to ozone, a pollutant that is regional in nature, and is not the type of action that could result in the types of local impacts addressed in Executive Order 12898.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 4, 2018. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (*See* section 307(b)(2).)

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, Intergovernmental relations, National parks, Ozone, Wilderness areas.

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

Dated: June 26, 2018.

Deborah Jordan,

Acting Regional Administrator, Region IX.

Part 81, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 1. The authority citation for part 81 continues to read as follows:

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

Subpart C—Section 107 Attainment Status Designations

NAAQS (Primary and secondary)” by revising the entry for “Kern County (Eastern Kern), CA” to read as follows:

§ 81.305 California
* * * * *

■ 2. Section 81.305 is amended in the table for “California-2008 8-Hour Ozone

CALIFORNIA—2008 8-HOUR OZONE NAAQS
[Primary and secondary]

Designated Area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Kern County (Eastern Kern), CA: ² Kern County (part): That portion of Kern County (with the exception of that portion in Hydrologic Unit Number 18090205—the Indian Wells Valley) east and south of a line described as follows: Beginning at the Kern-Los Angeles County boundary and running north and east along the northwest boundary of the Rancho La Liebre Land Grant to the point of intersection with the range line common to Range 16 West and Range 17 West, San Bernardino Base and Meridian; north along the range line to the point of intersection with the Rancho El Tejon Land Grant boundary; then southeast, northeast, and northwest along the boundary of the Rancho El Tejon Grant to the northwest corner of Section 3, Township 11 North, Range 17 West; then west 1.2 miles; then north to the Rancho El Tejon Land Grant boundary; then northwest along the Rancho El Tejon line to the southeast corner of Section 34, Township 32 South, Range 30 East, Mount Diablo Base and Meridian; then north to the northwest corner of Section 35, Township 31 South, Range 30 East; then northeast along the boundary of the Rancho El Tejon Land Grant to the southwest corner of Section 18, Township 31 South, Range 31 East; then east to the southeast corner of Section 13, Township 31 South, Range 31 East; then north along the range line common to Range 31 East and Range 32 East, Mount Diablo Base and Meridian, to the northwest corner of Section 6, Township 29 South, Range 32 East; then east to the southwest corner of Section 31, Township 28 South, Range 32 East; then north along the range line common to Range 31 East and Range 32 East to the northwest corner of Section 6, Township 28 South, Range 32 East, then west to the southeast corner of Section 36, Township 27 South, Range 31 East, then north along the range line common to Range 31 East and Range 32 East to the Kern-Tulare County boundary.	8/6/2018	Nonattainment	Serious.	
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *

¹ This date is July 20, 2012, unless otherwise noted.
² Excludes Indian country located in each area, unless otherwise noted.

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Parts 59, 61

[Docket ID FEMA-2018-0027]

RIN 1660-AA93

National Flood Insurance Program: Removal of Monroe County Pilot Inspection Program Regulations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: The Federal Emergency Management Agency (FEMA) is revising its regulations to remove a pilot inspection program under the National Flood Insurance Program (NFIP). This pilot inspection program applied to Monroe County, Florida. FEMA terminated this program on June 28, 2013, and is now removing the applicable regulations from the Code of Federal Regulations because they are no longer necessary.

DATES: This rule is effective July 5, 2018.

ADDRESSES: The docket for this rulemaking is available for inspection using the Federal eRulemaking Portal at <http://www.regulations.gov> and can be viewed by following that website's instructions.

FOR FURTHER INFORMATION CONTACT: Liza Davis, Associate Chief Counsel, Regulatory Affairs, Office of Chief Counsel, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, 202-646-4046, or (email) liza.davis@fema.dhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background and Discussion of the Rule

The National Flood Insurance Act of 1968, as amended (NFIA), Title 42 of the United States Code (U.S.C.) 4001 *et seq.*, authorizes the Administrator of the Federal Emergency Management Agency (FEMA) to establish and carry out a National Flood Insurance Program (NFIP) to enable interested persons to purchase insurance against loss resulting from physical damage to or loss of property arising from floods in the United States.¹ Under the NFIA, FEMA may only grant flood insurance to properties within communities that have adopted adequate land use and control measures.² FEMA implemented

a pilot inspection program on June 27, 2000, at 44 CFR 59.30, which applied to structures located in Monroe County, the Village of Islamorada in Monroe County, and the City of Marathon³ in Monroe County, Florida. 65 FR 39725, 39748 (June 27, 2000). The pilot program was designed to help the communities verify that structures in these locations complied with the community's floodplain management ordinances and to help FEMA ensure that property owners paid flood insurance premiums to the NFIP commensurate with their flood risk. See 44 CFR 59.30(a); 79 FR 2468 (Jan. 14, 2014). FEMA consulted with the participating communities during the pilot program and in 2013 determined that the communities had fulfilled the requirements of the inspection procedure. As a result, FEMA notified the three participating communities that the pilot inspection procedure under 44 CFR 59.30 would terminate on June 28, 2013, pursuant to 44 CFR 59.30(c)(1), which authorizes the Federal Insurance Administrator to establish the termination date for the pilot program. FEMA published a notice in the **Federal Register** on January 14, 2014, announcing that the pilot inspection program was terminated for Monroe County, the Village of Islamorada, and the City of Marathon, Florida. See 79 FR 2468 (Jan. 14, 2014). FEMA is now removing section 59.30 as it is no longer necessary. FEMA is also removing Appendices A(4) through A(6) of 44 CFR part 61, which contain the individual endorsements for these three communities to the Standard Flood Insurance Policy (SFIP), indicating their participation in the pilot program.

II. Regulatory Analysis

A. Administrative Procedure Act

The Administrative Procedure Act (APA) generally requires agencies to publish a notice of proposed rulemaking in the **Federal Register** and provide interested persons the opportunity to submit comments. See 5 U.S.C. 553(b) and (c). The APA provides an exception to this prior notice and comment requirement for rules of agency organization, procedure, or practice. 5 U.S.C. 553(b)(A). This final rule is a

³ Although 44 CFR 59.30(a) only lists Monroe County and the Village of Islamorada, Florida, the section provides that the pilot inspection procedure will cover areas within Monroe County that incorporate on or after January 1, 1999. The City of Marathon was incorporated on Nov. 30, 1999, and was therefore also covered by the program. See City of Marathon Charter § 3, at https://library.municode.com/fl/marathon/codes/code_of_ordinances?nodeId=PTICHELRA_SPACH_S3INMUCOLI.

procedural rule promulgated for agency efficiency purposes. FEMA is removing regulations related to the Monroe County pilot inspection program which has been terminated. Thus, removing these regulations reflects FEMA's current authority and will not affect the substantive rights or interests of the public.

The APA also provides an exception from notice and comment procedures when an agency finds for good cause that those procedures are impracticable, unnecessary, or contrary to the public interest. 5 U.S.C. 553(b)(3)(B). FEMA finds good cause to issue this rule without prior notice or comment, as such procedures are unnecessary. The removal of these regulations will have no substantive effect on the public because the authority for the pilot program has terminated.

Further, the APA generally requires that substantive rules incorporate a 30-day delayed effective date. 5 U.S.C. 553(d). This rule, however, is merely procedural and does not impose substantive requirements; thus, FEMA finds that a delayed effective date is unnecessary.

B. Executive Orders 12866, "Regulatory Planning and Review", 13563, "Improving Regulation and Regulatory Review", and 13771, "Reducing Regulation and Controlling Regulatory Costs"

Executive Orders 13563 ("Improving Regulation and Regulatory Review") and 12866 ("Regulatory Planning and Review") 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 (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 13771 ("Reducing Regulation and Controlling Regulatory Costs") directs agencies to reduce regulation and control regulatory costs and provides that "for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process."

The Office of Management and Budget (OMB) has not designated this rule a "significant regulatory action" under section 3(f) of Executive Order 12866. Accordingly, the rule has not been reviewed by OMB. As this rule is not a

¹ See 42 U.S.C. 4011(a).

² See 42 U.S.C. 4022(a)(1).

significant regulatory action, this rule is exempt from the requirements of Executive Order 13771. See OMB's Memorandum "Guidance Implementing Executive Order 13771, Titled 'Reducing Regulation and Controlling Regulatory Costs'" (April 5, 2017).

FEMA is issuing a final rule that will remove the pilot inspection program at 44 CFR 59.30, which describes inspection procedures to apply to Monroe County, Florida. The pilot program was designed to help the community verify that structures in this community complied with the community's floodplain management ordinances and help the NFIP ensure that property owners paid flood insurance premiums to the NFIP commensurate with their flood risk. FEMA terminated the pilot program on June 28, 2013. FEMA therefore now removes it from regulation.

This rulemaking does not impose any changes to current programs and FEMA believes there would not be any costs imposed on State, Federal, Tribal or industry partners or stakeholders as a result of this rule.

The benefits of this rule result from removing the codification of a terminated pilot program. This will simplify the CFR and reduce confusion, and further align the regulations with FEMA's current exercises of its authority.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), and section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121, 110 Stat. 847, 858–9 (Mar. 29, 1996) (5 U.S.C. 601 note) require that special consideration be given to the effects of regulations on small entities. The RFA applies only when an agency is "required by section 553 . . . to publish general notice of proposed rulemaking for any proposed rule." 5 U.S.C. 603(a). An RFA analysis is not required for this rulemaking because FEMA is not required to publish a notice of proposed rulemaking.

D. Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995, 2 U.S.C. 658, 1501–1504, 1531–1536, 1571, pertains to any rulemaking which is likely to result in the promulgation of any rule that includes a Federal mandate that may result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$100 million (adjusted annually for inflation) or more in any one year. If the rulemaking includes a

Federal mandate, the Act requires an agency to prepare an assessment of the anticipated costs and benefits of the Federal mandate. The Act also pertains to any regulatory requirements that might significantly or uniquely affect small governments. Before establishing any such requirements, an agency must develop a plan allowing for input from the affected governments regarding the requirements.

FEMA has determined that this rulemaking will not result in the expenditure by State, local, and Tribal governments, in the aggregate, nor by the private sector, of \$100,000,000 or more in any one year as a result of a Federal mandate, and it will not significantly or uniquely affect small governments. Therefore, no actions are deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

E. Paperwork Reduction Act of 1995

As required by the Paperwork Reduction Act of 1995 (PRA), Pub. L. 104–13, 109 Stat. 163, (May 22, 1995) (44 U.S.C. 3501 *et seq.*), FEMA may not conduct or sponsor, and a person is not required to respond to, a collection of information unless FEMA obtains approval from the Office of Management and Budget (OMB) for the collection and the collection displays a valid OMB control number. FEMA has determined that this rulemaking does not contain any collections of information as defined by that Act.

F. Privacy Act/E-Government Act

Under the Privacy Act of 1974, 5 U.S.C. 552a, an agency must determine whether implementation of a proposed regulation will result in a system of records. A "record" is any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his/her education, financial transactions, medical history, and criminal or employment history and that contains his/her name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph. See 5 U.S.C. 552a(a)(4). A "system of records" is a group of records under the control of an agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. An agency cannot disclose any record which is contained in a system of records except by following specific procedures.

The E-Government Act of 2002, 44 U.S.C. 3501 note, also requires specific

procedures when an agency takes action to develop or procure information technology that collects, maintains, or disseminates information that is in an identifiable form. This Act also applies when an agency initiates a new collection of information that will be collected, maintained, or disseminated using information technology if it includes any information in an identifiable form permitting the physical or online contacting of a specific individual.

The system of record for the NFIP, DHS/FEMA–0003—National Flood Insurance Program Files, was published in the **Federal Register** on May 19, 2014 (79 FR 28747). This rule does not impact this existing system of record, nor does it create a new system of record. Therefore, this rule does not require coverage under an existing or new Privacy Impact Assessment or System of Records Notice.

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

Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments," 65 FR 67249, November 9, 2000, applies to agency regulations that have Tribal implications, that is, regulations that have substantial direct effects 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. Under this Executive Order, to the extent practicable and permitted by law, no agency shall promulgate any regulation that has Tribal implications, that imposes substantial direct compliance costs on Indian Tribal governments, and that is not required by statute, unless funds necessary to pay the direct costs incurred by the Indian Tribal government or the Tribe in complying with the regulation are provided by the Federal government, or the agency consults with Tribal officials.

Although Tribes that meet the NFIP eligibility criteria can participate in the NFIP in the same manner as communities,⁴ FEMA has reviewed this final rule under Executive Order 13175 and has determined that it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

⁴ Although the NFIP does not explicitly reference Tribal governments, FEMA includes Tribal nations in its definition of a community. See 44 CFR 59.1.

This rule removes the pilot inspection program concerning Monroe County, Florida, which FEMA has terminated. The removal of these regulations therefore will have no substantive effect on the public and will not affect the substantive rights or interests of Indian Tribal governments.

H. Executive Order 13132, "Federalism"

Executive Order 13132, "Federalism," 64 FR 43255, August 10, 1999, sets forth principles and criteria that agencies must adhere to in formulating and implementing policies that have federalism implications, that is, regulations that have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Federal agencies must closely examine the statutory authority supporting any action that would limit the policymaking discretion of the States, and to the extent practicable, must consult with State and local officials before implementing any such action.

FEMA has determined that this rulemaking does 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, and therefore does not have federalism implications as defined by the Executive Order.

I. Executive Order 11988, "Floodplain Management"

Pursuant to Executive Order 11988, each agency must provide leadership and take action to reduce the risk of flood loss and to minimize the impact of floods on human safety, health and welfare. In addition, each agency must restore and preserve the natural and beneficial values served by floodplains in carrying out its responsibilities for (1) acquiring, managing, and disposing of Federal lands and facilities; (2) providing Federally undertaken, financed, or assisted construction and improvements; and (3) conducting Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulating, and licensing activities. In carrying out these responsibilities, each agency must evaluate the potential effects of any actions it may take in a floodplain; ensure that its planning programs and budget requests reflect consideration of flood hazards and floodplain management; and prescribe procedures

to implement the policies and requirements of the Executive Order.

Before promulgating any regulation, an agency must determine whether the proposed regulations will affect a floodplain(s), and if so, the agency must consider alternatives to avoid adverse effects and incompatible development in the floodplain(s). If the head of the agency finds that the only practicable alternative consistent with the law and with the policy set forth in Executive Order 11988 is to promulgate a regulation that affects a floodplain(s), the agency must, prior to promulgating the regulation, design or modify the regulation in order to minimize potential harm to or within the floodplain, consistent with the agency's floodplain management regulations and prepare and circulate a notice containing an explanation of why the action is proposed to be located in the floodplain. This rule removes from regulation a previously-terminated pilot program. It is therefore procedural and will not have an effect on land use or floodplain management.

J. Executive Order 11990, "Protection of Wetlands"

Executive Order 11990, "Protection of Wetlands," 42 FR 26961, May 24, 1977, sets forth that each agency must provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities for (1) acquiring, managing, and disposing of Federal lands and facilities; and (2) providing Federally undertaken, financed, or assisted construction and improvements; and (3) conducting Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulating, and licensing activities. Each agency, to the extent permitted by law, must avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds (1) that there is no practicable alternative to such construction, and (2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.

In carrying out the activities described in Executive Order 11990, each agency must consider factors relevant to a proposal's effect on the survival and quality of the wetlands. Among these factors are: Public health, safety, and welfare, including water supply, quality, recharge and discharge; pollution; flood and storm hazards; and sediment and erosion; maintenance of

natural systems, including conservation and long term productivity of existing flora and fauna, species and habitat diversity and stability, hydrologic utility, fish, wildlife, timber, and food and fiber resources; and other uses of wetlands in the public interest, including recreational, scientific, and cultural uses. Because this rule removes from regulation a previously-terminated pilot program, it is procedural and will not have an effect on land use or wetlands.

K. National Environmental Policy Act of 1969 (NEPA)

Under the National Environmental Policy Act of 1969 (NEPA), as amended, 42 U.S.C. 4321 *et seq.*, an agency must prepare an environmental assessment or environmental impact statement for any rulemaking that could significantly affect the quality of the human environment. FEMA has determined that this rulemaking does not significantly affect the quality of the human environment and consequently has not prepared an environmental assessment or environmental impact statement.

Rulemaking is a major Federal action subject to NEPA. Categorical exclusion A3 included in the list of exclusion categories at Department of Homeland Security Instruction Manual 023-01-001-01, Revision 01, Implementation of the National Environmental Policy Act, Appendix A, issued November 6, 2014, covers the promulgation of rules, issuance of rulings or interpretations, and the development and publication of policies, orders, directives, notices, procedures, manuals, and advisory circulars if they meet certain criteria provided in A3(a-f). This rule meets Categorical Exclusion A3(a), which covers rules of a strictly administrative or procedural nature.

L. Congressional Review of Agency Rulemaking

Under the Congressional Review of Agency Rulemaking Act (CRA), 5 U.S.C. 801-808, before a rule can take effect, the Federal agency promulgating the rule must submit to Congress and to the Government Accountability Office (GAO) a copy of the rule; a concise general statement relating to the rule, including whether it is a major rule; the proposed effective date of the rule; a copy of any cost-benefit analysis; descriptions of the agency's actions under the Regulatory Flexibility Act and the Unfunded Mandates Reform Act; and any other information or statements required by relevant executive orders.

FEMA has sent this final rule to the Congress and to GAO pursuant to the

CRA. The rule is not a “major rule” within the meaning of the CRA. It will not have an annual effect on the economy of \$100,000,000 or more; it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

List of Subjects in 44 CFR Parts 59 and 61

Flood insurance, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Federal Emergency Management Agency amends 44 CFR Chapter I as follows:

PART 59—GENERAL PROVISIONS

■ 1. The authority citation for Part 59 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

* * * * *

Subpart C—Pilot Inspection Program [Removed]

■ 2. Remove subpart C, consisting of § 59.30.

* * * * *

PART 61—INSURANCE COVERAGE AND RATES

■ 3. The authority citation for Part 61 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

* * * * *

Appendix A(4) to Part 61 [Removed]

■ 4. Remove Appendix A(4) to Part 61.

Appendix A(5) to Part 61 [Removed]

■ 5. Remove Appendix A(5) to Part 61.

Appendix A(6) to Part 61 [Removed]

■ 6. Remove Appendix A(6) to Part 61.

Brock Long,
Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–14477 Filed 7–3–18; 8:45 am]

BILLING CODE 9111–52–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

RIN 0648–XF559

Fisheries of the Exclusive Economic Zone Off Alaska; Essential Fish Habitat Amendments

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

ACTION: Notification of agency decision.

SUMMARY: The National Marine Fisheries Service (NMFS) announces the approval of Amendment 115 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands Management Area, Amendment 105 to the FMP for Groundfish of the Gulf of Alaska, Amendment 49 to the FMP for Bering Sea/Aleutian Islands King and Tanner Crabs, Amendment 13 to the FMP for the Salmon Fisheries in the EEZ Off Alaska, and Amendment 2 to the FMP for Fish Resources of the Arctic Management Area, (collectively Amendments). These Amendments revise the FMPs by updating the description and identification of essential fish habitat (EFH), and updating information on adverse impacts to EFH based on the best scientific information available. This action is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act, the FMPs, and other applicable laws.

DATES: The amendments were approved on May 31, 2018.

ADDRESSES: Electronic copies of the Amendments, maps of the EFH areas, the Environmental Assessment (EA), and the Final EFH 5-year Summary Report (Summary Report) prepared for this action may be obtained from www.regulations.gov. The Summary Report is also available at ftp://ftp.library.noaa.gov/noaa_documents.lib/NMFS/TM_NMFS_AFKR/TM_NMFS_FAKR_15.pdf. The 2017 Impacts to Essential Fish Habitat from Non-fishing Activities in Alaska Report (Non-fishing Effects Report) is available at ftp://ftp.library.noaa.gov/noaa_documents.lib/NMFS/TM_NMFS_AFKR/TM_NMFS_FAKR_14.pdf. Stone (2014) is available at <https://spo.nmfs.noaa.gov/pp16.pdf>.

FOR FURTHER INFORMATION CONTACT: Megan Mackey, 907–586–7228.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that each regional fishery management council submit any FMP amendment it prepares to NMFS for review and approval, disapproval, or partial approval by the Secretary of Commerce. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP amendment, immediately publish a notification in the **Federal Register** announcing that the amendment is available for public review and comment.

The Notification of Availability for the Amendments was published in the **Federal Register** on March 5, 2018 (83 FR 9257), with a 60-day comment period that ended on May 4, 2018. NMFS received five comments during the public comment period on the Notification of Availability for the Amendments. NMFS is not disapproving any part of these amendments in response to these comments. NMFS summarized and responded to these comments under Comment and Responses, below.

NMFS determined that the Amendments are consistent with the Magnuson-Stevens Act and other applicable laws, and the Secretary of Commerce approved the Amendments on May 31, 2018. The March 5, 2018, Notification of Availability contains additional information on this action. No changes to Federal regulations are necessary to implement the Amendments.

The North Pacific Fishery Management Council (Council) prepared the FMPs under the authority of the Magnuson-Stevens Act, 16 U.S.C. 1801 *et seq.* Regulations governing U.S. fisheries and implementing the FMPs appear at 50 CFR parts 600, 679, and 680. Section 303(a)(7) of the Magnuson-Stevens Act requires that each FMP describe and identify EFH, minimize to the extent practicable the adverse effects of fishing on EFH, and identify other measures to promote the conservation and enhancement of EFH. The Magnuson-Stevens Act defines EFH as “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” Implementing regulations at § 600.815 list the EFH contents required in each FMP and direct regional fishery management councils to conduct a complete review of all EFH information at least once every five years (referred to here as “the 5-year review”).

The Council developed the Amendments as a result of new information available through the 5-year

review that began in 2014 (2015 5-year review) and adopted the Amendments in April 2017. The 2015 5-year review is the Council's third review of EFH in the FMPs. Prior 5-year reviews were conducted in 2005 and 2010. The Council recommended amendments to the description and identification of EFH in the FMPs with new information and improved mapping as described in the Summary Report for the 2015 5-year review (see **ADDRESSES**). The Council also recommended updates to EFH information based on the best available information in the Summary Report. The Council recommended updates to EFH for all FMPs except for the FMP for the Scallop Fishery off Alaska because no new information is available to update EFH descriptions for scallops.

The Amendments make the following changes to the FMPs:

- Amendment 115 to the FMP for Groundfish of the Bering Sea and Aleutian Island Management Area and Amendment 105 to the FMP for Groundfish of the Gulf of Alaska (Amendments 115/105) update the EFH descriptions for all managed species and update the identification of EFH for those managed species for which new population density or habitat suitability information is available. Sections 4.2.1 and 5.2.1 of the EA (see **ADDRESSES**) list the EFH updates that will be made for each species and life stage. Amendments 115/105 also update information in Appendix F to each FMP on adverse impacts to EFH based on the best scientific information available in the Summary Report (see **ADDRESSES**).

- Amendment 49 to the FMP for Bering Sea/Aleutian Islands King and Tanner Crabs updates the EFH descriptions for all managed species and updates the identification of EFH for those managed species for which new population density or habitat suitability information is available. Section 6.2.1 of the EA (See **ADDRESSES**) lists the EFH updates that will be made for each species and life stage. Amendment 49 also updates information in Appendix F to the FMP on adverse impacts to EFH based on the best scientific information available in the Summary Report (see **ADDRESSES**).

- Amendment 13 to the FMP for the Salmon Fisheries in the EEZ Off Alaska (Salmon FMP) replaces Appendix A, "Essential Fish Habitat (EFH) and Habitat Areas of Particular Concern (HAPC)," with a new Appendix A based on the best available information in the Summary Report (see **ADDRESSES**). Amendment 13 to the Salmon FMP updates the marine EFH descriptions for all salmon species and updates the identification of marine EFH for each

species and life stage for which new population density or habitat suitability information is available. Section 7.2.1 of the EA (see **ADDRESSES**) lists the EFH updates that will be made for each species and life stage. Amendment 13 also updates information in Appendix A on adverse impacts to EFH based on the best scientific information available in the Summary Report (see **ADDRESSES**).

- Amendment 2 to the FMP for Fish Resources of the Arctic Management Area updates the EFH descriptions for all managed species for which new information is available, and updates the identification of EFH for snow crab. Section 8.2.1 of the EA (See **ADDRESSES**) lists the EFH updates that will be made for each species and life stage. Amendment 2 also updates information in Appendix C on non-fishing impacts to EFH based on information available in the Non-fishing Effects Report (see **ADDRESSES**).

Comments and Responses

During the public comment period for the Notification of Availability for the Amendments, NMFS received five unique comments from five members of the public on the Amendments. NMFS received one comment that was not relevant to the Amendments. NMFS is not disapproving any part of these amendments in response to these comments. NMFS' responses to these comments are presented below.

Comment 1: Two commenters expressed general support for this action.

Response: NMFS acknowledges these comments.

Comment 2: Amendment 13 to the Salmon FMP, Appendix A, is inconsistent with the requirement to use the best science information available. It also fails to recognize adverse effects to salmon EFH, including recreational fishing, and does not include scientific reports that document adverse effects to salmon EFH.

Response: Appendix A to the Salmon FMP incorporates the best scientific information available from the Summary Report and the Non-fishing Effects Report (see **ADDRESSES**). The required information from the EFH final rule is also included in Appendix A.

Regarding the effects of recreational fishing on EFH, recreational fishing falls under non-Magnuson-Stevens Act (MSA) fishing activities that may adversely affect EFH (50 CFR 600.815(a)(3)). The regulations require FMPs to identify any fishing activities that are not managed under the Magnuson-Stevens Act that may adversely affect EFH, including fishing managed by state agencies or other

authorities. NMFS identified and addressed those activities in Section 2.3 of the Summary Report (see **ADDRESSES**). Section 2.3 of the Summary Report notes that the effects of non-Magnuson-Stevens Act fishing activities are covered within the discussion of fishing effects on habitat in the 2005 EFH EIS and remain valid. Therefore, the Summary Report does not provide additional analysis of the effects of non-MSA fishing activities on EFH.

Comment 3: The EA failed to use the best scientific information available. The EA did not use predictive habitat models, failed to disclose adverse impacts of fishing on EFH for FMP species whose EFH includes corals and slow-growing habitat features, and is not sufficiently precautionary.

Response: This comment can be divided into issues related to analysis of fishing impacts (Fishing Effects (FE) model) and issues related to the assessment of fishing activities that adversely affect EFH.

The FE model and how it was used to understand the effects of fishing on EFH is fully described in the EA in Appendix 7 (*The Fishing Effects Model Description*, see **ADDRESSES**).

Regarding the analysis of fishing impacts, the FE model incorporated a published, peer-reviewed literature review (see Grabowski *et al.* (2014) in Appendix 7 of the EA; see **ADDRESSES**) to estimate impact and recovery parameters, which included studies of fishing gear interactions with 26 categories of geological and biological substrates. NMFS is aware that information exists in the literature that provides additional information on the age of sensitive habitat types, including corals and sponges. The Grabowski *et al.* literature review included at least 10 Alaska-specific references.

The recovery times specified in the FE model are the average time to recovery, when about 50 to 60 percent of the features are expected to have recovered from a potential fishery impact. The recovery projected by the FE model is intended to reflect both the distribution of damage (not all features are completely removed or killed) and the variable time to recovery consistent with the limited literature available. The recovery times projected by the FE model are similar to those in the published peer review literature (Rooper (2011)),¹ which noted that mortality of 67% of the coral biomass at a site would recover to 80% of the original biomass

¹ Rooper, C.N., Wilkins, M.E., Rose, C.S. and Coon, C., 2011. Modeling the impacts of bottom trawling and the subsequent recovery rates of sponges and corals in the Aleutian Islands, Alaska. *Continental Shelf Research*, 31(17), pp.1827–1834.

after 34 years in the absence of further damage or removals.

The FE model includes an assessment of “long-lived species” habitat in cobble/boulder habitat deeper than 300 meters. The FE model accounts for corals, including sea pens, in mud and sand environments. Coral and other long-lived species are included in depths shallower than 300 meters as the “coral/seapen” feature. They are attributes of the sand and mud habitat categories regardless of depth. The FE model notes that based on a review of fishing activities in 2015, over 94 percent of area contacted by fishing gear was in sand and mud habitats. Sponges were a feature of all sediment types with the exception of mud, at all depths.

Predictive models were not used in the FE model because the distribution of both biological and geological features were linked to sediment types rather than specific features. The FE model accounts for both biological and geological features.

In April 2017, the SSC agreed with the conclusions of the FE model and agreed that, given current understanding of stock delineations, the effects of fishing on the EFH of fisheries species managed by the Council are minimal and temporary. The SSC also recognized that this FE model is the first of its kind and will benefit from continued research to refine the parameterization of the FE model. Currently the New England Fishery Management Council is working to modify the FE model to integrate fisheries data specific to New England.

Regarding the assessment of more than minimal and not temporary in nature, the EFH regulations instruct the Council to act to prevent, mitigate, or minimize any adverse effects from fishing, to the extent practicable, if there is evidence that a fishing activity adversely affects habitats that are necessary for spawning, breeding, feeding, or growth to maturity in a manner that is more than minimal and not temporary in nature (provide citation to regulation). Previous Council EFH reviews used the minimum stock size threshold (MSST) to determine if adverse effects were occurring. The Center of Independent Experts criticized this determination process during the 2010 5-year EFH review. In April 2016, the SSC recommended the EFH workgroup develop criteria for evaluating the impact of fishing effects on EFH in response to the review by the Center of Independent Experts. In

response, an assessment was presented to the Council’s crab and groundfish plan teams as well as the SSC at the Council’s October 2016 meeting (<http://nfmcc.legistar.com/gateway.aspx?M=F&ID=fc25a8ed-e85d-4579-a24b-860688bf3974.pdf>). The results from this assessment are incorporated in the FE model.

Stock assessment authors used the methodology developed by the EFH workgroup to assess the effects of fishing on the EFH of each Council-managed stock. The stock assessment authors evaluated the quantitative evidence for potential links between habitat impacts and a series of metrics representing spawning, feeding, breeding, and growth to maturity (see section 10.3.7 of the Summary Report; see **ADDRESSES**). The SSC concurred with the assessment authors’ findings that no stocks needed mitigation review at this time, but noted that if a more than minimal and not temporary impact had been detected, the process provided a clear avenue for research leading to a species-specific mitigation plan.

Comment 5: NMFS should include all fishing impacts (including recreational fishing), non-fishing impacts, impacts to coastal watersheds, a discussion of climate change, and address cumulative impacts in Appendix A to the Salmon FMP. In addition, NMFS should coordinate with state and local agencies when making decisions impacting EFH for salmon in Alaska.

Response: The effects of fishing on salmon EFH are addressed in Section A.4 of Appendix A to the Salmon FMP. See also NMFS’ response to Comment 4 above regarding the FE model analysis. NMFS analyzed non-fishing impacts (including watersheds and wetlands, and a discussion of climate change) in the Non-fishing Effects Report (see **ADDRESSES**). This report is referred to in Appendix A to the Salmon FMP. NMFS’ response to Comment 3 above **ADDRESSES** the effects of recreational fishing on EFH.

Cumulative impacts are addressed in Section A.6 of Appendix A. The cumulative effects of fishing and non-fishing activities on EFH were considered in the 2005 EFH EIS, but available information was not sufficient to assess how the cumulative effects of fishing and non-fishing activities influence the function of EFH on an ecosystem or watershed scale. The Non-fishing Effects Report contains additional information on the potential cumulative impacts of non-fishing

activities. For fishing impacts to EFH, the FE model provides an assessment of cumulative effects from fishing activities. Cumulative impacts are considered throughout the Summary Report.

Regarding coordination with the state and other agencies, NMFS works closely with the Council, which includes state and Federal agency representatives as well as industry representatives in a collaborative decision-making process for managing Federal fisheries. Coordination and consultation on EFH is required by section 305(b) of the Magnuson-Stevens Act. However, this consultation does not supersede the regulations, rights, interests, or jurisdictions of other Federal or state agencies. The Magnuson-Stevens Act requires NMFS to make conservation recommendations to Federal and state agencies regarding actions that may adversely affect EFH. These EFH conservation recommendations are advisory, not mandatory, and may include measures to avoid, minimize, mitigate, or otherwise offset the potential adverse effects to EFH. Within 30 days of receiving NMFS’ conservation recommendations, Federal action agencies must provide a detailed response in writing. The response must include measures proposed for avoiding, mitigating, or offsetting the impact of a proposed activity on EFH. State agencies are not required to respond to EFH conservation recommendations. If a Federal action agency chooses not to adopt NMFS’ conservation recommendations, it must provide an explanation. Examples of Federal action agencies that permit or undertake activities that may trigger EFH consultation include, but are not limited to, the U.S. Army Corps of Engineers, the Environmental Protection Agency, Bureau of Ocean Energy Management, the Federal Energy Regulatory Commission, and the Department of the Navy. The Non-fishing Effects Report contains non-binding recommendations for reasonable steps that could be taken to avoid or minimize adverse effects of non-fishing activities on EFH.

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

Dated: June 28, 2018.

Samuel. D Rauch, III,
*Deputy Assistant Administrator for
Regulatory Programs, National Marine
Fisheries Service.*

[FR Doc. 2018–14347 Filed 7–3–18; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 83, No. 129

Thursday, July 5, 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 THE INTERIOR

Bureau of Safety and Environmental Enforcement

30 CFR Part 250

[Docket ID: BSEE–2018–0002; 189E1700D2 ET1SF0000.PSB000; EEEE500000]

RIN 1014–AA39

Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control Revisions; Correction; Extension of Comment Period

AGENCY: Bureau of Safety and Environmental Enforcement, Interior.

ACTION: Proposed rule; correction and extension of public comment period.

SUMMARY: The Bureau of Safety and Environmental Enforcement (BSEE) is extending the comment period of the Proposed Rule: Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control-Revisions, which published in the **Federal Register** on May 11, 2018. BSEE is also correcting the **ADDRESSES** section of the preamble to the proposed rule to clarify how to submit public comments and how to view the documents proposed for incorporation by reference.

DATES: BSEE is extending the comment period of the proposed rule published in the **Federal Register** on May 11, 2018 (83 FR 22128) until August 6, 2018.

ADDRESSES:

- *Public comment:* You may submit comments on the rulemaking by the following methods. Please use the Regulation Identifier Number (RIN) 1014–AA39 as an identifier in your message. See also Public Availability of Comments under Procedural Matters.¹

¹ 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. In order for BSEE to withhold

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. In the entry titled Enter Keyword or ID, enter BSEE–2018–0002 then click search. Follow the instructions to submit public comments and view supporting and related materials available for this rulemaking. BSEE may post all submitted comments.

- Mail or hand-carry comments to the Department of the Interior (Department or DOI); Bureau of Safety and Environmental Enforcement; Attention: Regulations Development Section, 45600 Woodland Road, Sterling, Virginia 20166. Please reference “Blowout Preventer Systems and Well Control Revisions, 1014–AA39” in your comments and include your name and return address.

- *Documents incorporated by reference:* Access to the documents proposed for incorporation by reference can be obtained as follows:

- The American Petroleum Institute (API) provides free online public access to view read only copies of its key industry standards, including a broad range of technical standards. All API standards that are safety-related and that are incorporated into Federal regulations are available to the public for free viewing online in the Incorporation by Reference Reading Room on API’s website at: <http://publications.api.org>.² In addition to the free online availability of these standards for viewing on API’s website, hardcopies and printable versions are available for purchase from API. The API website address to purchase standards is: <http://www.api.org/products-and-services/standards/purchase>.

- The International Organization for Standardization (ISO) creates documents that provide requirements,

from disclosure your personal identifying information, you must identify any information contained in the submittal of your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequence(s) of the disclosure of information, such as embarrassment, injury, or other harm. 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.

²To view these standards online, go to the API publications website at: <http://publications.api.org>. You must then log-in or create a new account, accept API’s “Terms and Conditions,” click on the “Browse Documents” button, and then select the applicable category (e.g., “Exploration and Production”) for the standard(s) you wish to review.

specifications, guidelines, or characteristics that can be used consistently to ensure that materials, products, processes, and services are fit for their purposes. All ISO International Standards are available at the ISO Store for purchase, <https://www.iso.org/store.html>.

For the convenience of members of the viewing public who may not wish to purchase copies or view these incorporated documents online, they may be inspected at BSEE’s office, 45600 Woodland Road, Sterling, Virginia 20166, or by sending a request by email to regs@bsee.gov.

FOR FURTHER INFORMATION CONTACT: Kelly Odom, Regulations and Standards Branch, (703) 787–1775 or by email: regs@bsee.gov.

SUPPLEMENTARY INFORMATION: On May 11, 2018, BSEE published the proposed rule 1014–AA39 Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control-Revisions and opened the 60 day public comment period, which is currently scheduled to close on July 10, 2018. Upon further BSEE review of the published **ADDRESSES** section of the proposed rule preamble, we determined that the **ADDRESSES** section in the preamble was unclear regarding how to submit public comments and how to view the documents proposed for incorporation by reference. This notification corrects both of these issues in order to eliminate any potential confusion about the available methods for submitting public comments on the proposed rule and for viewing documents proposed for incorporation by reference. This notification clarifies the language in the **ADDRESSES** section of the proposed rule by adding bold headings and separating the section into two topics, Public comment and Documents incorporated by reference. The “Public comment” topic provides instructions for submitting comments via www.regulations.gov and now contains the address for submitting public comments by mail or for hand delivery to BSEE.

The “Documents incorporated by reference” topic is revised to include minor formatting edits and updates to the web address for purchasing API standards. This section still identifies the methods for viewing the documents proposed for incorporation by reference that are developed by API and ISO.

To see the changes to the **ADDRESSES** section of the proposed rule, refer to the **ADDRESSES** section of this notice.

Joseph R. Balash,

Assistant Secretary—Land and Minerals
Management, U.S. Department of the Interior.

[FR Doc. 2018–14483 Filed 7–2–18; 11:15 am]

BILLING CODE 4310–VH–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0648]

Regulated Navigation Area; Savannah River, Georgia

AGENCY: Coast Guard, DHS.

ACTION: Notice of public meeting;
request for comments.

SUMMARY: The Coast Guard announces a public meeting to receive comments on a proposal to revise a rule entitled “Regulated Navigation Area; Savannah River, Georgia”, which was published in the **Federal Register** on September 10, 2007 (72 FR 51555). The purpose of this public meeting is to determine the need to revise the regulated navigation area to address changes at the facility.

DATES: A public meeting will be held on Wednesday, July 25, 2018 from 10 a.m. to 12 p.m. to provide an opportunity for oral comments. Written comments and related material may also be submitted to Coast Guard personnel specified at that meeting. Comments and related material must be received by the Coast Guard on or before August 15, 2018.

ADDRESSES: The public meeting will be held at the Juliette Gordon Low Federal Building, 100 W Oglethorpe Avenue, First Floor, Marine Safety Unit Savannah Training Room, Savannah, GA 31401, telephone 912–652–4353. A valid government-issued photo identification will be required for entrance to the building, and all visitors are subject to security screenings.

This meeting is open to the public. Seating is limited, so please RSVP as soon as possible, but no later than July 15, 2018. Please fill out the RSVP form using the following link <https://einventions.afit.edu/inv/anim.cfm?i=407259&k=0661450B7E5E>.

You may submit written comments online by searching docket number USCG–2018–0648 using the Federal eRulemaking Portal at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: If you have questions concerning the

meeting or the proposed rule, please call or email LT Joseph Palmquist, Coast Guard; telephone 912–652–4353 ext.

221, email joseph.b.palmquist@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

We are announcing a public meeting to receive comments regarding the potential revision of the rule titled “Regulated Navigation Area; Savannah River, Georgia” that was published in the **Federal Register** on September 10, 2007 (72 FR 51555). That rule established a regulated navigation area around the Southern LNG facility on the Savannah River. Since the previous rule has been published, there have been changes both to the facility layout and to the types of vessels that make calls to the facility. The purpose of this public meeting is to determine the need to revise the regulated navigation area to address changes at the facility. We have received multiple requests and have concluded that a public meeting would aid in determining whether to propose a rulemaking. Therefore, we are publishing this notice.

You may view the current rule, 33 CFR 165.756, by going to <http://www.ecfr.gov>. Once there, click on “simple search”, insert “33” in the title number search box and “165.756” in the “search for” search box and click “submit search”. You may view comments submitted thus far by going to <http://www.regulations.gov>. Once there, insert “USCG–2018–0648” in the “Keyword” box and click “Search”.

We encourage you to participate by submitting comments either orally at the meeting or in writing. If you bring written comments to the meeting, you may submit them to Coast Guard personnel specified at the meeting to receive written comments. These comments will be submitted to our online public docket. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

Comments submitted after the meeting must reach the Coast Guard on or before August 15, 2018. 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.

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on

behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

II. Information on Service for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the public meeting, contact LT Joseph Palmquist at the telephone number or email address indicated under the **FOR FURTHER INFORMATION CONTACT** section of this notice.

III. Public Meeting

The Coast Guard will hold a public meeting to receive comments to potentially revise the rule titled “Regulated Navigation Area; Savannah River, Georgia” that was published in the **Federal Register** on September 10, 2007 (72 FR 51555). The meeting will take place on July 25, 2018 from 10 a.m. to 12 p.m. at Juliette Gordon Low Federal Building, 100 W Oglethorpe Avenue, First Floor, Marine Safety Unit Savannah Training Room, Savannah, GA 31401, telephone 912–652–4353. Please note that due to building security requirements, a valid government-issued photo identification will be required for entrance into the building. All visitors are subject to security screenings. There is no parking at the building; there are various parking garages that are within walking distance to the building.

Dated: June 28, 2018.

N.C. Witt,

Commander, U.S. Coast Guard Captain of
the Port Savannah.

[FR Doc. 2018–14356 Filed 7–3–18; 8:45 am]

BILLING CODE 9110–04–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2018–8; Order No. 4689]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a recent filing requesting the Commission initiate an informal rulemaking proceeding to consider changes to an analytical method for use in periodic reporting (Proposal Five). This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* August 22, 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:

Table of Contents

- I. Introduction
- II. Proposal Five
- III. Notice and Comment
- IV. Ordering Paragraphs

I. Introduction

On June 26, 2018, the Postal Service filed a petition pursuant to 39 CFR 3050.11, requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.¹ The Petition identifies the proposed analytical changes filed in this docket as Proposal Five.

II. Proposal Five

Background. The Postal Service states that it considered three related concerns when drafting Proposal Five. Petition, Proposal Five at 1. First, the Postal Service notes that, beginning January 1, 2018, the Universal Postal Union (UPU)² implemented "format" or shape based terminal dues.³ The UPU separates its letter post mailpieces into three formats: Small letters (format Petit (P)), large letters, also called "flats," (format Grand (G)), and bulky letters and small packets (format Encombrant (E)). *Id.* at 1–2. The recent change to the UPU terminal dues system applies separate terminal dues for the combined letter and flat (formats P and G) dispatches, format E dispatches, and for

¹ Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Five), June 26, 2018 (Petition). The Postal Service filed a non-public library reference with Proposal Five. Library Reference USPS–RM2018–8/NP1, Nonpublic Material Relating to Proposal Five, June 26, 2018; Notice of Filing of USPS–RM2018–8/NP1 and Application for Nonpublic Treatment, June 26, 2018.

² The UPU is a United Nations specialized agency comprising 192 member countries, including the United States. Member countries negotiate international agreements governing the exchange of international mail, including applicable rates for the delivery of international mail.

³ Petition, Proposal Five at 1. Terminal dues are also referred to as default UPU rates, because they apply in the absence of an agreement between or among postal operators establishing other rates.

dispatches that contain mailpieces from all three formats (Mixed).⁴

Second, the Postal Service states that Proposal Five addresses issues raised in the Postal Service's response to Chairman's Information Request No. 10, question 6 in Docket No. ACR2017.⁵ CHIR No. 10, question 6 requested the Postal Service to "identify and discuss the factors that increased processing, delivery, and other costs for Inbound Letter Post in [Fiscal Year (FY)] 2017."⁶ In its response to CHIR No. 10, question 6, the Postal Service discussed shape-based cost trends for a market dominant negotiated service agreement, Inbound Market Dominant PRIME Tracked Service Agreement, to explain the increased Inbound Letter Post cost. Responses to CHIR No. 10, question 6. CHIR No. 18 asked why the Postal Service did not incorporate the shape-based information into the Domestic Processing Model and the International Cost and Revenue Analysis (ICRA) report.⁷ In its response, the Postal Service explained that it could not apply the shape-based ratios developed for the financial workpapers for inbound international negotiated service agreements to the Domestic Processing Model or the ICRA report without additional data and development.⁸ The Postal Service indicated that it was investigating a shape-based approach to the Domestic Processing Model and planned to complete its investigation and file a proposal to incorporate a shape-based approach into the Domestic

⁴ *Id.* at 2. The UPU separates its member countries into four country groups (Groups I–IV) based on each member country's Gross National Income and the development of its postal system. Decisions of the 26th Congress other than those amending the Acts (resolutions, decisions, recommendations, formal opinions, etc.) (2017), Annex 2, Classification of countries and territories for terminal dues and Quality of Service Fund (QSF) purposes available at http://www.upu.int/uploads/tx_sdownload/actsLastCongressActsEn.pdf. Then the UPU separates these country groups into two systems (Target and Transition). Designated postal operators of Target System member countries that send large volumes of UPU Letter Post mailpieces are required to sort their UPU Letter Post mailpieces by shape (formats P and G dispatches and format E dispatches). Designated postal operators of smaller volume Target System member countries and Transition System member countries may opt to separate their UPU Letter Post mailpieces by shape.

⁵ *Id.* See Docket No. ACR2017, Responses of the United States Postal Service to Questions 1–7 of Chairman's Information Request No. 10, question 6, February 2, 2018 (Responses to CHIR No. 10).

⁶ Docket No. ACR2017, Chairman's Information Request No. 10 and Notice of Filing Under Seal, question 6, January 26, 2018 (CHIR No. 10).

⁷ Chairman's Information Request No. 18, question 1, February 13, 2018.

⁸ Responses of the United States Postal Service to Questions 1–2 of Chairman's Information Request No. 18, question 1, February 20, 2018 (Response to CHIR No. 18).

Processing Model and the ICRA report in FY 2018.⁹

Third, the Postal Service contends that Proposal Five responds to a directive in the FY 2017 Annual Compliance Determination report (ACD), Petition, Proposal Five at 3. In the FY 2017 ACD, the Commission directed the Postal Service to file an update on its investigation of using shape-based data to develop Inbound Letter Post costs within 90 days of the FY 2017 ACD, if the Postal Service had not yet filed a "rulemaking proposal to implement shape-based costing for Inbound Letter Post in the Domestic Processing Model and the ICRA."¹⁰

Proposal. The Postal Service states that Proposal Five will replace the current methodology with the development of separate inbound costs for letter and flats (formats P and G) and for bulky letters and small packets (format E). Petition, Proposal Five at 3. The Postal Service states that the ICRA report format will not change, but "the aggregated costs shown on the individual ICRA lines would be the sum of the separately-developed letter/flat-shape and packet-shaped costs." *Id.*

Rationale and impact. The Postal Service states that the current methodology does not align with what is now the UPU terminal dues structure. *Id.* Additionally, the Postal Service explains that the proposed methodology will provide better data from which the Commission may analyze the new UPU terminal dues rate structure and analyze the various components of the Inbound Letter Post product. *Id.* at 4. The Postal Service identifies the likely effects of Proposal Five on the development of the ICRA report in non-public Excel file "Attachment1.xls." The Postal Service provides cell-by-cell differences between the proposed methodology and the data provided in the ICRA as part of the Postal Service's annual compliance report for FY 2017. *Id.*

III. Notice and Comment

The Commission establishes Docket No. RM2018–8 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the Commission's website at <http://www.prc.gov>. Interested persons may submit comments on the Petition and Proposal Five no later than August 22, 2018. Pursuant to 39 U.S.C. 505, Katalin K. Clendenin is designated as an officer of the Commission (Public Representative) to represent the

⁹ Petition, Proposal Five at 2–3; see Response to CHIR No. 18, questions 1.a., 1.c.

¹⁰ *Id.* See Annual Compliance Determination Report, Fiscal Year 2017, March 29, 2018, at 69 (FY 2017 ACD).

interests of the general public in this proceeding.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2018–8 for consideration of the matters raised by the Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Five), filed June 26, 2018.

2. Comments by interested persons in this proceeding are due no later than August 22, 2018.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Katalin K. Clendenin to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

4. The Secretary shall arrange for publication of this Order in the **Federal Register**.

By the Commission.

Stacy L. Ruble,
Secretary.

[FR Doc. 2018–14367 Filed 7–3–18; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2018–7; Order No. 4685]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is noticing a recent filing requesting that the Commission initiate an informal rulemaking proceeding to consider changes to an analytical method for use in periodic reporting (Proposal Four). This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* July 23, 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:

Table of Contents

- I. Introduction
- II. Proposal Four
- III. Notice and Comment
- IV. Ordering Paragraphs

I. Introduction

On June 25, 2018, the Postal Service filed a petition pursuant to 39 CFR 3050.11, requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.¹ The Petition identifies the proposed analytical principles changes filed in this docket as Proposal Four.

II. Proposal Four

Background. Proposal Four would change the costing methodology for assigning expenses related to debit card transactions in the component named Retail Credit Card Fees (Component No. 126) in Cost Segment 13. Petition, Proposal Four at 1. Debit card transactions, which are purchases made using debit cards, incur fees that merchants pay to the debit card issuer.² For example, when a customer purchases a product or service from the Postal Service using a debit card, the Postal Service pays the debit card issuer a fee for each transaction.

In Docket No. RM2015–4, the Commission approved the current methodology for assigning expenses related to credit and debit card transactions.³ The current methodology treats these expenses as fully volume variable and assigns them to products in the same proportions as the Postal Service revenue realized from aggregate credit and debit card transactions. Petition, Proposal Four at 1. When preparing the FY 2017 Annual Compliance Report (ACR), the Postal Service explains that it recognized two flaws in the current methodology. *Id.* First, the current methodology uses the total of both credit and debit card fees

¹ Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Four), June 25, 2018 (Petition).

² One type of fee that may be incurred when using a debit card is an interchange fee, which is the largest categorical contributor to total debit card processing fees for a transaction. *Id.* at 5. A merchant pays an interchange fee to the debit card issuer whenever a customer makes a purchase using a debit card. See 12 CFR 235.2(j) (defining “interchange transaction fee” as “any fee established, charged, or received by a payment card network and paid by a merchant or an acquirer for the purpose of compensating an issuer for its involvement in an electronic debit transaction.”). The debit card fees referred to in the Petition and this Order are interchange fees.

³ Petition, Proposal Four at 1; see Docket No. RM2015–4, Order Approving Analytical Principle Used in Periodic Reporting (Proposal Eleven), February 9, 2015 (Order No. 2350).

when calculating distribution factors. *Id.* This assumes that transactions made with debit and credit cards are similar, which is not true for every product. *Id.* For example, Priority Mail generates more revenue from credit card purchases than debit cards. *Id.* Conversely, Money Orders cannot be purchased using credit cards. *Id.*

The Postal Service asserts that when calculating a distribution key, the type of card used (debit or credit) becomes more important because total credit card fees are almost four times greater than total debit card fees. *Id.* Because of this incorrect assumption, the current methodology misallocates expenses related to debit and credit card fees, especially for products that are more heavily purchased by one card type. *Id.*

The second flaw in the current methodology identified by the Postal Service is that the distribution factors do not fully align with actual expenses incurred from the usage of debit and credit cards. *Id.* at 2. For example, for Money Order transactions, the Postal Service charges the customer the face value of the Money Order plus a Special Services fee. *Id.* When calculating the Money Order share of total “revenue” for distribution purposes, the current methodology only considers the Special Services fee the Postal Service charges the customer. *Id.* The Postal Service asserts that this methodology is erroneous because the amount the Postal Service pays to the debit card provider is based on the entire transaction amount, including the face value of the money order, rather than just the Special Services fee charged. *Id.*

To address these two flaws in the current methodology, the Postal Service made two corrections to Library Reference USPS–FY17–32, which was filed with the FY 2017 ACR.⁴ First, the Postal Service separated credit and debit card fees to develop different sets of distribution factors for these fees. Petition, Proposal Four at 2. Second, the set of distribution factors for debit cards used the aggregate face value of Money Orders purchased with debit cards in conjunction with the revenue from all other products. *Id.*

In a supplemental Chairman's Information Request (CHIR) response, the Postal Service proposed a model attempting to account for the recognized major components of debit card fees.⁵ In the FY 2017 Annual Compliance

⁴ *Id.*; see Docket No. ACR2017, Library Reference USPS–FY17–32, December 29, 2017.

⁵ *Id.* at 2–3; see Docket No. ACR2017, Supplemental Response of the United States Postal Service to Question 1.b of Chairman's Information Request No. 2, February 23, 2018 (Response to CHIR No. 2, Question 1.b).

Determination (ACD), the Commission stated that the proposed model was not an approved methodology for attributing expenses related to debit card fees.⁶ It directed the Postal Service to continue investigating issues related to debit card fee attribution and update the Commission on its progress and any potential corresponding methodological changes within 90 days after the ACD was issued. FY 2017 ACD at 64. The Postal Service asserts that Proposal Four is a result of this investigation. Petition, Proposal Four at 3.

Proposal description. Proposal Four would change the methodology for assigning expenses related to debit card transactions (Debit Card Expenses). Proposal Four would disaggregate total Debit Card Expenses into two cost pools: Transactions and Proceeds. *Id.* The Transactions cost pool would account for Debit Card Expenses for regulated transactions, which have limits on debit card fee amounts based on Federal Reserve regulations. *Id.* at 3, 5. Unregulated transactions do not have these limits. *Id.* at 5.

To calculate the amount of Debit Card Expenses allocated to the Transactions cost pool, the Postal Service would first determine the number of regulated debit card transactions. *Id.* at 3. This is the total number of debit card transactions multiplied by the proportion of regulated transactions. The number of regulated transactions would then be multiplied by the approximate per-transaction cost to calculate the amount of Debit Card Expenses allocated to the Transactions cost pool.⁷ The remaining amount would be allocated to the Proceeds cost pool. Petition, Proposal Four at 4.

For example, in FY 2017, total Debit Card Expenses were approximately \$58.6 million. *Id.* at 3. Proposal Four would disaggregate these expenses between the Transactions cost pool and Proceeds cost pool. There were approximately 150 million debit card transactions, 65 percent of which were regulated. *Id.* at 3–4. The approximate per-transaction cost was 22 cents. *Id.* at 4. Thus, the Transactions cost pool would equal approximately \$21.3 million (150 million total debit card transactions × 65 percent regulated transactions × 22 cents per-transaction

cost). *Id.* The remaining amount of \$37.3 million (\$58.6 million – \$21.3 million) would be allocated to the Proceeds cost pool. *Id.*

Under Proposal Four, Debit Card Expenses in the Transactions cost pool would be assigned to products proportionally based on the number of tenders captured from the Retail Data Mart. *Id.* Debit Card Expenses in the Proceeds cost pool would be assigned to products in proportion to the total proceeds realized with debit cards, which is the same distribution key used under the current methodology. *Id.* The final Debit Card Expenses assigned to each product would be the sum total of the respective amounts from each cost pool. *Id.*

The Postal Service states that Proposal Four reflects the proposed model presented in Docket No. ACR2017. *Id.* However, it explains that Proposal Four differs by distinguishing between regulated and unregulated transactions. *Id.* By contrast, the proposed model assumed that all of the debit card transactions were regulated. *Id.*

Rationale. The Postal Service asserts that Proposal Four would improve the accuracy of its costing methods by more closely reflecting how debit card fees are incurred. *Id.* at 4–5. Debit card fees generally have two components: A fixed fee per transaction (regardless of transaction amount) and a variable fee that changes based on the transaction amount. Response to CHIR No. 2, Question 1.b. For regulated transactions, the Federal Reserve limits debit card fees to 22 cents per transaction (fixed fee) plus 0.05 percent of the transaction (variable fee).⁸ Proposal Four would account for the fixed debit card fees in the Transactions cost pool for regulated transactions. *Id.* The Proceeds cost pool would account for the variable debit card fees along with other fees, including fees for unregulated debit card transactions. *Id.*

The Postal Service asserts that Proposal Four would address a flaw in the current methodology. *Id.* at 6. The current methodology assigns all Debit Card Expenses to products in the same proportions as the Postal Service revenue realized from aggregate debit card transactions. *Id.* at 1. However, this methodology ignores the fixed “per-transaction” component of Debit Card Expenses.⁹ The current methodology

would be appropriate if all products had the same average revenue per transaction. Petition, Proposal Four at 6. Because they do not, products with below average revenues per transaction are assigned less than their appropriate share of the Debit Card Expenses related to the fixed fee. *Id.* Conversely, products with above average revenues per transaction are assigned more than their share of these expenses. *Id.*

For example, the average revenue per transaction for Money Orders is substantially higher than those of other products. *Id.* at 7. The Postal Service asserts that the current methodology overstated the Debit Card Expenses assigned to Money Orders in FY 2017. *Id.* at 6–7. The Postal Service points out that applying Proposal Four would have properly distinguished between the fixed per-transaction and residual components for regulated transactions, which would have resulted in a more accurate assignment of Debit Card Expenses to Money Orders. *Id.* at 7. The Transactions cost pool would account for the fixed per-transaction component of Debit Card Expenses. *See id.* at 4. The Postal Service concludes that adopting Proposal Four would improve the accuracy of its costing methods by more closely aligning with the way debit card fees are incurred. *Id.*

Impact. The Petition includes a table illustrating the cost impacts of Proposal Four. *Id.* at 7–8. This table compares the Debit Card Expenses distribution as presented in the FY 2017 ACR with the distributions that would have resulted if Proposal Four had been used. *Id.* at 7. The Postal Service explains that the most significant change to the cost coverages filed with the FY 2017 ACR would be to Money Orders, which would have experienced an increase in cost coverage under Proposal Four from 97 percent to approximately 107 percent. On a unit cost basis, the impact on all other products “would be either trivial or, in most instances, entirely immaterial.” *Id.* at 7–8. The Postal Service provides further details in workpapers filed with the Petition.¹⁰

III. Notice and Comment

The Commission establishes Docket No. RM2018–7 to consider matters raised by the Petition. More information on the Petition may be accessed via the Commission’s website at <http://www.prc.gov>. Interested persons may submit comments on the Petition and Proposal Four no later than July 23, 2018. Pursuant to 39 U.S.C. 505, Jennaca D. Upperman is designated as an officer

⁶ Docket No. ACR2017, Annual Compliance Determination, March 29, 2018, at 64 (FY 2017 ACD). The Commission’s rules require the Postal Service to use only accepted analytical principles in its annual periodic reports to the Commission, including the ACR. 39 CFR 3050.10.

⁷ *Id.* at 3–4. As discussed below, the “per-transaction” cost appears to refer to fixed debit card fees, which are the same for each transaction regardless of the transaction amount. *See* Response to CHIR No. 2, Question 1.b.

⁸ Petition, Proposal Four at 5. The 22 cent per-transaction cost includes one cent for fraud protection costs. *Id.*

⁹ *Id.* at 6. The “per-transaction” component appears to refer to fixed debit card fees, which are the same for each transaction regardless of the transaction amount. *See* Response to CHIR No. 2, Question 1.b.

¹⁰ *See* Petition, Excel file “Prop.4.Debit.Card.Attachment.xlsx.”

of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2018-7 to consider matters raised by the Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Four), filed June 25, 2018.

2. Comments by interested persons in this proceeding are due no later than July 23, 2018.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Jennaca D. Upperman to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

4. The Secretary shall arrange for publication of this Order in the **Federal Register**.

By the Commission,

Stacy L. Ruble,
Secretary.

[FR Doc. 2018-14349 Filed 7-3-18; 8:45 am]

BILLING CODE 7710-FW-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2017-0502; FRL-9980-32—Region 3]

Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a state implementation plan (SIP) revision submitted by the State of West Virginia. This revision pertains to West Virginia's Prevention of Significant Deterioration (PSD) program. This action is being taken under the Clean Air Act (CAA).

DATES: Written comments must be received on or before August 6, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R03-OAR-2017-0502 at <http://www.regulations.gov>, or via email to duke.gerallyn@epa.gov. For comments submitted at *Regulations.gov*, follow the online instructions for submitting

comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: David Talley, (215) 814-2117, or by email at talley.david@epa.gov.

SUPPLEMENTARY INFORMATION: On June 6, 2017, the West Virginia Department of Environmental Protection (WVDEP), on behalf of the State of West Virginia, submitted a revision to its PSD regulations found at title 45, chapter 14 of the Code of State Rules (CSR) as a revision to the West Virginia SIP.

I. Background

WVDEP's June 6, 2017 SIP submittal included a number of revisions to West Virginia's PSD regulations under 45CSR14. The revisions were largely non-substantive and administrative in nature. However, as discussed in subsequent sections of this notice, WVDEP's SIP submittal also contained revisions to PSD provisions relating to the regulation of greenhouse gases (GHGs). Additionally, WVDEP's June 6, 2017 submittal letter references EPA's conditional approval¹ of two SIP submittals (June 6, 2012 and July 1, 2014), related to the regulation of fine particulate matter (PM_{2.5}). Specifically, the letter states, “. . . EPA may subsequently issue a final rule in which West Virginia's conditional approval of the 2012 and 2014 SIP revisions of 45CSR14 will become final approvals.”² EPA notes that full and final approval has already been granted to West

Virginia's 2012 and 2014 submittals, and that there are no outstanding issues related to WVDEP's regulation of fine particulate matter (PM_{2.5}). See 81 FR 53008 (August 11, 2016).

In a June 3, 2010 final rulemaking action, EPA promulgated regulations known as “the Tailoring Rule,” which phased in permitting requirements for GHG emissions from stationary sources under the CAA PSD and title V permitting programs. See 75 FR 31514. For Step 1 of the Tailoring Rule, which began on January 2, 2011, PSD or title V requirements applied to sources of GHG emissions only if the sources were subject to PSD or title V “anyway” due to their emissions of non-GHG pollutants. These sources are referred to as “anyway sources.” Step 2 of the Tailoring Rule, which began on July 1, 2011, applied the PSD and title V permitting requirements under the CAA to sources that were classified as major, and, thus, required to obtain a permit, based solely on their potential GHG emissions. Step 2 also applied to modifications of otherwise major sources that required a PSD permit because they increased only GHGs above applicable levels in the EPA regulations.

On June 23, 2014, the United States Supreme Court, in *Utility Air Regulatory Group (UARG) v. Environmental Protection Agency*,³ issued a decision addressing the Tailoring Rule and the application of PSD permitting requirements to GHG emissions. The Supreme Court said that the EPA may not treat GHGs as an air pollutant for purposes of determining whether a source is a major source required to obtain a PSD permit. The Court also said that the EPA could continue to require that PSD permits, otherwise required based on emissions of pollutants other than GHGs, contain limitations on GHG emissions based on the application of Best Available Control Technology (BACT). The Supreme Court decision effectively upheld PSD permitting requirements for GHG emissions under Step 1 of the Tailoring Rule for “anyway sources” and invalidated PSD permitting requirements for Step 2 sources.

In accordance with the Supreme Court decision, on April 10, 2015, the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit) issued an amended judgment vacating the regulations that implemented Step 2 of the Tailoring Rule, but not the regulations that implement Step 1 of the

¹ See 80 FR 36483 (June 25, 2015).

² See WVDEP's June 6, 2017 submittal letter, included in the docket for this action.

³ See 134 S.Ct. 2427.

Tailoring Rule.⁴ The amended judgment preserves, without the need for additional rulemaking by the EPA, the application of the BACT requirement to GHG emissions from sources that are required to obtain a PSD permit based on emissions of pollutants other than GHGs (*i.e.*, the “anyway” sources). The D.C. Circuit’s judgment vacated the regulations at issue in the litigation, including 40 CFR 51.166(b)(48)(v), “to the extent they require a stationary source to obtain a PSD permit if greenhouse gases are the only pollutant (i) that the source emits or has the potential to emit above the applicable major source thresholds, or (ii) for which there is a significant emissions increase from a modification.”⁵

In response to these court decisions, EPA took final action on August 19, 2015 to remove the vacated elements from the federal PSD program. *See* 80 FR 50199. As discussed further in Section II of this notice, WVDEP’s June 6, 2017 submittal included revisions enacted in order to make WVDEP’s PSD program consistent with the federal program.

II. Summary of SIP Revision and EPA Analysis

WVDEP’s June 6, 2017 submittal included revisions to the definition of “subject to regulation” at subdivision 2.80 of 45–14–2. Specifically, subdivisions 2.80.e, 2.80.f, and 2.80.g were deleted in their entirety. These subdivisions were the mechanism through which WVDEP implemented the Tailoring Rule Step 2 provisions which were vacated and revised by EPA as a result of the *UARG v. EPA* decision discussed in Section I of this notice. WVDEP’s revised definition of “subject to regulation” is consistent with the federal definition at 40 CFR 51.166(b)(48)(v) and 52.21(b)(49)(v), and ensures that the preconstruction permitting requirements of WVDEP’s PSD program will be applied to GHG sources in a manner consistent with the Supreme Court decision in *UARG v. EPA*. Further, EPA finds that these deletions are in accordance with section 110(l) of the CAA because they will not interfere with any applicable requirement concerning attainment and reasonable further progress, or any other applicable CAA requirement.

In addition to the previously discussed revisions, WVDEP’s June 6, 2017 submittal included a number of non-substantive, clarifying or

administrative revisions. These include the filing date and effective date at subdivisions 45–14–1.3 and 45–14–1.4, and the removal of references to the deleted subdivisions discussed in Section II.A of this notice. WVDEP provided an underline/strikeout version of 45CSR14 so that all of the revisions can be tracked. A copy of this is included in the docket for today’s action.

III. Proposed Action

EPA is proposing to approve West Virginia’s June 6, 2017 SIP revision to its PSD regulations under 45CSR14. West Virginia’s June 6, 2017 SIP revision is consistent with 40 CFR 51.166, CAA section 110(a)(2), and is in accordance with section 110(l) of the CAA because it will not interfere with any applicable requirement concerning attainment and reasonable further progress, or any other applicable CAA requirement. EPA is soliciting public comments on the issues discussed in this rulemaking notice. These comments will be considered before taking final action.

IV. Incorporation by Reference

In this proposed rule, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference the West Virginia rules regarding definitions and permitting requirements discussed in Section II of this preamble. EPA has made, and will continue to make, these materials generally available through <http://www.regulations.gov> and at the EPA Region III Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735,

October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule, relating to the preconstruction requirements of West Virginia’s PSD program, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

⁴ *Coalition for Responsible Regulation v. EPA*, D.C. Cir., No. 09–1322, 06/26/20, judgment entered for No. 09–1322 on 04/10/2015.

⁵ *Id.*

Dated: June 21, 2018.

Cosmo Servidio,

Regional Administrator, Region III.

[FR Doc. 2018-14333 Filed 7-3-18; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2014-0701; FRL-9980-33-Region 3]

Air Plan Approval; District of Columbia; State Implementation Plan for the Interstate Transport Requirements for the 2008 Ozone Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a portion of the state implementation plan (SIP) revision submitted by the District of Columbia (the District) that pertains to the good neighbor and interstate transport requirements of the Clean Air Act (CAA) for the 2008 ozone national ambient air quality standards (NAAQS). The CAA's good neighbor provision requires EPA and states to address the interstate transport of air pollution that affects the ability of other states¹ to attain and maintain the NAAQS. Specifically, the good neighbor provision requires each state in its SIP to prohibit emissions that will significantly contribute to nonattainment, or interfere with maintenance, of a NAAQS in another state. The District has submitted a SIP revision that addresses the good neighbor provision for the 2008 ozone NAAQS. In this action, EPA is proposing to approve the District's SIP as having adequate provisions to meet the requirements of the good neighbor provision for the 2008 ozone NAAQS in accordance with section 110 of the CAA.

DATES: Written comments must be received on or before August 6, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R03-OAR-2014-0701 at <http://www.regulations.gov>, or via email to spielberger.susan@epa.gov. For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed

¹ The term state has the same meaning as provided in CAA section 302(d) which specifically includes the District of Columbia.

from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Ellen Schmitt, (215) 814-5787, or by email at schmitt.ellen@epa.gov.

SUPPLEMENTARY INFORMATION: On June 13, 2014, the District Department of the Environment (DDOE) on behalf of the District submitted a revision to its SIP to satisfy the requirements of section 110(a)(2), including 110(a)(2)(D)(i), of the CAA for the 2008 ozone NAAQS.

I. Background

On March 12, 2008, EPA revised the levels of the primary and secondary ozone standards from 0.08 parts per million (ppm) to 0.075 ppm (73 FR 16436). Ground level ozone is formed when nitrogen oxides (NO_x) and volatile organic compounds (VOCs) react in the presence of sunlight. NO_x and VOCs are referred to as ozone precursors and are emitted by many types of pollution sources, including motor vehicles, power plants, industrial facilities, and area wide sources, such as consumer products and lawn and garden equipment. Scientific evidence indicates that adverse public health effects occur following exposure to ozone. Section 110(a)(1) of the CAA requires states to submit, within three years after promulgation of a new or revised NAAQS, SIPs meeting the applicable elements of sections 110(a)(2).² Section 110(a)(2)(D)(i) generally requires SIPs to contain

² SIP revisions that are intended to meet the requirements of section 110(a)(1) and (2) of the CAA are often referred to as infrastructure SIPs and the elements under 110(a)(2) are referred to as infrastructure requirements.

adequate provisions to prohibit in-state emissions activities from having certain adverse air quality effects on other states due to interstate transport of air pollution. There are four prongs within section 110(a)(2)(D)(i) of the CAA; section 110(a)(2)(D)(i)(I) contains prongs 1 and 2, while section 110(a)(2)(D)(i)(II) includes prongs 3 and 4. Under section 110(a)(2)(D)(i)(I), also called the good neighbor provision, a state's SIP must contain adequate provisions to prohibit any source or other type of emissions activity within the state from emitting air pollutants that "contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to any such national primary or secondary ambient air quality standard." Under section 110(a)(2)(D)(i)(I) of the CAA, EPA gives independent significance to the matter of nonattainment (prong 1) and to that of maintenance (prong 2). Section 110(a)(2)(D)(i)(II) of the CAA requires SIPs to contain adequate provisions to prohibit emissions that will interfere with measures required to be included in the applicable implementation plan for any other state under part C to prevent significant deterioration of air quality (prong 3) or to protect visibility (prong 4). This proposed action addresses only prongs 1 and 2 of section 110(a)(2)(D)(i).³

Through the development and implementation of several previous rulemakings,⁴ EPA, working in partnership with states, established the four-step interstate transport framework to address the requirements of the good neighbor provision for ozone NAAQS.⁵ The four steps are: Step 1—Identify downwind receptors that are expected to have problems attaining or maintaining the NAAQS; step 2—determine which upwind states contribute enough to these identified downwind air quality problems to warrant further review and analysis; step 3—identify the emissions reductions necessary to prevent an identified upwind state from contributing significantly to those downwind air quality problems; and step 4—adopt permanent and

³ All the other infrastructure SIP elements for the District for the 2008 ozone NAAQS were addressed in a separate rulemaking. See 80 FR 19538 (May 13, 2015).

⁴ NO_x SIP Call. 63 FR 57356 (October 27, 1998); Clean Air Interstate Rule (CAIR). 70 FR 25162 (May 12, 2005); Cross-State Air Pollution Rule (CSAPR). 75 FR 48208 (August 8, 2011); and CSAPR Update. 81 FR 74504 (October 26, 2016).

⁵ The four-step interstate framework has also been used to address requirements of the good neighbor provision for some previous particulate matter (PM) NAAQS.

enforceable measures needed to achieve those emissions reductions.

The CAA gives EPA a backstop role to issue federal implementation plans (FIPs), as appropriate, for states that do not have good neighbor provisions approved in their SIP. To meet the Agency's backstop role for the 2008 ozone NAAQS, EPA finalized an update to the Cross-State Air Pollution Rule (CSAPR) ozone season program by issuing CSAPR Update on September 7, 2016 (81 FR 74504). CSAPR Update addresses the summertime (May–September) transport of ozone pollution in the eastern United States that crosses state lines to help downwind states and communities meet and maintain the 2008 ozone NAAQS.⁶ CSAPR Update uses the same framework used by EPA in developing the original CSAPR, EPA's transport rule addressing the 1997 ozone NAAQS as well as the 1997 and 2006 fine particulate matter (PM_{2.5}) NAAQS.⁷

In order to apply the first and second steps of the four-step interstate transport framework for the 2008 ozone NAAQS, EPA evaluated modeling projections for air quality monitoring sites in 2017 and considered current-at-the-time ozone monitoring data at these sites to identify receptors⁸ that are anticipated to have problems attaining or maintaining the 2008 ozone NAAQS. EPA then used air quality modeling to assess contributions from upwind states to these downwind receptors and evaluated the contributions relative to a screening threshold of one percent (1%) of the NAAQS. States with contributions that equaled or exceeded 1% of the NAAQS were identified as warranting further analysis for significant contribution to nonattainment or interference with maintenance. States with contributions below 1% of the NAAQS were considered to not significantly contribute to nonattainment or interfere with maintenance of the NAAQS in downwind states. In its CSAPR Update analysis for the final rule, EPA found that the District of Columbia did not contribute at or above the 1% threshold

to any downwind nonattainment receptor, but did contribute at or above the 1% threshold to one downwind maintenance receptor in Harford County, Maryland (210251001). Because of the District's linkage to a maintenance receptor, EPA continued to step 3 of the four-step framework, where EPA's analysis found no electric generating units (EGUs) in the District of Columbia, with the result that the District has no potential to reduce NO_x emissions from EGUs. At the time of CSAPR Update's final action, the District's June 13, 2014 SIP submission (addressing CAA section 110(a)(2)(D)(i), as well as all of 110(a)(2)), was still pending before the Agency. Given the then-pending SIP, the District's lack of EGUs, and EPA's overall assessment that non-EGU controls were neither cost-effective nor feasible by the 2017 implementation year for any states identified as linked to a downwind receptor, EPA did not issue FIP requirements for sources in the District as part of CSAPR Update. See 81 FR at 74553.

II. Summary of SIP Revision

On June 13, 2014, the District, through the DDOE, submitted a SIP revision to satisfy the requirements of section 110(a)(2) of the CAA for the 2008 ozone NAAQS. In this rulemaking action, EPA is approving the remaining portion of the District's June 13, 2014 submittal,⁹ which consists of prongs 1 and 2 found under section 110(a)(2)(D)(i)(I) of the CAA.

In its June 13, 2014 submittal, hereafter known simply as the submittal, the District identifies the implemented regulations within its SIP that limit NO_x and/or VOC emissions from District sources. The District indicates that there are no EGUs¹⁰ or other large industrial sources of NO_x emissions within the District. In the submittal, the District also included information on non-EGUs and mobile sources. Attachment A of the submittal lists the SIP-approved measures that help to reduce NO_x and VOC emissions from non-EGU and mobile sources within the District. The submittal is available in the docket for this rulemaking and available online at

www.regulations.gov, docket ID number EPA–R03–OAR–2014–0701. In the submittal, the District points out that it will continue to rely on federal measures to reduce NO_x emissions from onroad and nonroad engines. The District states its sources are already well controlled, and states further reductions beyond the District's current SIP measures are not economically feasible.

III. EPA Evaluation

EPA evaluated the submittal for the 2008 ozone NAAQS, considering: Ozone precursor emissions; an analysis of District source sectors; and in-place controls and regulations. The District was not linked to any nonattainment receptors with respect to the 2008 ozone NAAQS, and EPA has therefore already concluded that the District of Columbia will not significantly contribute to the nonattainment of the 2008 ozone NAAQS in another state. EPA consequently proposes to approve prong 1 of the District's submittal with regard to the 2008 ozone NAAQS.

However, for prong 2, because the District is among 11 states that were linked to the Harford County, Maryland maintenance receptor, EPA further evaluated emissions and sources in the District to determine if the District would interfere with maintenance of the NAAQS at the Harford receptor.

To better understand the District's ozone precursor emissions, EPA compared the data from the two most recent National Emissions Inventories (NEIs). Both total VOC and NO_x emissions were reduced between 2011 and 2014 and NO_x emissions are expected to be reduced even further by 2017. For example, the total NO_x emissions from within the District are projected to be 6,052 tons per year (tpy) in 2017, down from 9,402 tpy in 2011, based on the CSAPR Update 2017 base case emissions inventory.¹¹ A more detailed evaluation regarding District NO_x emissions is provided in the technical support document (TSD) for this action, located in www.regulations.gov, docket ID number EPA–R03–OAR–2014–0701.

In its review of the submittal, EPA also assessed the current NO_x and VOC emission sources in the District. There are no remaining EGUs as the District's last remaining EGU was decommissioned in 2012. The District's two largest emitters of NO_x, the U.S.

⁶ In CSAPR Update, EPA issued FIPs to address CAA section 110(a)(2)(D)(i) obligations for 22 eastern states, not including the District.

⁷ Key elements of the four-step interstate transport framework have been upheld by the Supreme Court in *EPA v. EME Homer City Generation, L.P.*, 134 S. Ct. 1584 (2014).

⁸ Within the CSAPR framework, the term “receptor” indicates a monitoring site. Under CSAPR Update, nonattainment receptors are downwind monitoring sites that are projected to have an average design value that exceed the NAAQS and that have a current monitored design value above the NAAQS, while maintenance receptors are downwind monitoring sites that are projected to have maximum design values that exceed the NAAQS.

⁹ On April 13, 2015 (80 FR 19538), EPA approved portions of the District's June 13, 2014 submittal for the 2008 ozone NAAQS addressing the following: CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M). In that action, EPA stated it would take later action on the portion of the June 13, 2014 SIP submittal addressing section 110(a)(2)(D)(i)(I) of the CAA.

¹⁰ The District's last remaining EGUs were decommissioned in 2012, in part to meet permit requirements incorporated into the District's Regional Haze SIP. 77 FR 5191 (February 2, 2012).

¹¹ CSAPR Update final rule TSD “Preparation of Emissions Inventories for the Version 6.3, 2011 Emissions Modeling Platform.” https://www.epa.gov/sites/production/files/2016-09/documents/2011v6_3_2017_emismod_tsd_aug2016_final.pdf.

General Services Administration's Central Heating and Refrigeration Plant and the U.S. Capital Power Plant, are subject to federally enforceable emissions limits that have already resulted in significant emission reductions of NO_x over the years as discussed in detail in EPA's TSD. Also discussed in the TSD, the District has a variety of other small non-EGU sources where emissions of NO_x and/or VOC are controlled through the District's SIP-approved regulations. These provisions and regulations include reasonably available control technology (RACT) for major stationary sources of NO_x and VOCs, and rules that limit nonpoint source VOC emissions. An in-depth review of these provisions and regulations, in addition to further information regarding the specific sources found in the District and their emissions are discussed in the TSD for this notice, located in www.regulations.gov, docket ID number EPA-R03-OAR-2014-0701. In the TSD, EPA also analyzed the feasibility of additional control options for District sources and determined that the District's relatively small to medium size point sources are already well controlled under the District's SIP and that there may be limited NO_x reduction cost-effectiveness in controlling these sources further in regards to interstate transport for the 2008 ozone NAAQS.

Due to the District's small number of sources and the high cost of further reductions as discussed in the TSD, EPA is proposing to determine that the District's SIP, as presently approved, contains adequate measures to prevent District sources from interfering with maintenance in another state for the 2008 ozone NAAQS.

IV. Proposed Action

EPA is proposing to approve the remaining portion of the June 13, 2014 District of Columbia SIP revision that addresses prongs 1 and 2 of the interstate transport requirements for section 110(a)(2)(D)(i)(I) for the 2008 ozone NAAQS in accordance with section 110 of the CAA for the reasons discussed in this rulemaking. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

In 2015, EPA approved the following infrastructure elements or portions thereof from the June 13, 2014 submittal: CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M). 80 FR 19538 (April 13, 2015).

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
 - Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866.
 - Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
 - Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
 - Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
 - Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
 - Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
 - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
 - Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
 - Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).
- In addition, this proposed rule, addressing the District of Columbia's interstate transport obligations for the 2008 ozone NAAQS, does not have

tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Volatile organic compounds.

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

Dated: June 19, 2018.

Cosmo Servidio,

Regional Administrator, Region III.

[FR Doc. 2018-14332 Filed 7-3-18; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2017-0441; FRL-9980-34-Region 3]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Infrastructure Requirements for the 2012 Fine Particulate Matter National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a state implementation plan (SIP) submission from Maryland addressing the infrastructure requirements of section 110 of the Clean Air Act (CAA) for the 2012 annual fine particulate matter (PM_{2.5}) National Ambient Air Quality Standard (NAAQS or standard). The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's responsibilities under the CAA. EPA is proposing to approve Maryland's submittal addressing the infrastructure requirements for the 2012 PM_{2.5} NAAQS in accordance with the requirements of section 110 of the CAA. **DATES:** Written comments must be received on or before August 6, 2018. **ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R03-OAR-2017-0441 at <http://www.regulations.gov>, or via email to spielberger.susan@epa.gov. For comments submitted at [Regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted,

comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Sara Calcinore, (215) 814–2043, or by email at calcinore.sara@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Particle pollution, also referred to as particulate matter (PM), is a complex mixture of small particles and liquid droplets suspended in the air, which causes adverse health effects and is the leading cause of visibility impairment in the United States. Particles with a diameter equal to or less than 2.5 microns referred to as fine particulate matter or PM_{2.5}, are either emitted directly into the atmosphere or are formed from the chemical reactions of precursor gases, such as sulfur dioxide (SO₂), nitrogen oxides (NO_x), certain volatile organic compounds (VOCs), and ammonia, in the atmosphere. SO₂ and NO_x are the primary precursors for the formation of PM_{2.5} and are emitted primarily from point sources as well as nonpoint, onroad, and nonroad sources.

On July 18, 1997, EPA promulgated a new 24-hour and a new annual NAAQS for PM_{2.5} (62 FR 38652). On October 17, 2006, EPA revised the NAAQS for PM_{2.5}, tightening the 24-hour PM_{2.5} standard from 65 micrograms per cubic meter (µg/m³) to 35 µg/m³, and retaining the annual PM_{2.5} NAAQS at 15 µg/m³ (71 FR 61144). Subsequently, on December 14, 2012, EPA revised the level of the health based (primary)

annual PM_{2.5} NAAQS to 12 µg/m³. See 78 FR 3086 (January 15, 2013).¹

Pursuant to section 110(a)(1), states must submit “within 3 years (or such shorter period as the Administrator may prescribe) after the promulgation of a national primary ambient air quality standard (or any revision thereof),” a plan that provides for the “implementation, maintenance, and enforcement” of such NAAQS. The statute directly imposes on states the duty to make these SIP submissions and the requirements to make the submissions is not conditioned upon EPA’s taking any action other than promulgating a new or revised NAAQS. Section 110(a)(2) includes a list of specific elements that “[e]ach such plan” submission must address. EPA commonly refers to such state plans as “infrastructure SIPs.”

II. Summary of SIP Revision and EPA Analysis

On August 18, 2016, the State of Maryland, through the Maryland Department of the Environment (MDE), formally submitted a SIP revision in order to satisfy the requirements of section 110(a) of the CAA for the 2012 PM_{2.5} NAAQS. The SIP submittal addressed the following infrastructure elements for the 2012 PM_{2.5} NAAQS: CAA section 110(a)(2)(A), (B), (C), (D)(i)(I), (D)(i)(II), D(ii), (E), (F), (G), (H), (J), (K), (L), and (M).

Maryland’s infrastructure SIP submittal did not address the following two elements of CAA section 110(a)(2): The portion of section 110(a)(2)(C) pertaining to permit programs, known as nonattainment new source review (NNSR), under part D of the CAA and section 110(a)(2)(I), referred to as “element (I),” pertaining to the nonattainment requirements of part D, title I of the CAA. According to the EPA guidance issued on September 13, 2013 (2013 Infrastructure Guidance),² the NNSR permitting program requirement of section 110(a)(2)(C) is to be addressed in a different SIP, therefore does not need to be addressed in this SIP revision. Section 110(a)(2)(I) is not required to be submitted by the 3-year submission deadline of CAA section

¹ In EPA’s 2012 PM_{2.5} NAAQS revision, EPA left unchanged the existing welfare (secondary) standards for PM_{2.5} to address particulate matter (PM) related effects such as visibility impairment, ecological effects, damage to materials, and climate impacts. This includes a secondary annual standard of 15 µg/m³ and a 24-hour standard of 35 µg/m³.

² “Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2),” Memorandum from Stephen D. Page, September 13, 2013.

110(a)(1) and will be addressed in a separate process if necessary.

EPA is proposing to approve Maryland’s August 18, 2016 infrastructure SIP submittal for the 2012 PM_{2.5} NAAQS. A detailed summary of EPA’s review and rationale for approving Maryland’s submittal may be found in the Technical Support Document (TSD) for this rulemaking action, which is available online at www.regulations.gov, Docket ID Number EPA–R03–OAR–2017–0441.

III. Proposed Action

EPA’s review of Maryland’s August 18, 2016 infrastructure SIP submittal for the 2012 PM_{2.5} NAAQS indicates that MDE’s August 18, 2016 submittal satisfies the infrastructure requirements of CAA section 110(a) for the 2012 PM_{2.5} NAAQS. Therefore, EPA is proposing to approve Maryland’s infrastructure SIP submittal for the 2012 PM_{2.5} NAAQS. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866.
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule, which proposes approval of Maryland's infrastructure SIP submittal for the 2012 PM_{2.5} NAAQS, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

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

Dated: June 19, 2018.

Cosmo Servidio,

Regional Administrator, Region III.

[FR Doc. 2018-14331 Filed 7-3-18; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 180130101-8101-01]

RIN 0648-BH57

Fisheries of the Northeastern United States; Northeast Skate Complex; Framework Adjustment 5 and 2018-2019 Specifications

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: This rulemaking proposes regulations to approve and implement measures submitted by the New England Fishery Management Council in Framework Adjustment 5 and 2018-2019 Specifications to the Northeast Skate Complex Fishery Management Plan. This action would implement 2018-2019 specifications, allow limited possession of barndoor skate in the skate wing fishery, and exempt vessels from some specific domestic skate regulations when fishing exclusively within the Northwest Atlantic Fisheries Organization Regulatory Area. The action is necessary to establish skate specifications to be consistent with the most recent scientific information, and improve management of the skate fisheries. This proposed action is intended to establish appropriate catch limits for the skate fishery and to provide additional operational flexibility to fishery participants.

DATES: Public comments must be received by August 6, 2018.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2018-0054, by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0054, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Michael Pentony, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930-2276. Mark the outside of the envelope: "Comments on Skate Framework Adjustment 5 and 2018-2019 Specifications."

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (*e.g.*, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to

remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

New England Fishery Management Council staff prepared an environmental assessment (EA) for Northeast Skate Complex Framework Adjustment 5 and 2018-2019 Specifications that describes the proposed action and other considered alternatives. The EA provides an analysis of the biological, economic, and social impacts of the proposed measures and other considered alternatives, a preliminary Regulatory Impact Review, and economic analysis. Copies of the Framework 5 EA are available on request from Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950. This document is also available from the following internet addresses: <http://www.nefmc.org> and www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0054.

FOR FURTHER INFORMATION CONTACT: Debra Lambert, Fishery Policy Analyst, (301) 427-8560.

SUPPLEMENTARY INFORMATION:

Background

The Northeast Skate Complex Fishery Management Plan (FMP), developed by the New England Fishery Management Council and implemented in 2003, manages a complex of seven skate species (barndoor, clearnose, little, rosette, smooth, thorny, and winter skate) off the New England and mid-Atlantic coasts. Skates are harvested and managed in two different fisheries: One for food (the wing fishery) and one for lobster bait (the bait fishery). Additional information on the skate fisheries can be found online at <https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/skate/index.html>.

The regulations implementing the Skate FMP at 50 CFR part 648, subpart O, outline the management procedures and measures for the skate fisheries. Specifications including the annual catch limit (ACL), annual catch target (ACT), total allowable landings (TAL) for the skate wing and bait fisheries, and possession limits may be specified for up to 2 years. The current specifications were implemented as part of Framework Adjustment 3 to the FMP and the 2016-2017 Specifications (81 FR 54744; August 17, 2016). The Council is required to develop new specification recommendations for the 2018 and 2019 fishing years. Though the 2018 fishing year began on May 1, 2018, the existing

specifications and possession limits remain in effect until they are replaced. In addition to recommending specifications, the Council has recommended to allow limited possession of barndoor skate given that the stock is now rebuilt, and to exempt vessels from domestic skate regulations when fishing exclusively within the Northwest Atlantic Fisheries Organization (NAFO) Regulatory Area, except for the prohibition on possessing, retaining, or landing prohibited species.

Proposed Specifications

In August 2017, the Council's Scientific and Statistical Committee reviewed updated information on the status of the 7 skate species and recommended an acceptable biological catch (ABC) of 31,327 mt for fishing years 2018 and 2019 (a slight increase from 31,081 mt in 2017). This ABC incorporates updated data from NMFS' trawl surveys and the new discard mortality estimate for winter skate in the sink gillnet fishery (14 percent, instead of the previously-assumed 50 percent). The ABC is based on the current default ABC control rule established in Amendment 3. The control rule uses the median catch/biomass ratio as an estimate of exploitation rate applied to the three-year moving average biomass index. For these specifications of ABC, that includes using the 2015–2017 spring survey data for little skate and the 2014–2016 fall survey data for the other managed skates.

Both the Skate Advisory Panel and the Skate Committee met in September 2017 to discuss the skate specifications, following procedures in Amendment 3 to the FMP. The ACL for the skate complex is set equal to the ABC, and the ACT is specified at 75 percent of the ACL to account for scientific and management uncertainty. After deducting amounts for projected dead discards and state landings, the remaining catch is allocated as the wing and bait fisheries TALs. The Advisory Panel and Committee recommended specification measures to the Council who, in turn, has made recommendations to NMFS. NMFS is proposing the following specifications for the skate fisheries in 2018–2019 as recommended by the Council:

1. An ABC and ACL of 31,327 mt;
2. An ACT at 23,495 mt (75 percent of the ACL);
3. A TAL of 8,749 mt for the wing fishery, that is divided into two seasons according to the current regulations at § 648.322. In Season 1 (May 1–August 31), the TAL will be 4,987 mt (57 percent), and the remainder of the TAL

allocated to Season 2 (September 1–April 30);

4. Status quo possession limits for the wing fishery, as defined in § 648.322(b): 2,600 lb (1,179 kg) of skate wings per trip in Season 1, and 4,100 lb (1,860 kg) of wings per trip in Season 2 for vessels fishing on a Northeast multispecies, monkfish, or scallop day-at-sea (DAS). The Northeast Multispecies Category-B DAS possession limit remains at 220 lb (100 kg) skate wings per trip, and incidental possession limit for vessels not on a DAS remains at 500 lb (227 kg) wings per trip;

5. A TAL of 4,408 mt for the bait fishery, that is divided into three seasons according to the current regulations at § 648.322. In Season 1 (May 1–July 31), the TAL will be 1,358 mt (30.8 percent); in Season 2 (August 1–October 31) the TAL will be 1,635 mt (37.1 percent); and the remainder of the TAL (1,415 mt) is allocated to Season 3 (November 1–April 30); and

6. Status quo possession limits for the bait fishery, as defined in § 648.322(c): The possession limit is 25,000 lb (11,340 kg) of whole skates per trip in Seasons 1 and 2, and 12,000 lb (5,443 kg) of whole skates per trip in Season 3, for vessels carrying a Skate Bait Letter of Authorization.

Proposed Measures To Allow Possession of Barndoor Skates

Possession and landing of barndoor skate has been prohibited since 2003, when the Northeast Skate Complex FMP was first implemented, as part of efforts to rebuild the stock. In response to NMFS' declaring the stock rebuilt in 2016, the Committee and Advisory Panel discussed options for allowing limited barndoor skate landings for vessels fishing for skate. The Council ultimately recommended allowing limited retention of barndoor skate in the wing fishery.

NMFS is proposing to establish the Council's recommended proportional possession limit that corresponds to the barndoor skate contribution (25 percent) of overall skate catch based on observer data. To derive the proportional barndoor skate limit, the Council examined data from all observed trips that landed skate wings from 2012 to 2016. For vessels fishing under a Northeast multispecies, scallop, or monkfish DAS, this would result in a barndoor skate possession limit of 650 lb (295 kg) wings in Season 1 and 1,025 lb (465 kg) wings in Season 2. The possession limits for barndoor skate wings are included within the overall wing possession limit (*i.e.*, total pounds of skate wings on board, including barndoor skate wings, are not allowed to

exceed 2,600 lb (1,179 kg) in Season 1 and 4,100 lb (1,860 kg) in Season 2). NMFS notes that the full barndoor wing possession limit may be realized, even if the full wing possession limit is not realized. For example, a vessel may possess 650 lb (295 kg) of barndoor skate wings in season 1, even if the vessel does not reach its full 2,600 lb (1,179 kg) possession limit.

Framework 5 did not directly specify the barndoor possession limit when an inseason adjustment of the skate wing possession limit for the directed wing fishery is needed and the wing possession limit is reduced to 500 lb (227 kg); see current 50 CFR 648.322(b)(2). The inseason adjustment of the possession limit is used to prevent the directed wing fishery from exceeding seasonal quotas. To ensure the fishery operates consistently when an inseason adjustment is necessary, NMFS applied the same proportionality used to derive the barndoor possession limit under the full skate wing possession limit for directed skate wing fisheries (*i.e.*, 25 percent of the wing possession limit) to specify the incidental barndoor skate wing possession limit. NMFS is proposing that when an incidental possession limit (500 lb (227 kg) of skate wings) is implemented, the possession limit for barndoor skate wings will be 125 lb (57 kg) (see proposed regulatory text at § 648.322(b)(3), below).

Framework 5 did not propose, discuss, or analyze options for allowing barndoor possession for vessels operating under other possession limits for skates, including: Vessels fishing for bait skate under a bait letter of authorization (§ 648.322(c)); vessels fishing under a Northeast multispecies Category B DAS (§ 648.322(b)); vessels fishing under the incidental skate possession limit for vessels not under a DAS (§ 648.322(b)); or when fishing in a Northeast multispecies DAS exemption program area that allows possession and landing of skate or skate parts (as specified in § 648.80(b)(3)(ii)) without a Northeast multispecies or monkfish DAS. Because barndoor possession under these scenarios was not explicitly proposed, considered, or analyzed, NMFS is not proposing to allow vessels operating under the above mentioned scenarios to possess barndoor skates. NMFS seeks comments and input on the proposal to not allow barndoor skate possession and landing by these incidental fisheries that do not operate under the "directed" fishery landing provisions.

Framework 5 also proposes that the body of any skate species already "winged" may not be discarded in order

to land barndoor skates (*i.e.*, no high-grading). NMFS considers that the intent of this provision is to prevent high-grading by prohibiting the discarding of skate wings, as opposed to skate bodies, in order to land barndoor skate. The current regulations at § 648.322(b)(4) allow skate bodies to be discarded at sea. NMFS agrees that high-grading is a wasteful practice and should be discouraged; however, it will be difficult to determine if a vessel discarded skate wings of one species at sea with the intention of landing barndoor skate wings. Therefore, we propose prohibiting the discarding of any skate wings when barndoor is in possession. NMFS expects this measure to capture the intent of the no high-grading provision within Framework 5 and seeks comments on this measure.

Lastly, NMFS is proposing that barndoor skate wings and carcasses on board a vessel that is subject to barndoor possession limits must be separated from other species of fish and stored so as to be readily available for inspection. This provision was not part of Skate Framework 5, but NMFS determined it is necessary to aid in the enforcement of barndoor possession limits. This provision is being proposed under the authority of section 305(d) of the Magnuson-Stevens Act. Similar separation provisions exist in other fisheries; for example, scallop dredge vessels that are permitted to possess a limited amount of haddock must separate the haddock from other species on board (see § 648.86(a)(2)(iii)). We are seeking comments on this provision and input as to whether this provision will aid in compliance and enforcement and if it will be logistically challenging for vessels to keep barndoor skate separate from other species on board.

Northwest Atlantic Fisheries Organization Regulatory Area Exemption Program

At their September 2017 meeting, the Council agreed to add the NAFO Regulatory Area exemption program into Framework 5 in response to public comment. The Council took final action to approve the NAFO exemption at their December 2017 meeting. Framework 5 proposes to exempt vessels from domestic skate regulations when fishing exclusively within the NAFO Regulatory Area, except for the prohibition on possessing, retaining, or landing prohibited species. U.S. vessels fishing in the NAFO Regulatory Area are currently exempt from domestic Northeast multispecies and monkfish permit, mesh size, effort-control, and possession limit restrictions (see § 648.17). U.S. vessels in the NAFO area

are largely targeting yellowtail flounder and Atlantic halibut, and exempting these vessels from domestic skate regulations would provide them additional flexibility to retain and land skates in the United States. NAFO specifies an annual quota for skates (in 2018 the quota is 258 mt), and that quota is not allocated to particular countries; access to skates is on a first come, first served basis. The NAFO-specified incidental possession limit for skates is 2,500 kg or 10 percent of the total catch retained; when the skate quota has been reached, the incidental possession limit drops to 1,250 kg or 5 percent of total catch retained.

NMFS is proposing that vessels fishing under a High Seas Permit within the NAFO Regulatory Area are exempt from domestic skate permit and possession limit restrictions. However, vessels will not be exempt from the prohibition on possessing, retaining, or landing prohibited skate species specified in §§ 648.14(v) and 648.322(g). Barndoor skate is currently a prohibited species but, as described above, NMFS is proposing through this action to allow a limited amount of barndoor skate possession within the directed wing fishery. Therefore, we are proposing that U.S. vessels fishing in the NAFO Regulatory Area be allowed to possess barndoor skate consistent with the NAFO-established incidental possession limits, but are not exempt from the prohibition on possessing, retaining, or landing other prohibited skate species (*i.e.*, thorny skate and smooth skates) specified in §§ 648.14(v) and 648.322(g). Further, the skate catch from the NAFO Regulatory Area would not count against domestic skate TALs. To be eligible for this proposed exemption, vessels would be required to: Have on board a letter of authorization (LOA) issued by the Regional Administrator; except for transiting purposes, fish exclusively in the NAFO Regulated Area and not harvest fish in, or possess fish harvested from, the exclusive economic zone (EEZ); ensure all gear is properly stowed and not available for immediate use when transiting the EEZ; and comply with all High Seas Fishing Compliance Permit and NAFO Conservation and Enforcement Measures while fishing in the NAFO Regulated Area (§ 648.17(b)).

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has made a preliminary determination that this proposed rule is consistent with the FMP, Framework 5, provisions of the Magnuson-Stevens Act, and other

applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that this proposed rule, if adopted, would not have a significant economic effect on a substantial number of small entities. The factual basis for this determination is as follows.

The purpose of this action was previously outlined in the preamble to this proposed rule and is not repeated here. As proposed, the TALs for the wing fishery and bait fishery would increase slightly. This action, if implemented, would provide additional flexibility and opportunities in the fishery by slightly increasing TALs, allowing limited landings of barndoor skate under certain specific circumstances, and by allowing vessels fishing exclusively within the NAFO Regulatory Area the opportunity to retain and land skate in the United States.

The action would impact vessels or affiliated groups that hold Federal skate permits and participate in skate fisheries, and vessels that fish in the NAFO Regulatory Area. The Council's analysis of 2015 data indicates that the skate fishery had 329 affiliated groups with single permits, and another 89 vessels belonged to affiliated groups that hold 2 or more permits. Because only two vessels participated in the NAFO Regulated Area recently, a quantitative analysis cannot be reported for those vessels because of confidentiality requirements. In addition, because possession of barndoor skates has been prohibited since 2003, the number of vessels that would land barndoor skate and the amount of landings is unknown and cannot be quantitatively analyzed. It is difficult to quantitatively analyze the economic impacts of increasing TALs, as economic impacts would have to be compared against 2015 fishing year data (the last year in which the incidental possession limit was not imposed) when TALs were higher than 2016 and 2017 levels, and proposed 2018 levels. Therefore, a qualitative analysis is described below.

For Regulatory Flexibility Act (RFA) purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see § 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently

owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of \$11.0 million for all its affiliated operations worldwide. The determination as to whether the entity is large or small is based on a 3-year average of annual revenue.

Affiliate data are assembled by NMFS, as of June 1st each year, for analysis required by the RFA. During fishing year 2015, 371 regulated entities landed skates; 369 entities were small and 2 were large. All 371 entities could be directly regulated by this proposed action.

This action, which proposes to slightly increase TALs relative to the 2017 fishing year, allows landing of barndoor skate in the directed skate wing fishery, and allows vessels fishing exclusively within the NAFO Regulatory Area the opportunity to retain and land skate in the United States, would result in increased economic opportunity to regulated entities by providing fishermen with additional fishing opportunities and enhance their operational flexibility. This action is not expected to have a significant economic impact on a substantial number of small entities. The effects on the regulated small entities in this analysis are expected to be positive relative to the no action alternative. Under the proposed action, small entities would not be placed at a competitive disadvantage relative to large entities, and the regulations would not reduce profits for any small entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

This rulemaking would not establish any new reporting or record-keeping requirements.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: June 28, 2018.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 648 is proposed to be amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 1. The authority citation for part 648 continues to read as follows:

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

■ 2. In § 648.14, revise paragraphs (v)(2) and (v)(4) to read as follows:

§ 648.14 Prohibitions.

* * * * *

(v) * * *

(2) *All Federal permit holders.* It is unlawful for any owner or operator of a vessel holding a valid Federal permit to do any of the following:

(i) Retain, possess, or land thorny skates taken in or from the EEZ portion of the skate management unit specified at § 648.2.

(ii) Retain, possess, or land barndoor skates taken in or from the EEZ portion of the skate management unit when fishing under a bait letter of authorization as described in § 648.322(c); when fishing under a NE multispecies Category B DAS as described under § 648.322(b); when fishing under the incidental skate possession limit for vessels not under a DAS as described in § 648.322(b)(4); or when fishing in a NE multispecies DAS exemption program that allows the possession of skate or skate parts in an amount not to exceed 10 percent by weight of all other species on board, as specified in § 648.80(b)(3)(ii), without a NE multispecies or monkfish DAS.

(iii) Discard any skate wings when in possession of barndoor skate wings.

(iv) Retain, possess, or land smooth skates taken in or from the GOM RMA described at § 648.80(a)(1)(i).

* * * * *

(4) *Presumption.* For purposes of this part, the following presumption applies: All skates retained or possessed on a vessel are deemed to have been harvested in or from the Skate Management Unit, unless the preponderance of evidence demonstrates that such skates were harvested by a vessel, that has not been issued a Federal skate permit, fishing exclusively outside of the EEZ portion (such as fishing within the NAFO Regulatory Area under § 648.17(a)(3)) of the skate management unit or only in state waters.

* * * * *

■ 3. In § 648.17, add paragraph (a)(3) to read as follows:

§ 648.17 Exemptions for vessels fishing in the NAFO Regulatory Area.

(a) * * *

(3) *Skates.* A vessel issued a valid High Seas Fishing Compliance Permit under part 300 of this title and that complies with the requirements specified in paragraph (b) of this section is exempt from skate permit and possession limit restrictions, specified in §§ 648.4, and 648.322, respectively, and from Atlantic sea scallop, NE multispecies, or monkfish DAS effort control restrictions specified in

§§ 648.53, 648.82, and 648.92, respectively, and from mesh size and gear restrictions specified in §§ 648.51, 648.80, and 648.91, respectively, while transiting the EEZ with skates on board the vessel, or landing skates in U.S. ports that were caught while fishing in the NAFO Regulatory Area. These vessels may possess, retain, and land barndoor skate; however, they may not possess, retain, or land other prohibited skate species specified in §§ 648.14(v) and 648.322(g).

* * * * *

■ 4. In § 648.80, revise paragraph (b)(3)(ii) to read as follows:

§ 648.80 NE Multispecies regulated mesh areas and restrictions on gear and methods of fishing.

* * * * *

(b) * * *

(3) * * *

(ii) *Possession and net stowage requirements.* Vessels may possess regulated species while in possession of nets with mesh smaller than the minimum size specified in paragraphs (a)(4) and (b)(2) of this section when fishing in the SNE Exemption Area defined in paragraph (b)(10) of this section, provided that such nets are stowed and are not available for immediate use as defined in § 648.2, and provided that regulated species were not harvested by nets of mesh size smaller than the minimum mesh size specified in paragraphs (a)(4) and (b)(2) of this section. Vessels fishing for the exempted species identified in paragraph (b)(3)(i) of this section may also possess and retain the following species, with the restrictions noted, as incidental take to these exempted fisheries: Conger eels; sea robins; black sea bass; red hake; tautog (blackfish); blowfish; cunner; John Dory; mullet; bluefish; tilefish; longhorn sculpin; fourspot flounder; alewife; hickory shad; American shad; blueback herring; sea raven; Atlantic croaker; spot; swordfish; monkfish and monkfish parts—up to 10 percent, by weight, of all other species on board or up to 50 lb (23 kg) tail-weight/166 lb (75 kg) whole weight of monkfish per trip, as specified in § 648.94(c)(4), whichever is less; American lobster—up to 10 percent, by weight, of all other species on board or 200 lobsters, whichever is less; and skate and skate parts (except for barndoor skate and other prohibited skate species (see §§ 648.14(v)(2) and 648.322(g))—up to 10 percent, by weight, of all other species on board.

* * * * *

■ 5. In § 648.322, revise paragraphs (b) and (g) to read as follows:

§ 648.322 Skate allocation, possession, and landing provisions.

* * * * *

(b) *Skate wing possession and landing limits.* (1) *Vessels fishing under an Atlantic sea scallop, NE multispecies, or monkfish DAS.* (i) A vessel or operator of a vessel that has been issued a valid Federal skate permit under this part, and fishes under an Atlantic sea scallop, NE multispecies, or monkfish DAS as specified at §§ 648.53, 648.82, and 648.92, respectively, unless otherwise exempted under § 648.80 or paragraph (c) of this section, may fish for, possess, and/or land up to the allowable trip limits specified as follows: Up to 2,600 lb (1,179 kg) of skate wings (5,902 lb (2,677 kg) whole weight) per trip in Season 1 (May 1 through August 31), and 4,100 lb (1,860 kg) of skate wings (9,307 lb (4,222 kg) whole weight) per trip in Season 2 (September 1 through April 30), or any prorated combination of the allowable landing forms defined at paragraph (b)(5) of this section.

(ii) When fishing under the possession limits specified in paragraph (b)(1)(i) of this section, a vessel is allowed to possess and land up to 650 lb (295 kg) of barndoor skate wings (1,476 lb (670 kg) whole weight) per trip in Season 1, and 1,025 lb (465 kg) of barndoor skate wings (2,327 lb (1,056 kg) whole weight) per trip in Season 2. The possession limits for barndoor skate wings are included within the overall possession limit (*i.e.*, total pounds of skate wings on board, including barndoor skate wings, are not allowed to exceed 2,600 lb in Season 1 and 4,100 lb in Season 2). Vessels are prohibited from discarding any skate wings when in possession of barndoor skate wings. Barndoor skate wings and carcasses on board a vessel subject to this possession limit must be separated from other species of fish and stored so as to be readily available for inspection.

(2) *NE multispecies Category B DAS.* A vessel fishing on a declared NE multispecies Category B DAS described under § 648.85(b), is limited to no more than 220 lb (100 kg) of skate wings (500 lb (227 kg) whole weight) per trip, or any prorated combination of the allowable landing forms defined at paragraph (b)(5) of this section. These vessels may not possess or land barndoor skate, or any other prohibited skate species (see §§ 648.14(v)(2) and 648.322(g)).

(3) *In-season adjustment of skate wing possession limits.* The Regional Administrator has the authority, through a notice in the **Federal Register** consistent with the Administrative Procedure Act, to reduce the skate wing possession limit to 500 lb (227 kg) of

skate wings (1,135 lb (515 kg) whole weight) or any prorated combination of the allowable landing forms defined at paragraph (b)(5) of this section) for the remainder of the applicable quota season. When the incidental possession limit is implemented, a vessel is allowed to possess and land up to 125 lb (57 kg) of barndoor skate wings (284 lb (129 kg) whole weight) per trip. The possession limits for barndoor skate wings are included within the overall possession limit (*i.e.*, total pounds of skate wings on board, including barndoor skate wings, are not allowed to exceed 500 lb). Vessels are prohibited from discarding any skate wings when in possession of barndoor skate wings. Barndoor skate wings and carcasses on board a vessel subject to this possession limit must be separated from other species of fish and stored so as to be readily available for inspection. The in-season adjustment of skate wing possession limits will be implemented under the following circumstances:

(i) When 85 percent of the Season 1 skate wing quota is projected to be landed between May 1 and August 17, the Regional Administrator shall reduce the skate wing possession limit to the incidental level described in paragraph (b)(3) of this section.

(ii) When 85 percent of the Season 1 skate wing quota is projected to be landed between August 18 and August 31, the Regional Administrator may reduce the skate wing possession limit to the incidental level described in paragraph (b)(3) of this section.

(iii) When 85 percent of the annual skate wing fishery TAL is projected to be landed in Season 2, the Regional Administrator may reduce the skate wing possession limit to the incidental level described in this paragraph, unless such a reduction would be expected to prevent attainment of the annual TAL.

(4) *Incidental possession limit for vessels not under a DAS.* A vessel issued a Federal skate permit that is not fishing under an Atlantic sea scallop, NE multispecies, or monkfish DAS as specified at §§ 648.53, 648.82, and 648.92, respectively, or is a limited access multispecies vessel participating in an approved sector described under § 648.87 but not fishing on one of the DAS specified at §§ 648.53, 648.82, or 648.92, may retain up to 500 lb (227 kg) of skate wings or 1,135 lb (515 kg) of whole skate, or any prorated combination of the allowable landing forms defined at paragraph (b)(5) of this section. These vessels may not possess or land barndoor skate, or any other prohibited skate species (see §§ 648.14(v)(2) and 648.322(g)).

(5) *Allowable forms of skate landings.* Except for vessels fishing under a skate bait letter of authorization as specified at § 648.322(c), a vessel may possess and/or land skates as wings only (wings removed from the body of the skate and the remaining carcass discarded), wings with associated carcasses possessed separately (wings removed from the body of the skate but the associated carcass retained on board the vessel), or in whole (intact) form, or any combination of the three, provided that the weight of the skate carcasses on board the vessel does not exceed 1.27 times the weight of skate wings on board. When any combination of skate wings, carcasses, and whole skates are possessed and/or landed, the applicable possession or landing limit shall be based on the whole weight limit, in which any wings are converted to whole weight using the wing to whole weight conversion factor of 2.27. For example, if the vessel possesses 100 lb (45.4 kg) of skate wings, the whole weight equivalent would be 227 lb (103.0 kg) of whole skates (100 lb (45.4 kg) × 2.27), and the vessel could possess up to 127 lb (57.6 kg) of skate carcasses (100 lb (45.4 kg) of skate wings × 1.27). A vessel may not possess and/or land skate carcasses and only whole skates.

* * * * *

(g) *Prohibitions on possession of skates.* A vessel fishing in the EEZ portion of the Skate Management Unit may not:

(1) Retain, possess, or land thorny skates taken in or from the EEZ portion of the Skate Management Unit.

(2) Retain, possess, or land barndoor skates taken in or from the EEZ portion of the skate management unit when fishing under a bait letter of authorization as described in § 648.322(c); when fishing under a NE multispecies Category B DAS as described under § 648.322(b); when fishing under the incidental skate possession limit for vessels not under a DAS as described in § 648.322(b)(4); or when fishing in a NE multispecies DAS exemption program that allows the possession of skate or skate parts in an amount not to exceed 10 percent by weight of all other species on board, as specified in § 648.80(b)(3)(ii), without a NE multispecies or monkfish DAS.

(3) Discard any skate wings when in possession of barndoor skate wings.

(4) Retain, possess, or land smooth skates taken in or from the GOM RMA described at § 648.80(a)(1)(i).

[FR Doc. 2018-14348 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-22-P

Notices

Federal Register

Vol. 83, No. 129

Thursday, July 5, 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

Forest Service

Notice of Proposed New Fee Sites; Federal Lands Recreation Enhancement Act

AGENCY: Forest Service.

ACTION: Notice of proposed new fee sites.

SUMMARY: The National Forests in Florida are proposing to charge new fees at four campgrounds for \$10 per night and one day use area for \$5 per vehicle. All sites have recently been reconstructed, or amenities are being added to improve services and experiences. Fees are assessed based on the level of amenities and services provided, cost of operation and maintenance, market assessment, and public comment. Funds from fees would be used for the continued operation and maintenance of these recreation sites.

DATES: Send any comments about these fee proposals by August 6, 2018 so comments can be compiled, analyzed and shared with a Recreation Resource Advisory Committee. New fees would begin after July 2018.

ADDRESSES: Kelly Russell, Forest Supervisor, National Forests in Florida, 325 John Knox Road, Suite F-100, Tallahassee, FL 32303.

FOR FURTHER INFORMATION CONTACT: Erika Davis, Recreation, Heritage, Engineering, Lands & Minerals Staff Officer, 850-523-8569. Information about proposed fee changes can also be found on the National Forests in Florida website: <http://www.fs.usda.gov/florida>.

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108-447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established.

The campgrounds proposed for new fees are:

- Wood Lake Campground and Boat Landing on the Apalachicola National Forest.
 - Cobb Camp, West Tower Campground, and Wiggins Campground on the Osceola National Forest.
- Improvements at these sites include designating campsites, installing fire rings, picnic tables and adding garbage service. Improvements address sanitation and safety concerns, as well as deteriorating resource conditions and recreation experiences. Wood Lake Boat Landing is the day use site proposed at \$5 per vehicle. The America the Beautiful, National Parks and Federal Recreational Lands passes would be accepted at these sites. Once public involvement is complete, these new fees will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation.

Dated: May 17, 2018.

Glenn Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2018-14404 Filed 7-3-18; 8:45 am]

BILLING CODE 3411-15-P

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Proposed New Fee Sites; Federal Lands Recreation Enhancement Act

AGENCY: Francis Marion & Sumter National Forests, USDA Forest Service.

ACTION: Notice of proposed new fee sites.

SUMMARY: The Francis Marion & Sumter National Forests in South Carolina are proposing to charge new fees at eight rifle range facilities: Cedar Creek, Indian Creek, Fairforest, Leeds, Philson Crossroads, Beaver Dam Creek, Candy Branch and Boggy Head Rifle Ranges. All sites have recently been reconstructed to improve services and experiences. The proposed new fees to help maintain these sites would be \$5 per person per day or \$40 per person per year. Fees are assessed based on the level of amenities and services provided, cost of operation and maintenance, market assessment, and public comment.

DATES: Send any comments about these fee proposals by August 6, 2018 so comments can be compiled, analyzed

and shared with a Recreation Resource Advisory Committee. New fees would begin after July 2018.

ADDRESSES: John Richard Lint, Forest Supervisor, Francis Marion & Sumter National Forests, 4931 Broad River Road, Columbia, SC 29212.

FOR FURTHER INFORMATION CONTACT: Joe Robles, Recreation Fee Coordinator, 803-561-4067. Information about proposed fee changes can also be found on the Francis Marion & Sumter National Forests website: <http://www.fs.usda.gov/scnfs>.

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108-447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. These eight shooting ranges are experiencing unprecedented use/demand with the associated impacts to the facilities themselves and surrounding natural resources. New fees would help with enforcing range rules to keep the facilities safe and clean; maintaining shooting range structures (e.g., berms, swales, settling ponds) and ground cover (grass) to mitigate runoff and pollution; and performing annual soil and water testing and lead abatement work. Fees would also help to improve the facilities with items such as better parking facilities, shelter roof modifications to incorporate baffles, and making enhancements like establishing designated pistol ranges.

Once public involvement is complete, these new fees will be reviewed by the Southern Region Recreation Resource Advisory Committee prior to a final decision and implementation.

Dated: May 17, 2018.

Glen Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2018-14405 Filed 7-3-18; 8:45 am]

BILLING CODE 3411-15-P

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Proposed New Fee Sites; Federal Lands Recreation Enhancement Act

AGENCY: Chattahoochee-Oconee National Forests, USDA Forest Service.

ACTION: Notice of proposed new fee sites.

SUMMARY: The Chattahoochee-Oconee National Forests are proposing to charge new fees at Pocket Recreation Picnic Area on the Conasauga Ranger District and Raven Cliffs Trailhead on the Chattooga River Ranger District. Both sites are proposed at \$5.00 for a day and both would accept the suite of America the Beautiful—National Parks and Federal Recreational Lands passes.

DATES: Send any comments about these fee proposals by August 6, 2018. Comments will be compiled, analyzed and shared with a Recreation Resource Advisory Committee. If approved by the Southern Region Regional Forester, new fees would begin in 2019.

ADDRESSES: Betty Jewett, Forest Supervisor, Chattahoochee-Oconee National Forests, 1755 Cleveland Hwy., Gainesville, GA 30501.

FOR FURTHER INFORMATION CONTACT: Kyle Grambley, Recreation Program Manager, 770-297-3066. Information about proposed fee changes can also be found on the Chattahoochee-Oconee National Forests website: <http://www.fs.usda.gov/conf>.

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108-447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. Once public involvement is complete, these new fees will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation.

Both sites are in good condition and offers picnic tables, parking facilities, vault toilet and trail and river access. Fees are assessed based on the level of amenities and services provided, cost of operation and maintenance, market assessment, and public comment. Funds from fees would be used to help improve, operate and maintain these sites, which includes addressing sanitation and safety concerns, improving deteriorated facilities and providing amenities that enhance the recreation experience.

Dated: May 17, 2018.

Glenn Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2018-14406 Filed 7-3-18; 8:45 am]

BILLING CODE 3411-15-P

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Proposed New Fee Sites; Federal Lands Recreation Enhancement Act

AGENCY: Forest Service.

ACTION: Notice of proposed new fee sites.

SUMMARY: The National Forests in North Carolina are proposing to charge new fees at six recreation sites. All sites have recently been reconstructed or amenities are being added to improve services and experiences. Fees are assessed based on the level of amenities and services provided, cost of operation and maintenance, market assessment, and public comment. Funds from fees would be used for the continued operation and maintenance of these recreation sites.

DATES: Send any comments about these fee proposals by August 6, 2018 so comments can be compiled, analyzed and shared with a Recreation Resource Advisory Committee. New fees would begin after April 1, 2018.

ADDRESSES: ATTN: Recreation Fee Proposals, National Forests in North Carolina, 160A Zillicoa Street, Asheville, NC 28801.

FOR FURTHER INFORMATION CONTACT: Logan Free, Recreation Fee Coordinator, 828-257-4256, NFSNCfeeproposals@fs.fed.us. Information about proposed fee changes can also be found on the National Forests in North Carolina website: <https://www.fs.usda.gov/goto/nfsnc/2017recfeeproposals>.

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108-447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. Sites that are proposed for new fees include: Dry Falls proposed at \$3 per vehicle or \$15 annual pass (useable at Whiteside Mountain and Whitewater Falls), Atoah Shooting Range proposed at \$5 per person or \$30 annual pass (useable at all Nantahala National Forest shooting ranges), Cheoah Point Beach day use area proposed at \$5 per vehicle or \$30 annual pass, Wine Springs Horse Camp proposed at \$10 per site, and McCall Cabin proposed at \$200 per week on the Nantahala National Forest; Wolf Ford Horse Camp proposed at \$10 per site on the Pisgah National Forest. Proposed fees at these recreation sites will be invested in site improvements that address sanitation and visitor safety, improve visitor comfort and convenience, reduce deferred

maintenance, and improve the overall recreation experiences of the public. These new fees are part of a larger fee proposal available for review at <https://www.fs.usda.gov/nfsnc/2017recfeeproposals>.

Once public involvement is complete, these new fees will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation.

Dated: May 17, 2018.

Glenn Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2018-14403 Filed 7-3-18; 8:45 am]

BILLING CODE 3411-15-P

DEPARTMENT OF AGRICULTURE

Forest Service

New Fee Proposed for Blacksburg Shooting Range; Federal Lands Recreation Enhancement Act

AGENCY: Forest Service.

ACTION: New fee proposed for Blacksburg Shooting Range.

SUMMARY: The USDA Forest Service invites the public to share their input on a proposed fee to access the Blacksburg Shooting Range on the Eastern Divide Ranger District. The George Washington and Jefferson National Forest is proposing a \$10 daily fee or \$75 annual fee for access to this public shooting range. A special recreation permit fee for the Blacksburg Shooting Range would be an investment in its future, providing a sustainable source of revenue to help ensure its availability to the American public. The public is invited to comment on this proposal. Comments received on these proposals, including names and addresses of those who comment, will be considered part of the public record and available for public inspection.

DATES: Send any comments about these fee proposals by August 6, 2018 so comments can be compiled, analyzed and shared with a Recreation Resource Advisory Committee. New fees would begin as early as spring 2018.

ADDRESSES: George Washington & Jefferson National Forests, Attn: Recreation Fee Program, 5162 Valleypointe Parkway, Roanoke, VA 24019-3050.

FOR FURTHER INFORMATION CONTACT: Ginny Williams, Developed Recreation Program Manager, gwilliams03@fs.fed.us, 540-265-5100.

Or visit our website: <https://www.fs.usda.gov/gwj/>.

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108–447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. The George Washington & Jefferson National Forest does not currently charge a fee for access to public shooting ranges. Fees collected would support on-site staffing to provide a safe and positive experience for those who are sighting in their hunting guns; target practicing; learning to shoot or honing their skills for professional interest. Fees would also support necessary environmental monitoring and cyclic lead mitigation.

Once public involvement is complete, these new fees will be reviewed by the Southern Region Recreation Resource Advisory Committee prior to a final decision and implementation.

Dated: May 17, 2018.

Glenn Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2018–14402 Filed 7–3–18; 8:45 am]

BILLING CODE 3411–15–P

CIVIL RIGHTS COMMISSION

Sunshine Act Meeting Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of Commission Public Business Meeting.

DATES: Friday, July 13, 2018, 10:00 a.m. EST.

ADDRESSES: Place: National Place Building, 1331 Pennsylvania Ave. NW, 11th Floor, Suite 1150, Washington, DC 20425. (Entrance on F Street NW.)

FOR FURTHER INFORMATION CONTACT:

Brian Walch: (202) 376–8371; TTY: (202) 376–8116; publicaffairs@usccr.gov.

SUPPLEMENTARY INFORMATION: This business meeting is open to the public. There will also be a call-in line for individuals who desire to listen to the presentations: (855) 719–5012, Conference ID 6113336. The event will live-stream at: <https://www.youtube.com/user/USCCR/videos>. (Streaming information is subject to change.) Persons with disabilities who need accommodation should contact Pamela Dunston at (202) 376–8105 or at access@usccr.gov at least seven (7) business days before the scheduled date of the meeting.

Meeting Agenda

I. Approval of Agenda

II. Business Meeting

A. Discussion and vote on Commission Advisory Committee Chair

- John Malcolm, nominated to Chair the Washington, DC Advisory Committee

B. Presentation by New Hampshire Advisory Committee Chair on the Committee's recently released report: Voting Rights in New Hampshire

C. Presentation on the 50th anniversary of the Kerner Commission

- Alan Curtis, Ph.D., President and Chief Executive Officer, The Eisenhower Foundation

D. Presentation by Alaska Advisory Committee Chair on the Committee's recently-released report: Alaska Native Voting Rights

E. Management and operations

- Staff Director's Report

III. Adjourn Meeting

Dated: July 2, 2018.

Brian Walch,
Director, Communications and Public Engagement.

[FR Doc. 2018–14524 Filed 7–2–18; 4:15 pm]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Proposed Information Collection; Comment Request; Services Surveys: BE–29, Annual Survey of Foreign Ocean Carriers' Expenses 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 September 4, 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 Christopher Stein, Chief, Services Surveys Branch (SSB) BE–50, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20233; phone: (301) 278–9189; fax: (301) 278–9507; or via email at: christopher.stein@bea.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Annual Survey of Foreign Ocean Carriers' Expenses in the United States (BE–29) is a survey that collects data from U.S. agents of foreign ocean carriers who handle 40 or more foreign ocean port calls in the reporting period, or report total covered expenses of \$250,000 or more in the reporting period for all foreign ocean vessels handled by the U.S. agent. The covered expenses are: (1) Port call services such as pilotage, towing and tugboat services, harbor fees, and berth fees; (2) cargo-related services such as loading, unloading, and storing cargo at U.S. ports; (3) fuels and oils (bunkers) purchased in U.S. ports; (4) other vessel operating expenses such as stores and supplies, vessel repairs, and personnel expenses in the United States; and (5) other expenses such as U.S. agents' and brokers' fees and commissions and expenses related to maintaining U.S. offices, such as rent, advertising, and wages.

The data collected on the survey are needed to monitor U.S. trade in transport services to analyze the impact of U.S. trade on the U.S. and foreign economies, to compile and improve the U.S. economic accounts, to support U.S. commercial policy on trade in transport services, to conduct trade promotion, and to improve the ability of U.S. businesses to identify and evaluate market opportunities. The data are used in estimating the transport component of the U.S. international transactions accounts (ITAs) and national income and product accounts (NIPAs).

The Bureau of Economic Analysis (BEA) is proposing no additions or modifications to the current BE–29 survey. The effort to keep current reporting requirements unchanged is intended to minimize respondent burden while considering the needs of data users. Existing language in the instructions and definitions will be reviewed and adjusted as necessary to clarify survey requirements.

II. Method of Collection

BEA contacts potential respondents by mail in January of each year. Respondents must file the completed BE–29 forms within 90 days after the

end of each calendar year. Reports are required from U.S. agents of foreign ocean carriers who handle 40 or more foreign ocean port calls in the reporting period, or report total covered expenses of \$250,000 or more in the reporting period for all foreign ocean vessels handled by the U.S. agent. 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-29 annual survey form. For information about eFile, go to www.bea.gov/efile. In addition, BEA posts all its survey forms and reporting instructions on its website, www.bea.gov/ssb. These may be downloaded, completed, printed, and submitted via fax or mail.

III. Data

OMB Control Number: 0608-0012.

Form Number: BE-29.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Responses: 80 annually (70 reporting mandatory data and 10 filing exemption claims).

Estimated Time per Response: 3 hours is the average for those reporting data. One hour is the average for those filing an exemption claim. Hours may vary considerably among respondents because of differences in the volume and complexity of information on the foreign ocean carriers represented by the reporter.

Estimated Total Annual Burden Hours: 220.

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. 2018-14421 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Proposed Information Collection; Comment Request; Services Surveys: BE-9, Quarterly Survey of Foreign Airline Operators' Revenues and Expenses 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 September 4, 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 Christopher Stein, Chief, Services Surveys Branch (SSB) BE-50, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20233; phone: (301) 278-9189; fax: (301) 278-9507; or via email at christopher.stein@bea.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Quarterly Survey of Foreign Airline Operators' Revenues and Expenses in the United States (BE-9) is a survey that collects data from U.S. offices, agents, or other representatives of foreign airline operators that transport freight, express, and passengers to or from the United States

and whose total covered revenues or total covered expenses were \$5 million or more in the previous year or are expected to be \$5 million or more during the current year. The covered revenues are freight revenue on merchandise exported from, or imported into, the United States. The covered expenses are expenses incurred in the United States for: (1) Fuel and oil; (2) wages and salaries paid to employees in the United States; (3) agents' and brokers' fees and commissions for arrangement of freight and passenger transportation; (4) aircraft handling and terminal services; (5) aircraft (with crew) leasing expenses; and (6) all other expenses incurred in the United States except leasing (without crew) expenses.

Respondents are also asked to report: (1) Shipping weights on which freight revenues were earned; (2) the number of passengers transported to/from the United States; and (3) revenues associated with these passengers.

The data collected on the survey are needed to monitor U.S. trade in transport services to analyze the impact of U.S. trade on the U.S. and foreign economies, to compile and improve the U.S. economic accounts, to support U.S. commercial policy on trade in transport services, to conduct trade promotion, and to improve the ability of U.S. businesses to identify and evaluate market opportunities. The data are used in estimating the transport component of the U.S. international transactions accounts (ITAs) and national income and product accounts (NIPAs).

The Bureau of Economic Analysis (BEA) is proposing no additions or modifications to the current BE-9 survey. The effort to keep current reporting requirements unchanged is intended to minimize respondent burden while considering the needs of data users. Existing language in the instructions and definitions will be reviewed and adjusted as necessary to clarify survey requirements.

II. Method of Collection

BEA contacts potential respondents by mail at the end of each calendar quarter. Respondents must file the completed BE-9 forms within 45 days after the end of each calendar quarter. Reports are required from offices, agents, or other representatives of foreign airline operators that transport freight and express to or from the United States and whose total covered revenues or total covered expenses were \$5 million or more in the previous year or are expected to be \$5 million or more during the current year. 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-9 quarterly survey form. For information about eFile, go to www.bea.gov/efile. In addition, BEA posts all its survey forms and reporting instructions on its website, www.bea.gov/ssb. These may be downloaded, completed, printed, and submitted via fax or mail.

III. Data

OMB Control Number: 0608-0068.

Form Number: BE-9.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Responses: 180 annually (45 filed each quarter: 44 reporting mandatory data, and one that would file an exemption claim).

Estimated Time Per Response: 6 hours is the average for those reporting data. One hour is the average for those filing an exemption claim. Hours may vary considerably among respondents because of differences in the volume and complexity of information on the foreign air carriers represented by the reporter.

Estimated Total Annual Burden Hours: 1,060.

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. 2018-14422 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Proposed Information Collection; Comment Request; Services Surveys: BE-185, Quarterly Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons

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 September 4, 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 Christopher Stein, Chief, Services Surveys Branch (SSB) BE-50, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20233; phone: (301) 278-9189; fax: (301) 278-9507; or via email at christopher.stein@bea.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Quarterly Survey of Financial Services Transactions between U.S. Financial Services Providers and Foreign Persons (BE-185) is one of BEA's primary data sources for its estimates of financial services exports and imports. A U.S. financial services provider must report if it had sales of covered services to foreign persons that exceeded \$20 million for the previous fiscal year or that are expected to exceed

that amount during the current fiscal year, or if it had purchases of covered services from foreign persons that exceeded \$15 million for the previous fiscal year or that are expected to exceed that amount during the current fiscal year.

The data are needed to monitor U.S. trade in financial services, to analyze the impact of U.S. trade on the U.S. and foreign economies, to compile and improve the U.S. economic accounts, to support U.S. commercial policy on trade in services, to conduct trade promotion, and to improve the ability of U.S. businesses to identify and evaluate market opportunities. The data are used in estimating the financial services component of the U.S. international transactions accounts (ITAs) and national income and product accounts (NIPAs).

The Bureau of Economic Analysis (BEA) is proposing no additions or modifications to the current BE-185 survey. The effort to keep current reporting requirements unchanged is intended to minimize respondent burden while considering the needs of data users. Existing language in the instructions and definitions will be reviewed and adjusted as necessary to clarify survey requirements.

II. Method of Collection

BEA contacts potential respondents by mail at the end of each fiscal quarter. Respondents must file completed BE-185 forms within 45 days after the end of each fiscal quarter, or within 90 days after the close of the fiscal year. Reports are required from each U.S. financial services provider that had sales of covered services to foreign persons that exceeded \$20 million for the previous fiscal year, or that are expected to exceed that amount during the current fiscal year, or if it had purchases of covered services from foreign persons that exceeded \$15 million for the previous fiscal year, or that are expected to exceed that amount during the current fiscal year. Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

BEA offers its electronic filing option, the eFile system, for use in reporting on Form BE-185. For more information about eFile, go to www.bea.gov/efile. In addition, BEA posts all its survey forms and reporting instructions on its website, www.bea.gov/ssb. These may be downloaded, completed, printed, and submitted via fax or mail.

III. Data

OMB Control Number: 0608-0065.
Form Number: BE-185.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Responses: 2,860 annually (715 filed each quarter: 580 reporting mandatory data, and 135 that would file other responses).

Estimated Time per Response: 10 hours is the average for those reporting data. One hour is the average for those filing and exemption. Hours may vary considerably among respondents because of differences in company size and complexity.

Estimated Total Annual Burden Hours: 23,740.

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) and Section 5408 of the Omnibus Trade and Competitiveness Act of 1988.

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. 2018-14420 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Proposed Information Collection; Comment Request; Services Surveys: BE-125, Quarterly Survey of Transactions in Selected Services and Intellectual Property With Foreign Persons

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 September 4, 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 Christopher Stein, Chief, Services Surveys Branch BE-50 (SSB), Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20233; phone: (301) 278-9189; fax: (301) 278-9507; or via email at christopher.stein@bea.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Quarterly Survey of Transactions in Selected Services and Intellectual Property with Foreign Persons (BE-125) is a survey that collects data from U.S. persons who engage in covered transactions with foreign persons in selected services or intellectual property. A Person means any individual, branch, partnership, associated group, association, estate, trust, corporation, or other organization (whether or not organized under the laws of any State), and any government, (including a foreign government, the United States Government, a State or local government, and any agency, corporation, financial institution, or other entity or instrumentality thereof, including a government sponsored agency). A U.S. person must report if it had sales of covered services or

intellectual property to foreign persons that exceeded \$6 million for the previous fiscal year, or are expected to exceed that amount during the current fiscal year, or if it had purchases of covered services or intellectual property from foreign persons that exceeded \$4 million for the previous fiscal year, or are expected to exceed that amount during the current fiscal year.

The data are needed to monitor U.S. trade in services, to analyze the impact on the U.S. and foreign economies, to compile and improve the U.S. economic accounts, to support U.S. commercial policy on trade in services, to conduct trade promotion, and to improve the ability of U.S. businesses to identify and evaluate market opportunities. The data are used in estimating the services component of the U.S. international transactions accounts (ITAs) and national income and product accounts (NIPAs).

The Bureau of Economic Analysis (BEA) is proposing one change to the reporting requirements and several modifications to the data collected on the BE-125 survey, beginning with reporting for first quarter 2019. These modifications would allow BEA to align its statistics more closely with international economic accounting guidelines, increasing the quality and usefulness of BEA's published statistics on trade in services:

BEA proposes to adjust the reporting requirements of the survey so they are applied based on "combined" thresholds. Currently, the reporting requirements for the BE-125 survey are applied based on the dollar amount of each covered transaction type collected on the survey. For example, a reporter with transactions in several of the services and intellectual property categories covered by the survey may only exceed the threshold for mandatorily reporting additional detail by country, and by relationship to the foreign transactor (foreign affiliate, foreign parent group, or unaffiliated), for a single transaction type. Under this approach, the reporter is only required to report this additional detail on the mandatory schedule(s) for the single transaction type in excess of the \$6 million (sales) or \$4 million (purchases) threshold.

The proposed change would modify the reporting thresholds such that they are applied based on a "combined" threshold for sales or purchases of the covered types of services and intellectual property transactions. U.S. persons with combined sales in excess of \$6 million or combined purchases in excess of \$4 million would be required to disaggregate all transaction types by

country and by relationship to the foreign transactor on the mandatory schedule(s). Because the combined thresholds are applied separately to sales and to purchases, the mandatory reporting requirements may apply only to sales, only to purchases, or to both.

BEA proposes to make the following modifications to the data collection instrument:

(1) *Research and development services will be broken out into two categories:* (1) Provision of customized and non-customized R&D services and (2) other R&D services, including testing.

(2) *Engineering, architectural, and surveying services will be broken out into three categories:* (1) Architectural services; (2) engineering services; and (3) surveying, cartography, certification, testing, and technical inspection services.

(3) *Management, consulting, and public relation services will be broken out into three categories:* (1) Market research services; (2) public opinion polling services; and (3) other management, consulting, and public relations services. Trade exhibition and sales convention services will be collected separately.

(4) *Database and other information services will be broken out into two components:* (1) News agency services and (2) other information services.

(5) *Computer Services will be expanded into three categories:* (1) Computer software, including end-user licenses and customization services; (2) cloud computing and data storage services; and (3) other computer services.

(6) *Several service categories previously collected under "Other Selected Services" will be collected separately.* These services include contract manufacturing services, disbursements for sales promotion and representation, photographic services (including satellite photography), space transport services, trade exhibition and sales convention services, agricultural services, and waste treatment and depollution services.

(7) *Mandatory Schedule C will be modified to only collect information on goods related to construction services.* On the current BE-125 survey, exports (sales) of three service types are collected on a separate schedule, Schedule C, to allow for reporting of information on the gross operating revenues and related goods exports and foreign expenses. The three categories

are: (1) Construction services; (2) engineering, architectural, and surveying services; and (3) mining services. Beginning with reporting for first quarter 2019, only construction services will be collected on Schedule C. Mining services, as well as the three new categories that will replace engineering, architectural, and surveying services, will be collected on Schedule A.

BEA estimates the proposed changes, which would be implemented beginning with reporting for first quarter 2019, will increase the average number of hours per response from 19 hours to 21 hours for those reporting data. The total respondent burden estimates have been increased to reflect this. This change represents an estimated 0.75-hour increase in burden associated with the proposed transaction code expansions set forth, as well as an increase in burden of 1.25 hours for an estimated 375 additional reporters that will now be required to complete one or more of the mandatory schedules as a result of the application of a "combined" reporting threshold. The reporting thresholds of the current BE-125 survey will be retained. The effort to keep current reporting thresholds unchanged is intended to minimize respondent burden while considering the needs of data users. Existing language in the instructions and definitions will be reviewed and adjusted as necessary to clarify survey requirements.

II. Method of Collection

BEA contacts potential respondents by mail at the end of each fiscal quarter. Respondents must file completed BE-125 forms within 45 days after the end of each fiscal quarter, or within 90 days after the close of the fiscal year. Reports are required from each U.S. person that had sales of covered services or intellectual property to foreign persons that exceeded \$6 million for the previous fiscal year, or are expected to exceed that amount during the current fiscal year, or that had purchases of covered services or intellectual property from foreign persons that exceeded \$4 million for the previous fiscal year, or are expected to exceed that amount during the current fiscal year. Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

BEA offers its electronic filing option, the eFile system, for use in reporting on Form BE-125. For more information

about eFile, go to www.bea.gov/efile. In addition, BEA posts all its survey forms and reporting instructions on its website, www.bea.gov/ssb. These may be downloaded, completed, printed, and submitted via fax or mail.

III. Data

OMB Control Number: 0608-0067.

Form Number: BE-125.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Responses: 8,800 annually (2,200 filed each quarter; 1,700 reporting mandatory data, and 500 that would file other responses).

Estimated Time per Response: 21 hours is the average for those reporting data. One hour is the average for those filing an exemption claim. Hours may vary considerably among respondents because of differences in company size and complexity.

Estimated Total Annual Burden Hours: 144,800.

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. 2018-14423 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE**Bureau of Economic Analysis****Proposed Information Collection; Comment Request; Services Surveys: BE-45, Quarterly Survey of Insurance Transactions by U.S. Insurance Companies With Foreign Persons**

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 September 4, 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: Request for additional information or copies of the information collection instrument and instructions should be directed to Christopher Stein, Chief, Services Surveys Branch BE-50 (SSB), Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20233; phone: (301) 278-9189; fax: (301) 278-9507; or via email at christopher.stein@bea.gov.

SUPPLEMENTARY INFORMATION:**I. Abstract**

The Quarterly Survey of Insurance Transactions by U.S. Insurance Companies with Foreign Persons (BE-45) is one of BEA's primary data sources for its estimates of insurance services exports and imports. A U.S. insurance company must report if it had transactions with foreign persons, in any of the data items covered by the survey, that exceeded \$8 million (positive or negative) in the prior calendar year or are expected to exceed that amount during the current calendar year.

The data are needed to monitor U.S. trade in insurance services, to analyze the impact of these cross-border services on the U.S. and foreign economies, to compile and improve the U.S. economic accounts, to support U.S. commercial policy on trade in services, to conduct trade promotion, and to improve the

ability of U.S. businesses to identify and evaluate market opportunities. The data are used in estimating the insurance component of the U.S. international transactions accounts (ITAs) and national income and product accounts (NIPAs).

The Bureau of Economic Analysis (BEA) is proposing one change to the BE-45 survey to improve the accuracy of its quarterly statistics on insurance services exports and imports. The proposed change is intended to address the needs of data users without placing undue burden on survey respondents.

Currently, respondents are required to report annual data on primary insurance premiums and losses, reinsurance losses, and auxiliary insurance services receipts and payments on Schedule B of the BE-45 survey on a mandatory basis in the fourth quarter of the year. Reporters have the option of voluntarily providing data on reinsurance losses on a quarterly basis throughout the year. However, the irregular approach to collecting the other information on Schedule B on an annual basis results in frequent reporting errors and data omissions, which requires additional BEA resources to correct.

Beginning with reporting for first quarter 2019, BEA is proposing to make it mandatory for respondents to report their primary insurance premiums and losses, reinsurance losses, and auxiliary insurance services receipts and payment on Schedule B every quarter. Many reporters already provide loss information quarterly, on a voluntary basis, since it is readily available in their accounting systems.

For those already providing loss information voluntarily—roughly 25 percent of reporters—we believe there will be minimal impact on their reporting burden for the additional items collected on Schedule B. For those not already providing loss information voluntarily each quarter, we estimate that the quarterly reporting burden for this additional detail, and the information collected for primary and auxiliary insurance, will result in a 1-hour increase in burden per response, from 8 to 9 hours. The total respondent burden estimates have been increased to reflect this.

The reporting thresholds of the current BE-45 survey will be retained. The effort to keep current reporting thresholds unchanged is intended to minimize respondent burden while considering the needs of data users. Existing language in the instructions and definitions will be reviewed and adjusted as necessary to clarify survey requirements.

II. Method of Collection

BEA contacts potential respondents by mail at the end of each calendar quarter. Respondents must file the completed BE-45 forms within 60 days after the end of each calendar quarter, or within 90 days after the close of the calendar year. Reports are required from each U.S. insurance company whose covered transactions with foreign persons for any of the data items on the survey exceeded \$8 million (positive or negative) in the prior calendar year, or are expected to exceed that amount during the current calendar year. Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

BEA offers its electronic filing option, the eFile system, for use in reporting on Form BE-45. For more information about eFile, go to www.bea.gov/efile. In addition, BEA posts all its survey forms and reporting instructions on its website, www.bea.gov/ssb. These may be downloaded, completed, printed, and submitted via fax or mail.

III. Data

OMB Control Number: 0608-0066.

Form Number: BE-45.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Responses: 2,200 annually (550 filed each quarter; 515 reporting mandatory or voluntary data, and 35 that would not report data).

Estimated Time per Response: 9 hours is the average for those reporting data. One hour is the average for those filing an exemption claim. Hours may vary considerably among respondents because of differences in company size and complexity.

Estimated Total Annual Burden Hours: 18,680.

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. 2018-14416 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Proposed Information Collection; Comment Request; Services Surveys: BE-30, Quarterly Survey of Ocean Freight Revenues and Foreign Expenses of U.S. Carriers, and the BE-37, Quarterly Survey of U.S. Airline Operators' Foreign Revenues and Expenses

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 September 4, 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 instruments and instructions should be directed to Christopher Stein, Chief, Services Surveys Branch (SSB) BE-50, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20233; phone: (301) 278-9189; fax: (301) 278-9507; or via email at christopher.stein@bea.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Quarterly Survey of Ocean Freight Revenues and Foreign Expenses of U.S. Carriers (BE-30) is a survey that collects data from U.S. ocean freight carriers (owners and operators) whose total covered revenues or total covered expenses incurred outside the United States were \$500,000 or more in the previous year or are expected to be \$500,000 or more during the current year. The covered revenues are: (1) Revenue on cargo outbound from U.S. ports and the associated shipping weight; (2) revenue on cargo inbound into the United States and the associated shipping weight; (3) revenue on cross-trade cargoes; (4) charter hire (with crew) and space leasing revenues from foreign residents. The covered expenses are: (1) Fuel expenses in foreign countries; (2) expenses in foreign countries other than fuel expenses; and (3) charter hire (with crew) and space leasing payments to foreign residents. A report is not required from U.S. ocean freight carriers whose total annual covered revenues and total annual covered expenses are below \$500,000.

The Quarterly Survey of U.S. Airline Operators' Foreign Revenues and Expenses (BE-37) is a survey that collects data from U.S. airline operators engaged in the international transportation of goods and/or passengers and whose total covered revenues or total covered expenses incurred outside the United States were \$500,000 or more in the previous year or are expected to be \$500,000 or more during the current year. The covered revenues are: (1) Revenue derived from carriage of export freight and express from the United States to points outside the United States; (2) revenue derived from carriage of freight and express originating from, and destined to, points outside the United States; (3) revenue derived from transporting passengers originating from, and destined to, points outside the United States; (4) revenue from transporting passengers to and from the United States and the associated number of passengers; (5) interline settlement receipts from foreign airline operators. The covered expenses are: (1) Expenses incurred outside the United States for fuel and oil, station and maintenance bases, wages, and other goods and services purchased abroad (except aircraft leasing expenses); (2) aircraft (with crew) leasing expenses; and (3) interline settlement payments to foreign airline operators. A report is not required from U.S. airline operators whose total annual covered revenues and total

annual covered expenses are below \$500,000.

The data collected on these surveys are needed to monitor U.S. trade in transport services to analyze the impact of U.S. trade on the U.S. and foreign economies, to compile and improve the U.S. economic accounts, to support U.S. commercial policy on trade in transport services, to conduct trade promotion, and to improve the ability of U.S. businesses to identify and evaluate market opportunities. The data are used in estimating the transport component of the U.S. international transactions accounts (ITAs) and national income and product accounts (NIPAs).

The Bureau of Economic Analysis (BEA) is proposing no additions, modifications, or deletions to the current BE-30 and BE-37 surveys to minimize respondent burden while considering the needs of data users. Existing language in the instructions and definitions will be reviewed and adjusted as necessary to clarify survey requirements.

II. Method of Collection

BEA contacts potential respondents by mail at the end of each calendar quarter. Respondents must file completed BE-30 and BE-37 forms within 45 days after the end of each calendar quarter. A BE-30 report is required from U.S. ocean freight carriers (owners and operators) whose total covered revenues or total covered expenses incurred outside the United States were \$500,000 or more in the previous year or are expected to be \$500,000 or more during the current year. A BE-37 report is required from U.S. airline operators engaged in the international transportation of goods and/or passengers and whose total covered revenues or total covered expenses incurred outside the United States were \$500,000 or more in the previous year or are expected to be \$500,000 or more during the current year. 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-30 and BE-37 quarterly survey forms. For more information about eFile, go to www.bea.gov/efile. In addition, BEA posts all its survey forms and reporting instructions on its website, www.bea.gov/ssb. These may be downloaded, completed, printed, and submitted via fax or mail.

III. Data

OMB Control Number: 0608-0011.
Form Number: BE-30 and BE-37.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of BE-30

Responses: 280 annually (70 filed each quarter: 62 reporting mandatory data and 8 exemption claims).

Estimated Number of BE-37

Responses: 120 annually (30 filed each quarter: 29 reporting mandatory data and one filing an exemption claim).

Estimated Time Per Response: 4 hours is the average for those reporting data. One hour is the average for those filing an exemption claim. Hours may vary considerably among respondents because of differences in company size and complexity.

Estimated Total Annual Burden

Hours: 1,492 (1,024 for the BE-30; 468 for the BE-37).

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 collections of information are 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 collections 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 collections 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. 2018-14424 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, U.S. Department of Commerce.

ACTION: Notice and opportunity for public comment.

SUMMARY: The Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of the firms contributed importantly to the total or partial separation of the firms' workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

SUPPLEMENTARY INFORMATION:

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE

[06/13/2018 through 06/26/2018]

Firm name	Firm address	Date accepted for investigation	Product(s)
Vintage Girl Designs, LLC	9952 Kings Parade Boulevard, Charlotte, NC 28273.	6/21/2018	The firm manufactures greeting cards, note cards, and plaques, primarily of paper, acrylic, and wood.
Merrimac Industrial Sales, Inc	111 Neck Road, Haverhill, MA 01835.	6/21/2018	The firm manufactures electrical control systems, including control panels, and enclosures for electrical components.
Titan International Sales, Inc ..	72 Lancer Place, Webster, NY 14580.	6/25/2018	The firm manufactures electrical discharge machine drills and related products, including drilling electrodes and drill guides.
Lorimer Studios, LLC	80 Vineyard Street, Pawtucket, RI 02860.	6/26/2018	The firm manufacturers residential and commercial tables made of solid wood.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance Division, Room 71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. These petitions are received pursuant to section 251 of the Trade Act of 1974, as amended.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which

these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Irette Patterson,

Program Analyst.

[FR Doc. 2018-14368 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-WH-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-41-2018]

Foreign-Trade Zone 78—Nashville, Tennessee; Application for Reorganization Under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Metropolitan Government of Nashville and Davidson County, grantee of FTZ 78, requesting authority to reorganize the zone under the alternative site framework (ASF) adopted by the FTZ Board (15 CFR 400.2(c)). The ASF is an option for grantees for the establishment or

reorganization of zones and can permit significantly greater flexibility in the designation of new subzones or “usage-driven” FTZ sites for operators/users located within a grantee’s “service area” in the context of the FTZ Board’s standard 2,000-acre activation limit for a zone. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on June 28, 2018.

FTZ 78 was approved by the FTZ Board on April 2, 1982 (Board Order 190, 47 FR 16191, April 15, 1982) and expanded on February 18, 1999 (Board Order 1024, 64 FR 9472, February 26, 1999), on October 24, 2000 (Board Order 1124, 65 FR 66231, November 3, 2000), on September 30, 2002 (Board Order 1249, 67 FR 62697, October 8, 2002), and on June 22, 2011 (Board Order 1768, 76 FR 39379, July 6, 2011).

The current zone includes the following sites: *Site 6* (806 acres)—Nashville International Airport, One Terminal Drive, Nashville; *Site 7* (80 acres)—East Gate Business Park, 3850 and 7800 Eastgate Blvd., Nashville; *Site 13* (128 acres)—GAP, Inc., 100, 200 & 300 Gap Blvd., Gallatin; *Site 14* (2 acres)—DHL Global Forwarding, 317 Air Freight Blvd., Nashville; and, *Site 15* (27.37 acres)—Ozburn-Hessey Logistics, Inc., 578 Aldi Blvd., Mt. Juliet.

The grantee’s proposed service area under the ASF would be the Counties of Cannon, Cheatham, Davidson, Dickson, Macon, Maury, Montgomery, Robertson, Rutherford, Smith, Sumner, Trousdale, Williamson and Wilson, Tennessee, as described in the application. If approved, the grantee would be able to serve sites throughout the service area based on companies’ needs for FTZ designation. The application indicates that the proposed service area is within and adjacent to the Nashville Customs and Border Protection port of entry.

The applicant is requesting authority to reorganize its existing zone to include existing Sites 6 and 7 as “magnet” sites and existing Sites 13, 14 and 15 as usage-driven sites. The ASF allows for the possible exemption of one magnet site from the “sunset” time limits that generally apply to sites under the ASF, and the applicant proposes that Site 6 be so exempted. No proposed subzones/usage-driven sites are being requested at this time. The application would have no impact on FTZ 78’s previously authorized subzones.

In accordance with the FTZ Board’s regulations, Kathleen Boyce of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case

record and to report findings and 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 September 4, 2018. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to September 18, 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 Kathleen Boyce at Kathleen.Boyce@trade.gov or (202) 482–1346.

Dated: June 28, 2018.

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. 2018–14428 Filed 7–3–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–823–815]

Amendment to the Agreement Suspending the Antidumping Duty Investigation on Certain Oil Country Tubular Goods From Ukraine

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

DATES: Applicable June 28, 2018.

SUMMARY: The Department of Commerce (Commerce) and a representative of the Ukrainian signatory producer/exporter of certain oil country tubular goods (OCTG) from Ukraine, Interpipe, have signed an amendment to the Agreement Suspending the Antidumping Duty Investigation on Certain Oil Country Tubular Goods from Ukraine (Agreement). The amendment to the Agreement extends the Agreement for one additional year, specifying that the Agreement shall terminate five years after the applicable date of the original agreement, on July 10, 2019.

FOR FURTHER INFORMATION CONTACT: Sally Craig Gannon or David Cordell at (202) 482–0162 or (202) 482–0408, respectively; Bilateral Agreements Unit, Office of Policy, Enforcement and Compliance, International Trade Administration, U.S. Department of

Commerce, 1401 Constitution Avenue NW, Washington, DC, 20230.

SUPPLEMENTARY INFORMATION:

As signed on July 10, 2014, Section H of the Agreement stated that, “this Agreement shall terminate three years after the effective date of this Agreement, on July 10, 2017.”¹ The Agreement was extended by one year, to July 10, 2018.² On November 20, 2017, Ukrainian signatory producer/exporter Interpipe Europe S.A.; Interpipe Ukraine LLC; PJSC Interpipe Niznedneprovsky Tube Rolling Plant; LLC Interpipe Niko Tube; and North American Interpipe, Inc. (collectively, Interpipe) requested a five-year extension of the Agreement.³ From January 2018 through June 2018, Commerce received comments on Interpipe’s request.⁴ Commerce has considered the comments submitted by parties and has determined to grant Interpipe’s request, in part, and to extend the Agreement by an additional year, based on the unique facts and circumstances in Ukraine which have affected Interpipe’s operations since the inception of the Agreement and are still ongoing.⁵ Commerce and Interpipe, therefore, signed an amendment to the Agreement on June 28, 2018, extending the Agreement by an additional one-year period such that the Agreement will terminate, and Commerce will issue an antidumping duty order, on July 10, 2019.

The terms and conditions of the June 28, 2018 amendment to the Agreement are set forth in the Amendment to the Agreement, which is attached in Annex 1 to this notice.

We are publishing this notice consistent with section 734(f)(1)(A) of the Tariff Act of 1930, as amended, and 19 CFR 351.208(g)(2).

¹ See *Suspension of Antidumping Investigation: Certain Oil Country Tubular Goods from Ukraine*, 79 FR 41959 (July 18, 2014).

² See *Amendment to the Agreement Suspending the Antidumping Duty Investigation on Certain Oil Country Tubular Goods From Ukraine*, 82 FR 32681 (July 17, 2017).

³ See Letter from Interpipe entitled “Antidumping Duty Suspension Agreement on Certain Oil Country Tubular Goods from Ukraine: Request to Extend the Suspension Agreement” (November 20, 2017) (Interpipe’s Request).

⁴ See Memorandum to P. Lee Smith, Deputy Assistant Secretary for Policy and Negotiations, from Carole Showers, Executive Director, Office of Policy, entitled “Decision Memorandum on Whether to Extend the Agreement Suspending the Antidumping Duty Investigation on Certain Oil Country Tubular Goods from Ukraine” (June 28, 2018) (Decision Memorandum) at the summary section for a listing of the comments.

⁵ See Interpipe’s Request at 2; see also Interpipe’s February 27, 2018 and June 11, 2018 Letters and the Decision Memorandum.

Dated: June 28, 2018.

P. Lee Smith,

Deputy Assistant Secretary for Policy and Negotiations Enforcement & Compliance.

Annex 1—Amendment to the Agreement Suspending the Antidumping Duty Investigation on Certain Oil Country Tubular Goods (OCTG) From Ukraine

Amendment to the Agreement Suspending the Antidumping Duty Investigation on Certain Oil Country Tubular Goods From Ukraine

The United States Department of Commerce (Commerce) and the producers/exporters of Certain Oil Country Tubular Goods from Ukraine that are signatories to the Agreement Suspending the Antidumping Duty Investigation on Certain Oil Country Tubular Goods from Ukraine (Agreement), signed on July 10, 2014, and amended on July 10, 2017, hereby amend Section H of the Agreement, as follows:

The First Sentence of Section H is Amended as Follows (Changes in Italics):

(H) Termination or Withdrawal

This Agreement shall terminate *five* years after the effective date of this Agreement, on *July 10, 2019*.

All other provisions of the Agreement, as amended, continue with full force.

Signed on June 28, 2018, in Washington, DC by

P. Lee Smith, Deputy Assistant Secretary for Policy and Negotiations Enforcement & Compliance

Deen Kaplan, Counsel for Interpipe Europe S.A.; Interpipe Ukraine LLC; PJSC Interpipe Nizhnedneprovsky Tube Rolling Plant; LLC Interpipe Niko Tube; North American Interpipe, Inc.

[FR Doc. 2018-14427 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

National Construction Safety Team Advisory Committee Meeting

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The National Construction Safety Team (NCST) Advisory Committee (Committee) will hold an open meeting in-person and via teleconference on Thursday, August 30,

2018 from 8:30 a.m. to 5:00 p.m. Eastern Time. The primary purposes of this meeting are to update the Committee on the progress of planning for the NCST technical investigation to study building failures and emergency response and evacuation during Hurricane Maria, which made landfall in the U.S. territory of Puerto Rico on September 20, 2017, and the implementation of recommendations from previous NCST investigations, including the Joplin tornado investigation. The agenda may change to accommodate Committee business. The final agenda will be posted on the NIST website at <https://www.nist.gov/topics/disaster-failure-studies/national-construction-safety-team-ncst/advisory-committee>.

DATES: The NCST Advisory Committee will meet on Thursday, August 30, 2018 from 8:30 a.m. until 5:00 p.m. Eastern Time.

ADDRESSES: The meeting will be held in person and via teleconference in the Portrait Room of Building 101, NIST, 100 Bureau Drive, Gaithersburg, Maryland 20899. For instructions on how to participate in the meeting, please see the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Melissa Banner, Administrative Office Assistant, Community Resilience Program, Engineering Laboratory, NIST, 100 Bureau Drive, Mail Stop 8615, Gaithersburg, Maryland 20899-8604. Ms. Banner's email address is Melissa.Banner@nist.gov; and her phone number is (301) 975-8912.

SUPPLEMENTARY INFORMATION: The Committee was established pursuant to Section 11 of the NCST Act (Pub. L. 107-231, codified at 15 U.S.C. 7301 *et seq.*). The Committee is currently composed of six members, appointed by the Director of NIST, who were selected on the basis of established records of distinguished service in their professional community and their knowledge of issues affecting the National Construction Safety Teams. The Committee advises the Director of NIST on carrying out the NCST Act; reviews the procedures developed for conducting investigations; and reviews the reports issued documenting investigations. Background information on the NCST Act and information on the NCST Advisory Committee is available at <https://www.nist.gov/topics/disaster-failure-studies/national-construction-safety-team-ncst/advisory-committee>.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the NCST Advisory Committee will meet on Thursday, August 30, 2018 from 8:30

a.m. until 5:00 p.m. Eastern Time. The meeting will be open to the public. The meeting will be held in person and via teleconference in the Portrait Room of Building 101, NIST, 100 Bureau Drive, Gaithersburg, Maryland 20899. The primary purposes of this meeting are to update the Committee on the progress of planning for the NCST technical investigation to study building failures and emergency response and evacuation during Hurricane Maria, which made landfall in the U.S. territory of Puerto Rico on September 20, 2017, and the implementation of recommendations from previous NCST investigations, including the Joplin tornado investigation. The agenda may change to accommodate Committee business. The final agenda will be posted on the NIST website at <https://www.nist.gov/topics/disaster-failure-studies/national-construction-safety-team-ncst/advisory-committee-meetings>.

Individuals and representatives of organizations who would like to offer comments and suggestions related to items on the Committee's agenda for this meeting are invited to request a place on the agenda. Approximately fifteen minutes will be reserved near the conclusion of the meeting for public comments, and speaking times will be assigned on a first-come, first-served basis. Public comments can be provided in person or by teleconference attendance. The amount of time per speaker will be determined by the number of requests received, but is likely to be three minutes each. Questions from the public will not be considered during this period. All those wishing to speak must submit their request by email to the attention of Melissa Banner Melissa.Banner@nist.gov, by 5:00 p.m. Eastern Time, Friday, August 17, 2018.

Speakers who wish to expand upon their oral statements, those who wish to speak but cannot be accommodated on the agenda, and those who are unable to attend are invited to submit written statements to the NCST, National Institute of Standards and Technology, 100 Bureau Drive, MS 8604, Gaithersburg, Maryland 20899-8604, or electronically by email to Benjamin.Davis@nist.gov.

To participate in the meeting, please submit your first and last name, email address, and phone number to Melissa Banner at Melissa.Banner@nist.gov or (301) 975-8912. After pre-registering, participants will be provided with detailed instructions on how to join the meeting remotely. All visitors to the NIST site are required to pre-register to be admitted. Anyone wishing to attend this meeting in person or via

teleconference must register by 5:00 p.m. Eastern Time, Thursday, August 9, 2018, to attend. Please submit your full name, email address, and phone number to Melissa Banner at Melissa.Banner@nist.gov; her phone number is (301) 975-8912. Non-U.S. citizens must submit additional information; please contact Ms. Banner. For participants attending in person, please note that federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if such license or identification card is issued by a state that is compliant with the REAL ID Act of 2005 (Pub. L. 109-13), or by a state that has an extension for REAL ID compliance. NIST currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information, please contact Ms. Banner or visit: http://www.nist.gov/public_affairs/visitor/.

Kevin A. Kimball,
Chief of Staff.

[FR Doc. 2018-14430 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG301

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Applications for one scientific research permit modification and three new permits.

SUMMARY: Notice is hereby given that NMFS has received four scientific research permit application requests relating to Pacific salmon and steelhead. The proposed research is intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management and conservation efforts. The applications may be viewed online at: https://apps.nmfs.noaa.gov/preview/preview_open_for_comment.cfm.

DATES: Comments or requests for a public hearing on the applications must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific standard time on August 6, 2018.

ADDRESSES: Written comments on the applications should be sent to the

Protected Resources Division, NMFS, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232-1274. Comments may also be sent via fax to 503-230-5441 or by email to nmfs.nwr.apps@noaa.gov (include the permit number in the subject line of the fax or email).

FOR FURTHER INFORMATION CONTACT: Rob Clapp, Portland, OR (ph.: 503-231-2314), Fax: 503-230-5441, email: Robert.Clapp@noaa.gov. Permit application instructions are available from the address above, or online at <https://apps.nmfs.noaa.gov>.

SUPPLEMENTARY INFORMATION:

Species Covered in This Notice

The following listed species are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): Threatened Puget Sound (PS).

Steelhead (*O. mykiss*): Threatened PS.

Chum salmon (*O. keta*): Threatened Hood Canal Summer-run (HCS).

Authority

Scientific research permits are issued in accordance with section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et seq.*) and regulations governing listed fish and wildlife permits (50 CFR 222-226). NMFS issues permits based on findings that such permits: (1) Are applied for in good faith; (2) if granted and exercised, would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. The authority to take listed species is subject to conditions set forth in the permits.

Anyone requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). Such hearings are held at the discretion of the Assistant Administrator for Fisheries, NMFS.

Applications Received

Permit 21330-2M

The U.S. Fish and Wildlife Service (FWS) is seeking to modify a five-year research permit that allows them to annually take juvenile PS Chinook salmon and PS steelhead in Jim Creek (South Fork Stillaguamish River watershed—Snohomish County, Washington). The purpose of the FWS study is to document ESA-listed fish presence, distribution, and abundance in Jim Creek within the boundaries of the Naval Radio Station Jim Creek facility. The research would benefit the listed species by helping refine the facility's Integrated Natural Resources

Management plan—the information would help guide decisions regarding habitat restoration and fill data gaps regarding the distribution and abundance of ESA-listed PS Chinook, PS steelhead, and bull trout (*Salvelinus confluentus*). The FWS proposes to capture fish using backpack electrofishing equipment. The captured fish would be removed from the water using a dip net, placed in aerated buckets, anesthetized with MS-222, identified to species, weighed, measured, and returned to their capture locations when recovered. In recent years, the researchers have seen more PS steelhead than expected, so they are seeking to modify the permit by increasing the number of PS steelhead they are allowed to take. The researchers do not intend to kill any listed fish, but some may die as an inadvertent result of the research.

Permit 21870

The Oregon State University (OSU) is seeking a five-year research permit to annually take juvenile PS Chinook salmon, HCS chum salmon, and PS steelhead in the South Fork of the Skokomish River (Mason County, Washington state). The purpose of the OSU study is to research the trophic pathways that support salmonids in the Skokomish River and to determine how invasive plants mediate terrestrial subsidies to streams throughout the year. The researchers would target PS steelhead, PS/Strait of Georgia coho salmon (*O. kisutch*), and sculpin species. This research would benefit the affected species by filling the knowledge gaps that have limited effective restoration of local food webs. The OSU proposes to use seine nets and minnow traps to capture the fish. Captured fish would be identified to species and temporarily held in aerated buckets. Juvenile PS steelhead (and all other target species) would be anesthetized with MS-222, measured for length, tissue sampled (scales and caudal fin clip), gastric lavaged, and released. All other fish (including PS Chinook and HCS chum salmon) would be released after all the fish have been identified. The researchers do not intend to kill any listed fish, but some may die as an inadvertent result of the research.

Permit 22093

The Snoqualmie Valley Watershed Improvement District (SVWID) is seeking a five-year research permit to annually take juvenile and adult PS Chinook salmon and PS steelhead throughout the Snoqualmie River watershed (Snohomish County, Washington state). The purpose of the

SVWID study is to assess fish passage barriers, habitat conditions, water quality, and fish presence/absence. This research would benefit the affected species by better informing plans to improve drainage, minimize flooding, and restore salmon habitat. Further, this research would benefit listed species by providing data about the status of these species in agricultural drainage ditches and small streams that may not otherwise be studied. The SVWID proposes to capture fish using seine nets, minnow traps, and backpack electrofishing equipment. Captured fish would be held in aerated buckets, identified to species, measured to length, and released. The researchers do not intend to kill any listed fish, but some may die as an inadvertent result of the research.

Permit 22127

The FWS is seeking a five-year research permit to annually take juvenile and adult PS Chinook salmon and PS steelhead throughout the Puyallup River watershed (Pierce and King Counties, Washington state). The purpose of the FWS study is to research ESA-listed bull trout life history diversity and gather information about their temporal and spatial use of the watershed at multiple life stages. Other target species include brook trout (*Salvelinus fontinalis*), cutthroat trout (*O. clarkii*), and non-migratory sculpin species (Shorthead, Torrent, and Riffle). PS Chinook salmon and PS steelhead would be incidentally during this study because their ranges overlap the target species. This research would benefit the listed species by providing fine scale information about their movement timing and upstream residency. Those data, in turn, would be used to inform management and recovery actions. The FWS proposes to capture fish using electro-fykes, backpack electrofishing equipment, gill nets, hook-and-line, and minnow traps. Bull trout would be anesthetized, PIT tagged, weighed, measured for length, tissue sampled (fin rays), and released. Other target species would be euthanized for otolith and fin ray analysis. All PS steelhead and PS Chinook salmon would be captured, handled, and immediately released. The researchers do not propose to kill any of the listed fish, but some may die as an unintended result of the activities.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the applications, associated documents, and comments submitted to determine whether the applications meet the requirements of section 10(a) of the ESA and Federal regulations. The final permit decisions will not be made

until after the end of the 30-day comment period. NMFS will publish notice of its final action in the **Federal Register**.

Dated: June 28, 2018.

Angela Somma,
Chief, Endangered Species Division, Office
of Protected Resources, National Marine
Fisheries Service.

[FR Doc. 2018-14341 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG066

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Seabird Research Activities in Central California

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

ACTION: Notice; Issuance of an Incidental Harassment Authorization.

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to Point Blue Conservation Science (Point Blue) to incidentally harass, by Level B harassment only, marine mammals during seabird research activities in central California.

DATES: This Authorization is effective from July 7, 2018 through July 6, 2019.

FOR FURTHER INFORMATION CONTACT: Rob Pauline, Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the application 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/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>. 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 (as delegated to NMFS) 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).

Summary of Request

On January 4, 2018, NMFS received a request from Point Blue for an IHA to take marine mammals incidental to seabird research monitoring conducted at three locations in central California. Point Blue’s request is for take of California sea lions (*Zalophus californianus*), harbor seals (*Phoca vitulina*), northern elephant seals (*Mirounga angustirostris*), and Steller sea lions (*Eumetopias jubatus*) by Level B harassment only. Neither Point Blue nor NMFS expect serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

NMFS previously issued eight IHAs to Point Blue for similar work from 2006 through 2017 (72 FR 71121; December 14, 2007, 73 FR 77011; December 18, 2008, 75 FR 8677; February 19, 2010, 77 FR 73989; December 7, 2012, 78 FR 66686; November 6, 2013, 80 FR 80321; December 24, 2015, 81 FR 34978; June

1, 2016, 82 FR 31759; July 7, 2017). Point Blue complied with all the requirements (e.g., mitigation, monitoring, and reporting) of the previous IHAs and information regarding their monitoring results may be found in the Estimated Take section. The planned seabird research activities will occur on Southeast Farallon Island (SEFI), Año Nuevo Island (ANI), and Point Reyes National Seashore (PRNS). Point Blue, along with partners Oikonos Ecosystem Knowledge and PRNS, plan to conduct research activities that have been ongoing for thirty years. These partners are conducting this research under cooperative agreements with the U.S. Fish and Wildlife Service (USFWS) in consultation with the Gulf of the Farallones National Marine Sanctuary. We considered the IHA request for 2018–2019 activities as adequate and complete on February 28, 2018.

Description of Activity

Point Blue plans to monitor and census seabird colonies; observe seabird nesting habitat; restore nesting burrows; and resupply a field station annually in central California (i.e., SEFI, ANI, and PRNS). The purpose of the seabird research is to continue a 30-year monitoring program of the region’s seabird populations. Take by Level B harassment may occur due to incidental disturbance of pinnipeds by researchers during monitoring activities. A detailed description of the planned research project is provided in the **Federal Register** notice for the proposed IHA (83 FR 20045; May 7, 2018). Since that time, no changes have been made to the planned research activities. Therefore, a detailed description is not provided here. Please refer to that **Federal Register** notice for the description of the specific activity.

Comments and Responses

A notice of NMFS’s proposal to issue an IHA to the Point Blue was published in the **Federal Register** on May 7, 2018

(83 FR 20045). That notice described, in detail, Point Blue’s activities, the marine mammal species that may be affected, and the anticipated effects on marine mammals. During the 30-day public comment period, the Marine Mammal Commission (Commission) provided comments as described below and concurred with NMFS’s findings and recommended the issuance of an IHA, subject to the inclusion of the mitigation, monitoring, and reporting measures.

Comment: The Commission requested clarification of certain issues associated with NMFS’s notice that one-year renewals could be issued in certain limited circumstances and expressed concern that the process would bypass the public notice and comment requirements. The Commission also suggested that NMFS should discuss the possibility of renewals through a more general route, such as a rulemaking, instead of notice in a specific authorization. The Commission further recommended that if NMFS did not pursue a more general route, that the agency provide the Commission and the public with a legal analysis supporting our conclusion that this process is consistent with the requirements of section 101(a)(5)(D) of the MMPA.

Response: The process of issuing a renewal IHA does not bypass the public notice and comment requirements of the MMPA. The notice of the proposed IHA expressly notifies the public that under certain, limited conditions an applicant could seek a renewal IHA for an additional year. The notice describes the conditions under which such a renewal request could be considered and expressly seeks public comment in the event such a renewal is sought. Importantly, such renewals would be limited to where the activities are identical or nearly identical to those analyzed in the proposed IHA, monitoring does not indicate impacts that were not previously analyzed and authorized, and the mitigation and

monitoring requirements remain the same, all of which allow the public to comment on the appropriateness and effects of a renewal at the same time the public provides comments on the initial IHA. NMFS has, however, modified the language for future proposed IHAs to clarify that all IHAs, including renewal IHAs, are valid for no more than one year and that the agency would consider only one renewal for a project at this time. In addition, notice of issuance or denial of a renewal IHA would be published in the **Federal Register**, as are all IHAs. Last, NMFS will publish on our website a description of the renewal process before any renewal is issued utilizing the new process.

Description of Marine Mammals in the Area of Specified Activities

A detailed description of the species likely to be affected by the research and monitoring project, including brief introductions to the species and relevant stocks as well as available information regarding population trends and threats, and information regarding local occurrence, were provided in the **Federal Register** notice for the proposed IHA (83 FR 20045; May 7, 2018). Since that time, we are not aware of any changes in the status of these species and stocks; therefore, detailed descriptions are not provided here. Please refer to that **Federal Register** notice for these descriptions as well as to NMFS’s website (<https://www.fisheries.noaa.gov/topic/population-assessments/marine-mammals>) for generalized species accounts. All species that could potentially occur in the planned survey areas are included in Table 1. Note that Northern fur seals (*Callorhinus ursinus*) and Guadalupe fur seals (*Arctocephalus townsendi*) have been known to occur at some seabird research sites. However, their occurrence is extremely rare. Therefore, Point Blue did not request take of these species.

TABLE 1—MARINE MAMMALS POTENTIALLY PRESENT IN THE VICINITY OF STUDY AREAS

Species	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 Carnivora—Superfamily Pinnipedia						
Family Otariidae (eared seals and sea lions)						
California sea lion	<i>Zalophus californianus</i>	U.S.	–; N	296,750 (n/a; 153,337; 2011).	9,200	389
Steller sea lion	<i>Eumetopias jubatus</i>	Eastern U.S.	D; Y	41,638 (n/a; 41,638; 2015) ..	2,498	108
Family Phocidae (earless seals)						
Harbor seal	<i>Phoca vitulina richardii</i>	California	–; N	30,968 (0.157; 27,348; 2012).	1,641	43

TABLE 1—MARINE MAMMALS POTENTIALLY PRESENT IN THE VICINITY OF STUDY AREAS—Continued

Species	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
Northern elephant seal	<i>Mirounga angustirostris</i>	California breeding stock	–; N	179,000 (n/a; 81,368; 2010)	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. In some cases, CV is not applicable. For certain stocks of pinnipeds, abundance estimates are based upon observations of animals (often pups) ashore multiplied by some correction factor derived from knowledge of the species' (or similar species') life history to arrive at a best abundance estimate; therefore, there is no associated CV. In these cases, the minimum abundance may represent actual counts of all animals ashore.

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.

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

The effects of seabird researchers at the specified locations have the potential to result in harassment of marine mammals in the vicinity of the action area. The **Federal Register** notice for the proposed IHA (83 FR 20045; May 7, 2018) included a discussion of the effects of Level B harassment on marine mammals. Therefore, that information is not repeated here; please refer to the **Federal Register** notice for that information. No instances of serious injury or mortality are expected as a result of the specified activities.

Estimated Take

This section provides an estimate of the number of incidental takes authorized through this IHA, which will inform both NMFS's consideration of "small numbers" 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 are by Level B harassment only, in the form of disruption of behavioral patterns for individual marine mammals resulting from exposure to pedestrian researchers. Based on the nature of the activity, Level A harassment is neither anticipated nor authorized.

As described previously, no mortality is anticipated or authorized for this activity. Below we describe how the take is estimated. NMFS bases these take estimates on historical data from

five previous monitoring reports of the same activity to generate 95 percent confidence interval maximums (assuming normal distribution) using STATA, a general-purpose statistical computer software package. Results are shown in Table 2. Takes recorded in all previous monitoring reports were based on occurrences that are consistent with Levels 2 and 3 of the three-point-scale (See Table 4). For California sea lions and harbor seals, NMFS elected to use the values projected as shown in Table 2. However, since the projected take numbers for northern elephant seals and Steller sea lions were very close to recorded takes in 2017–2018, NMFS increased the take numbers for these species by 20 percent over the actual 2017–2018 take numbers shown in Table 2. This provides a buffer so Point Blue can continue their work if recorded takes for those two species exceeded take numbers generated by the STATA program. Authorized take numbers are shown in Table 3.

TABLE 2—PAST REPORTED TAKE OBSERVATIONS AND ESTIMATED TAKE AUTHORIZED FOR 2018–2019 POINT BLUE ACTIVITIES ACCORDING TO STATISTICAL ANALYSIS

Species	Reported take observations from past seasons ¹					Authorized take 2018–2019 IHA
	IHA (2013–2014)	IHA (2014–2015)	IHA (2015–2016)	IHA (2016)	IHA (2017)	
California Sea Lions	3,610	2,254	4,646	¹ 36,397	22,612	32,623
Northern Elephant Seals	67	30	97	169	198	239
Harbor Seals	109	141	259	292	234	304
Steller Sea Lions (E–DPS)	4	12	6	31	35	43

¹ Large increase in California sea lions likely due to El Niño event.

TABLE 3—POPULATION ABUNDANCE ESTIMATES, TOTAL LEVEL B TAKE, AND PERCENTAGE OF POPULATION THAT MAY BE TAKEN

Species	Stock	Stock abundance	Total level B take	Percentage of stock or population
California sea lion	U.S	296,750	32,623	10.9
Northern elephant seal	California breeding stock	179,000	239	0.13
Harbor seal	California	30,968	304	0.98

TABLE 3—POPULATION ABUNDANCE ESTIMATES, TOTAL LEVEL B TAKE, AND PERCENTAGE OF POPULATION THAT MAY BE TAKEN—Continued

Species	Stock	Stock abundance	Total level B take	Percentage of stock or population
Steller sea lion	Eastern U.S	41,638	43	0.10

Mitigation Measures

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,.

Mitigation for Marine Mammals and Their Habitat

Point Blue has based the mitigation measures, which they will employ during the research, on the implementation of protocols used during previous Point Blue research activities under previous authorizations for these activities. Note that Point Blue

and NMFS have refined mitigation requirements over the years in an effort to reduce behavioral disturbance impacts to marine mammals.

To reduce the potential for disturbance from acoustic and visual stimuli associated with survey activities Point Blue will implement the following mitigation measures for marine mammals:

(1) Slow approach to beaches for boat landings to avoid stampede, provide animals opportunity to enter water, and avoid vessel strikes;

(2) Observe a site from a distance, using binoculars if necessary, to detect any marine mammals prior to approach to determine if mitigation is required (*i.e.*, site surveys will not be conducted if fur seals are present; if other pinnipeds are present, researchers will approach with caution, walking slowly, quietly, and close to the ground to avoid surprising any hauled-out individuals and to reduce flushing/stampeding of individuals);

(3) Avoid pinnipeds along access ways to sites by locating and taking a different access way. Researchers will keep a safe distance from and not approach any marine mammal while conducting research, unless it is absolutely necessary to flush a marine mammal in order to continue conducting research (*i.e.*, if a site cannot be accessed or sampled due to the presence of pinnipeds);

(4) Cease or delay visits if the number of takes that have been granted are met, if a species for which takes were not granted is observed (*e.g.*, northern fur seals and Guadalupe fur seals), or if pups are present

(5) Monitor for offshore predators and do not approach hauled out pinnipeds if great white sharks (*Carcharodon carcharias*) or killer whales (*Orcinus orca*) are present. If Point Blue and/or its designees see pinniped predators in the area, they must not disturb the pinnipeds until the area is free of predators;

(6) Keep voices hushed and bodies low to the ground in the visual presence of pinnipeds;

(7) Conduct seabird observations at North Landing on SEFI in an observation blind, shielded from the view of hauled out pinnipeds;

(8) Crawl slowly to access seabird nest boxes on ANI if pinnipeds are within view;

(9) Coordinate research visits to intertidal areas of SEFI (to reduce potential take) and coordinate research goals for ANI to minimize the number of trips to the island; and

(10) Require beach landings on ANI only occur after any pinnipeds that might be present on the landing beach have entered the water.

Based on our evaluation of the applicant's measures, as well as other measures considered by NMFS, NMFS has 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.

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 planned 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.

Point Blue will contribute to the knowledge of pinnipeds in California by noting observations of: (1) Unusual behaviors, numbers, or distributions of pinnipeds, such that any potential follow-up research can be conducted by the appropriate personnel; (2) tag-bearing pinnipeds or carcasses, allowing transmittal of the information to appropriate agencies and personnel; and (3) rare or unusual species of marine mammals for agency follow-up.

Required monitoring protocols for Point Blue will include the following:

- (1) Record of date, time, and location (or closest point of ingress) of each visit to the research site;
- (2) Composition of the marine mammals sighted, such as species, gender and life history stage (e.g., adult, sub-adult, pup);
- (3) Information on the numbers (by species) of marine mammals observed during the activities;

(4) Estimated number of marine mammals (by species) that may have been harassed during the activities;

(5) Behavioral responses or modifications of behaviors that may be attributed to the specific activities and a description of the specific activities occurring during that time (e.g., pedestrian approach, vessel approach); and

(6) Information on the weather, including the tidal state and horizontal visibility.

Note that the lead biologist should serve as an observer to record incidental take. For consistency, any reactions by pinnipeds to researchers will be recorded according to a three-point scale shown in Table 4. Note that only observations of disturbance noted in Levels 2 and 3 should be recorded as takes.

TABLE 4—LEVELS OF PINNIPED BEHAVIORAL DISTURBANCE

Level	Type of response	Definition
1	Alert	Seal head orientation or brief movement in response to disturbance, which may include turning head towards the disturbance, craning head and neck while holding the body rigid in a u-shaped position, changing from a lying to a sitting position, or brief movement of less than twice the animal's body length.
2*	Movement	Movements in response to the source of disturbance, ranging from short withdrawals at least twice the animal's body length to longer retreats over the beach, or if already moving a change of direction of greater than 90 degrees.
2**	Flush	All retreats (flushes) to the water.

* Only observations of disturbance Levels 2 and 3 are recorded as takes.

This information will be incorporated into a monitoring report for NMFS. The monitoring report will cover the period from January 1, 2018 through December 31, 2018. NMFS has requested that Point Blue submit annual monitoring report data on a calendar year schedule, regardless of the current IHA's initiation or expiration dates. This will ensure that data from all consecutive months will be collected and, therefore, can be analyzed to estimate authorized take for future IHA's regardless of the existing IHA's issuance date. Point Blue will submit a draft monitoring report to NMFS Office of Protected Resources by April 1, 2019. A final report will be prepared and submitted within 30 days following resolution of any comments on the draft report from NMFS. If no comments are received from NMFS, the draft final report will be considered to be the final report. This report must contain the informational elements described above, at minimum.

Point Blue must also report observations of unusual pinniped behaviors, numbers, or distributions and tag-bearing carcasses to the NMFS West Coast Regional Office.

If at any time the specified activity clearly causes the take of a marine mammal in a manner prohibited by this IHA, such as an injury (Level A harassment), serious injury, or mortality, Point Blue will immediately cease the specified activities and report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS. The report must include the following information:

- (1) Time and date of the incident;
- (2) Description of the incident;
- (3) Environmental conditions (e.g., wind speed and direction, Beaufort sea state, cloud cover, and visibility);
- (4) Description of all marine mammal observations in the 24 hours preceding the incident;
- (5) Species identification or description of the animal(s) involved;
- (6) Fate of the animal(s); and
- (7) Photographs or video footage of the animal(s).

Activities will not resume until NMFS is able to review the circumstances of the prohibited take. NMFS will work with Point Blue to determine what measures are necessary to minimize the

likelihood of further prohibited take and ensure MMPA compliance. Point Blue may not resume the activities until notified by NMFS.

In the event that an injured or dead marine mammal is discovered and it is determined that the cause of the injury or death is unknown and the death is relatively recent (e.g., in less than a moderate state of decomposition), Point Blue will immediately report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS. The report must include the same information identified in the paragraph above. Activities may continue while NMFS reviews the circumstances of the incident. NMFS will work with Point Blue to determine whether additional mitigation measures or modifications to the activities are appropriate.

In the event that an injured or dead marine mammal is discovered and it is determined 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),

Point Blue will report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS, within 24 hours of the discovery. Point Blue will provide photographs or video footage or other documentation of the stranded animal sighting to NMFS. Activities may continue while NMFS reviews the circumstances of the incident.

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’s 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).

For reasons stated previously in this document and based on the following factors, NMFS does not expect Point Blue’s specified activities to cause long-term behavioral disturbance that would negatively impact an individual animal’s fitness, or result in injury, serious injury, or mortality. Although Point Blue’s survey activities may disturb marine mammals, NMFS expects those impacts to occur to localized groups of animals at or near survey sites. Behavioral disturbance would be limited to short-term startle responses and localized behavioral

changes due to the short duration (ranging from <15 minutes for visits at most locations up to 2–5 hours from April–August at SEFI) of the research activities. At some locations, where resupply activities occur, visits will occur once every two weeks. Minor and brief responses including short-duration startle reactions, are not likely to constitute disruption of behavioral patterns, such as migration, nursing, breeding, feeding, or sheltering (though the potential exists). These short duration disturbances (in many cases animals will return in 30 minutes or less) will generally allow marine mammals to reoccupy haulouts relatively quickly; therefore, these disturbances would not be anticipated to result in long-term disruption of important behaviors. No surveys will occur at or near rookeries as researchers will have limited access to SEFI, ANI, and PRNS during the pupping season and will not approach sites should pups be observed. Furthermore, breeding animals tend to be concentrated in areas that researchers generally do not visit. Therefore, NMFS does not expect mother and pup separation or crushing of pups during stampedes.

Level B behavioral harassment of pinnipeds may occur during the operation of small motorboats. However, exposure to boats and associated engine noise would be brief and would not occur on a frequent basis. Results from studies demonstrate that pinnipeds generally return to their sites and do not permanently abandon haul-out sites after exposure to motorboats. The chance of a vessel strike is very low due to small boat size and slow transit speeds. Researchers will delay ingress into the landing areas until after the pinnipeds enter the water and will cautiously operate vessels at slow speeds.

In summary and as described above, the following factors primarily support our determination that the impacts resulting from this activity are not expected to adversely affect the species or stock through effects on annual rates of recruitment or survival:

- No serious injury or mortality is anticipated or authorized.
- Only limited behavioral disturbance in the form of short-duration startle reactions is expected while mitigation requirements employed by researchers (*e.g.* move slowly, use hushed voices) should further decrease disturbance levels.
- There is no activity near rookeries and researchers will avoid pups.
- There is likely to be limited impact from boats due to their small size, maneuverability and the requirement to

delay ingress until after hauled out pinnipeds have entered the water.

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 required monitoring and mitigation measures, NMFS finds that the total marine mammal take from the planned 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, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

As mentioned previously, NMFS estimates that four marine mammal stocks could potentially be affected by Level B harassment under the authorization. For each stock, these numbers are small relative to the population size. As shown previously in Table 3, these incidental harassment numbers represent approximately 10.9 percent of the U.S. stock of California sea lion, 0.98 percent of the California stock of Pacific harbor seal, 0.13 percent of the California breeding stock of northern elephant seal, and 0.10 percent of the eastern distinct population segment of Steller sea lion. Note that the number of individual marine mammals taken is assumed to be less than the take estimate (number of exposures) since we assume that the same animals may be behaviorally harassed over multiple days.

Based on the analysis contained herein of the planned activity (including mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact 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.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

Endangered Species Act (ESA)

No incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

Authorization

As a result of these determinations, NMFS has issued an IHA to Point Blue for the potential harassment of small numbers of marine mammals incidental to seabird research activities in central California, provided the previously mentioned mitigation, monitoring and reporting requirements are incorporated.

Dated: June 29, 2018.

Donna S. Wieting,

Director, Office of Protected Resources,
National Marine Fisheries Service.

[FR Doc. 2018-14440 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

USPTO Websites Customer Satisfaction Surveys

ACTION: Proposed collection; comment request.

SUMMARY: The United States Patent and Trademark Office (USPTO), as required

by the Paperwork Reduction Act of 1995, invites comments on a proposed new information collection.

DATES: Written comments must be submitted on or before September 4, 2018.

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

- *Email:* InformationCollection@uspto.gov. Include "0651—New: Generic Clearance comment" in the subject line of the message.
- *Federal Rulemaking Portal:* <http://www.regulations.gov>.
- *Mail:* Marcie Lovett, Director, Records and Information Governance Division, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Marcie Lovett, Director, Records and Information Governance Division, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone on 571-272-8123; or by email to Marcie.Lovett@uspto.gov with "Generic Clearance" in the subject line.

Additional information about this collection can be found at <http://www.reginfo.gov> under "Information Collection Review."

SUPPLEMENTARY INFORMATION:

I. Abstract

This proposed information collection covers information gathered on the USPTO Websites Customer Satisfaction Surveys. These surveys provide a means to consistently assess, benchmark, and improve customer satisfaction with USPTO websites. The agency has partnered with ForeSee Results, Inc. to conduct this information collection. ForeSee Results' methodology (Customer Experience Analytics or CXA) is a derivative of the widely used American Customer Satisfaction Index (ACSI). This methodology combines survey data and a patented econometric model to precisely measure the customer satisfaction of website users, identify specific areas for improvement, and determine the impact of those improvements on customer satisfaction. The ultimate purpose of the surveys covered in this collection is to improve the quality of goods and services available to customers of the USPTO.

The USPTO Websites Customer Satisfaction Surveys will be completed subject to the Privacy Act of 1974, Public Law 93-579, December 31, 1974 (5 U.S.C. 522a). The agency information collection will be used solely for the

purpose of the surveys. The contractor will not be authorized to release any USPTO information obtained through surveys without first obtaining permission from USPTO. In no case will any new system of records containing privacy information be developed by the USPTO or the contractor collecting the data. In addition, USPTO provides ForeSee only information sufficient to randomly select website visitors as potential survey respondents.

The information collected in the surveys will enable USPTO to determine customer satisfaction metrics among various visitor sub-groups. This information collection will assist USPTO in improving customer service and addressing areas of concern in a targeted manner. This survey does not ask any questions of a sensitive nature or regarding sensitive topics. There is no other agency or organization able to provide the information that is accessible through the surveying approach used in this information collection.

II. Method of Collection

Customers will respond to the surveys electronically, as hosted on USPTO websites.

III. Data

OMB Number: 0651—New.
IC Instruments and Forms: The individual instruments in this collection, as well as their associated forms, are listed in the table below.

Type of Review: New collection.
Affected Public: Individuals and households; businesses or other for-profits; and not-for-profit institutions.

Estimated Number of Respondents: 100,000 responses per year.

Estimated Time per Response: Approximately 8 minutes (0.133 hours) per response.

Estimated Total Annual Respondent Burden Hours: 13,333.33 hours.

Estimated Total Annual Respondent (Hourly) Cost Burden: \$2,716,133.33. The USPTO expects that attorneys, paralegals and *pro se* applicants will complete these applications. The professional hourly rate for attorneys is \$438, and the hourly rates for paralegals and *pro se* applicants are \$145 and \$28.14, respectively. The combination of these respondent types brings the average respondent rate to \$203.71. The sources for these rates are the 2017 Report of the Economic Survey of the American Intellectual Property Association (AIPLA), the 2016 National Utilization and Compensation Survey Report of the National Association of the Legal Assistants (NALA), and the mean rate for office and administrative

support workers as found in the May 2017 National Occupational Employment and Wage Estimates of the

U.S Bureau of Labor Statistics (occupation code 43-1011). Using this blended hourly rate, the USPTO

estimates that the total respondent cost burden for this collection is \$2,716,133.33 per year.

IC No.	Information collection item	Estimated time for response (minutes) (a)	Estimated annual responses (b)	Estimated annual burden hours (a) × (b) = (c)	Rate (S/hr)
1	Surveys	8	100,000	13,333.33	\$203.71
Total (Three-Year Period)			100,000 (300,000)	13,333.33 (40,000)	\$2,716,133.33 (8,148,400.00)

Estimated Total Annual (Non-hour) Respondent Cost Burden: \$0. There are no capital start-up, maintenance, postage, or recordkeeping costs associated with this information collection.

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, e.g., the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Marcie Lovett,

Director, Records and Information Governance Division, Office of the Chief Information Officer, United States Patent and Trademark Office.

[FR Doc. 2018-14383 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-16-P

invites comments on a proposed extension of an existing information collection: 0651-0064 (Patent Reexaminations and Supplemental Examinations).

DATES: Written comments must be submitted on or before September 4, 2018.

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

- *Email:* InformationCollection@uspto.gov. Include "0651-0064 comment" in the subject line of the message.
- *Federal Rulemaking Portal:* <http://www.regulations.gov>.
- *Mail:* Marcie Lovett, Director, Records and Information Governance Division, Office of the Chief Technology Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Raul Tamayo, Senior Legal Advisor, Office of the Patent Legal Administration, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-7728; or by email to Raul.Tamayo@uspto.gov with "0651-0064 comment" in the subject line. Additional information about this collection is also available at <http://www.reginfo.gov> under "Information Collection Review."

SUPPLEMENTARY INFORMATION:

I. Abstract

The United States Patent and Trademark Office (USPTO) is required by 35 U.S.C. 131 and 151 to examine applications and, when appropriate, allow applications and issue them as patents. Chapter 30 of Title 35 U.S.C. provides that any person at any time may file a request for reexamination by the USPTO of any claim of a patent on the basis of prior art patents or printed publications. Once initiated, the reexamination proceedings under Chapter 30 are substantially *ex parte*

and do not permit input from third parties. The rules outlining *ex parte* reexaminations are found at 37 CFR 1.510-1.570.

35 U.S.C. 257 permits a patent owner to request supplemental examination of a patent by the USPTO to consider, reconsider, or correct information believed to be relevant to the patent. The rules outlining supplemental examination are found at 37 CFR 1.601-1.625.

The Leahy-Smith America Invents Act terminated *inter partes* reexamination effective September 16, 2012. However, *inter partes* reexamination proceedings based on *inter partes* reexamination requests filed before September 16, 2012, continue to be prosecuted. Therefore, this collection continues to include items related to the prosecution of *inter partes* reexamination proceedings. The rules outlining *inter partes* reexamination are found at 37 CFR 1.903-1.931.

Thus, the items included in this collection cover: (1) Requests for *ex parte* reexamination, (2) requests for supplemental examination, and (3) information that may be submitted by patent owners and third-party requesters in relation to the prosecution of an *ex parte* or *inter partes* reexamination proceeding. The transmittal forms are used by a requester (patent owner or third party) as a checklist to ensure compliance with the requirements of the statutes and rules for *ex parte* reexaminations and supplemental examinations. The public uses this information collection to request *ex parte* reexamination and supplemental examination, to prosecute reexamination proceedings, and to ensure that the associated documentation is submitted to the USPTO.

II. Method of Collection

By mail, facsimile, hand delivery, or electronically to the USPTO.

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Patent Reexaminations and Supplemental Examinations

ACTION: Proposed collection; comment request.

SUMMARY: The United States Patent and Trademark Office (USPTO), as required by the Paperwork Reduction Act of 1995

III. Data

OMB Number: 0651–0064.
IC Instruments and Forms: PTO/SB/57 and PTO/SB/59.
Type of Review: Renewal of an existing collection.
Affected Public: Individuals or households; businesses or other for-profits; and not-for-profit institutions.
Estimated Number of Respondents: 1,540 responses per year.
Estimated Time per Response: The USPTO estimates that it will take the

public approximately between 18 minutes (0.30 hours) to 55 hours to gather the necessary information, prepare the appropriate form or other document, and submit the information to the USPTO.
Estimated Total Annual Hour Burden: 32,962.50 hours.
Estimated Total Annual Respondent (Hourly) Cost Burden: \$14,437,575.00 per year. The USPTO expects that the information in this collection will be prepared by intellectual property

attorneys. The professional hourly rate for intellectual property attorneys in private firms is \$438, as estimated in the 2017 Report on the Economic Survey, published by the Committee on Economics of Legal Practice of the American Intellectual Property Law Association. Using this hourly rate, the USPTO estimates that the total respondent cost burden for this collection is \$14,437,575.00.

IC No.	Item	Estimated time for response (hours) (a)	Estimated respondents (b)	Estimated burden hours (c) (a) × (b)	Rate (d)	Total cost (e) (c) × (d)
1	Request for Supplemental Examination Transmittal Form	0.30 (18 minutes)	75	22.50	\$438.00	\$9,855.00
2	Request for Supplemental Examination	25	75	1,875.00	438.00	821,250.00
3	Request for <i>Ex Parte</i> Reexamination Transmittal Form	0.30 (18 minutes)	200	60.00	438.00	26,280.00
4	Request for <i>Ex Parte</i> Reexamination	55	200	11,000.00	438.00	4,818,000.00
5	Petition in a Reexamination Proceeding (except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d)).	23	200	4,600.00	438.00	2,014,800.00
6	Patent Owner's 37 CFR 1.530 Statement	8	85	680.00	438.00	297,840.00
7	Third Party Requester's 37 CFR 1.535 Reply	8	25	200.00	438.00	84,600.00
8	Amendment in <i>Ex Parte</i> or <i>Inter Partes</i> Reexamination	33	310	10,230.00	438.00	4,480,740.00
9	Third Party Requester's 37 CFR 1.947 Comments in <i>Inter Partes</i> Reexamination.	41	5	205.00	438.00	89,790.00
10	Response to Final Rejection in <i>Ex Parte</i> Reexamination	17	200	3,400.00	438.00	1,489,200.00
11	Patent Owner's 37 CFR 1.951 Resposne in <i>Inter Partes</i> Reexamination.	41	10	410.00	438.00	179,580.00
12	Third Party Requester's 37 CFR 1.951 Comments in <i>Inter Partes</i> Reexamination.	41	5	205.00	438.00	89,790.00
13	Petition to Request Extension of Time in <i>Ex Parte</i> or <i>Inter Partes</i> Reexamination.	0.50 (30 minutes)	150	75.00	438.00	32,520.00
Total			1,540	32,962.50		14,437,575.00

Estimated Total Annual Respondent (Non-Hourly) Cost Burden: \$2,750,186.50 per year. There are no capital start-up, recordkeeping, or maintenance costs associated with this collection. However, the collection does have annual (non-hour) costs in the form of postage costs and filing fees.

Postage Costs

The USPTO expects that most of the responses in this collection will be submitted electronically. However, it is

estimated that roughly 18 mailed submissions will be submitted for Petitions to Request Extension of Time. In addition, the documentation for requests for supplemental examination and requests for *ex parte* reexamination will typically be mailed to the USPTO with the appropriate transmittal form, resulting in 550 unique mailings. The USPTO estimates that the average postage cost for a mailed submission will be \$0.50 for Petitions to Request

Extension of Time and \$5.75 for all other mailed submissions. Therefore, the USPTO estimates that the total postage costs is approximately \$3,171.50 per year.

Filing Fees

There are nine filing fees associated with this collection, which are broken down by large entity, small entity, and micro entity. These fees are listed in the table below:

IC No.	Item	Estimated annual responses (a)	Filing fee (b)	Total cost (c) (a) × (b)
2	Supplemental Examination Request (large entity)	55	\$4,400.00	\$242,000.00
2	Supplemental Examination Request (small entity)	15	2,200.00	33,000.00
2	Supplemental Examination Request (micro entity)	5	1,100.00	5,500.00
2	Supplemental Examination Reexamination (large entity)	35	12,100.00	423,500.00
2	Supplemental Examination Reexamination (small entity)	10	6,050.00	60,500.00
2	Supplemental Examination Reexamination (micro entity)	1	3,025.00	3,025.00
2	Supplemental Examination document size fees, 21–50 documents (large entity)	10	180.00	1,800.00
2	Supplemental Examination document size fees, 21–50 documents (small entity)	5	90.00	450.00
2	Supplemental Examination document size fees, 21–50 documents (micro entity)	1	45.00	45.00
2	Supplemental examination document size fees, each additional 50 documents (large entity).	10	280.00	2,800.00
2	Supplemental examination document size fees, each additional 50 documents (small entity).	1	140.00	140.00

IC No.	Item	Estimated annual responses	Filing fee	Total cost
		(a)	(b)	(c) (a) × (b)
2	Supplemental examination document size fees, each additional 50 documents (micro entity).	1	70.00	70.00
2	Reexamination independent claims in excess of three and also in excess of the number of such claims in the patent under reexamination (large entity).	35	460.00	16,100.00
2	Reexamination independent claims in excess of three and also in excess of the number of such claims in the patent under reexamination (small entity).	10	230.00	2,300.00
2	Reexamination independent claims in excess of three and also in excess of the number of such claims in the patent under reexamination (micro entity).	5	115.00	575.00
2	Reexamination claims in excess of 20 and also in excess of the number of claims in the patent under reexamination (large entity).	55	100.00	5,500.00
2	Reexamination claims in excess of 20 and also in excess of the number of claims in the patent under reexamination (small entity).	20	50.00	1,000.00
2	Reexamination claims in excess of 20 and also in excess of the number of claims in the patent under reexamination (micro entity).	5	25.00	125.00
4	<i>Ex Parte</i> Reexamination (§ 1.510(a)) Streamlined (large entity)	42	6,000.00	252,000.00
4	<i>Ex Parte</i> Reexamination (§ 1.510(a)) Streamlined (small entity)	27	3,000.00	81,000.00
4	<i>Ex Parte</i> Reexamination (§ 1.510(a)) Streamlined (micro entity)	1	1,500.00	1,500.00
4	<i>Ex Parte</i> Reexamination (§ 1.510(a)) Non-Streamlined (large entity)	78	12,000.00	936.00
4	<i>Ex Parte</i> Reexamination (§ 1.510(a)) Non-Streamlined (small entity)	51	6,000.00	306,000.00
4	<i>Ex Parte</i> Reexamination (§ 1.510(a)) Non-Streamlined (micro entity)	1	3,000.00	3,000.00
5	Petitions in a reexamination proceeding, except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d) (large entity).	180	1,940.00	349,200.00
5	Petitions in a reexamination proceeding, except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d) (small entity).	20	970.00	19,400.00
5	Petitions in a reexamination proceeding, except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d) (micro entity).	1	485.00	485.00
Total		680		2,747,015.00

Therefore, the USPTO estimates that the total annual (non-hour) cost burden for this collection, in the form of postage costs (\$3,171.5) and filing fees (\$2,747,015), is \$2,750,186.50 per year.

IV. Request for Comment

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection. They also will become a matter of public record.

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, e.g., the use of automated

collection techniques or other forms of information technology.

Marcie Lovett,

Director, Records and Information Governance Division, OCTO, United States Patent and Trademark Office.

[FR Doc. 2018-14385 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Submission for OMB Review; Comment Request; “Trademark Petitions”

The United States Patent and Trademark Office (USPTO) will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the 1995 Paperwork Reduction Act.

Agency: United States Patent and Trademark Office, Commerce.

Title: Trademark Petitions.

OMB Control Number: 0651-0061.

Form Number(s): N/A.

Type of Request: Regular.

Number of Respondents: 4,768 responses per year.

Average Hours per Response: The USPTO estimates that it will take

approximately between 35 minutes (0.58 hours) to 75 minutes (1.25 hours) to complete the items in this collection. This includes the time to gather the necessary information, create the documents, and submit the completed request to the USPTO.

Burden Hours: 4,333.63 hours per year.

Cost Burden: \$53,507.84 per year.

Needs and Uses: The public uses this information collection for a variety of private business purposes related to establishing and enforcing trademark rights. The USPTO uses the information described in this collection to process letters of protest, requests to make special, responses to petition inquiry letters, petitions to make special, requests to restore a filing date, and requests for reinstatement. Information relating to the registration of a trademark is made publicly available by the USPTO. The release of information in a letter of protest is controlled and may be available upon request only.

Affected Public: Individuals or households; business or other for-profit organizations; not-for-profit organizations.

Frequency: On occasion.

Respondent’s Obligation: Required to Obtain or Retain Benefits.

OMB Desk Officer: Nicholas A. Fraser, email: Nicholas_A_Fraser@omb.eop.gov.

Once submitted, the request will be publicly available in electronic format through www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Further information can be obtained by:

• Email: InformationCollection@uspto.gov. Include "0651-0061 copy request" in the subject line of the message.

• Mail: Marcie Lovett, Records and Information Governance Division Director, Office of the Chief Technology Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Written comments and recommendations for the proposed information collection should be sent on or before August 6, 2018 to Nicholas A. Fraser, OMB Desk Officer, via email to Nicholas_A_Fraser@omb.eop.gov, or by fax to 202-395-5167, marked to the attention of Nicholas A. Fraser.

Marcie Lovett,

Director, Records and Information Governance Division.

[FR Doc. 2018-14384 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF DEFENSE

Department of the Air Force

[ARH-180613D-PL]

Notice of Intent To Grant an Exclusive Patent License

Authority: 35 U.S.C. 209; 37 CFR 404.

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Notice of Intent

SUMMARY: Pursuant to the Bayh-Dole Act and implementing regulations, the Department of the Air Force hereby gives notice of its intent to grant an exclusive patent license agreement to Elke Therapeutics, Inc., a domestic business corporation of the State of New York, having a place of business at 105 E 34th Street, Unit 198, New York, New York 10016.

DATES: Written objections must be filed no later than fifteen (15) calendar days after the date of publication of this Notice.

ADDRESSES: Submit written objections to the Air Force Materiel Command Law Office, AFMCLO/JAZ, 2240 B Street, Room 260, Wright-Patterson AFB, OH

45433-7109; Facsimile: (937) 255-3733; or Email: afmclo.jaz.tech@us.af.mil. Include Docket No. ARH-180613D-PL in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Air Force Materiel Command Law Office, AFMCLO/JAZ, 2240 B Street, Rm 260, Wright-Patterson AFB, OH 45433-7109; Facsimile: (937) 255-3733; Email: afmclo.jaz.tech@us.af.mil.

SUPPLEMENTARY INFORMATION: The Department of the Air Force intends to grant the exclusive patent license agreement for the invention described in:

—U.S. Patent No. 8,575,069, entitled, "HUMAN PERFORMANCE BIOMARKER BINDING PEPTIDES FOR NEUROPEPTIDE Y AND METHODS OF USING THE SAME," filed 15 January 2013, and issued 5 November 2013.

The Department of the Air Force may grant the prospective license unless a timely objection is received that sufficiently shows the grant of the license would be inconsistent with the Bayh-Dole Act or implementing regulations. A competing application for a patent license agreement, completed in compliance with 37 CFR 404.8 and received by the Air Force within the period for timely objections, will be treated as an objection and may be considered as an alternative to the proposed license.

Henry Williams,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2018-14400 Filed 7-3-18; 8:45 am]

BILLING CODE 5001-10-P

DEPARTMENT OF DEFENSE

Department of the Air Force

Board of Visitors of the U.S. Air Force Academy; Notice of Federal Advisory Committee Meeting

AGENCY: Department of the Air Force, Board of Visitors of the U.S. Air Force Academy, Department of Defense.

ACTION: Notice of Federal Advisory Committee Meeting.

SUMMARY: The Department of Defense (DoD) is publishing this notice to announce that the following Federal Advisory Committee meeting of the Board of Visitors of the U.S. Air Force Academy will take place.

DATES: Friday July 27, 2018 from 8:30 a.m. to 4:00 p.m. (Mountain Time).

ADDRESSES: United States Air Force Academy, Blue and Silver Club, Colorado Springs, CO.

FOR FURTHER INFORMATION CONTACT: Jean R. Love, (703) 692-7757 (Voice), 703-693-4244 (Facsimile), jean.r.love.civ@mail.mil (Email). Mailing address is SAF/MRM, 1660 Air Force Pentagon, Washington, DC 20330-1660. Website: <https://www.usafa.edu/about/bov/>.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.140 and 102-3.150.

Purpose of the Meeting: The purpose of the meeting is to review morale and discipline, social climate, athletics, diversity, curriculum and other matters relating to the Academy that include a Superintendent's update, a Commandant's update, a Dean's update and Athletic Director's update.

Agenda

- 0830-0835 ... Introductions & opening remarks by Designated Federal Officer (Ms. Love)
- 0835-0840 ... Call to Order and Agenda Overview
BoV Chairman: Gen (Ret) Rice
- 0840-0845 ... Chairman's Opening Comments
- 0845-0945 ... Superintendent's Update
- 0945-1000 ... Comfort Break
- 1000-1045 ... Commandant's Update
- 1045-1130 ... Dean's Update
- 1130-1215 ... BREAK: Group Photo, Lunch served
- 1215-1245 ... Athletic Director's Update
- 1245-1315 ... CCLD's Update
- 1315-1415 ... Admissions Update
- 1415-1430 ... Comfort Break
- 1430-1500 ... SAPR Update
- 1500-1530 ... Superintendent's Summary Remarks
- 1530-1600 ... Chairman's Concluding Remarks
- 1600 Adjourn (DFO)

Meeting Accessibility: Open to the public subject to the availability of space. Registration of members of the public who wish to attend the meeting will begin upon publication of this meeting notice and end three business days (24 July) prior to the start of the meeting. All members of the public must contact Capt. Campos at the phone number or email listed in the FOR FURTHER INFORMATION CONTACT. Seating is limited and is on a first-to-arrive basis. Attendees will be asked to provide their name, title, affiliation, and contact information to include email address and daytime telephone number to the POC listed in the FOR FURTHER INFORMATION CONTACT section. Any interested person may attend the meeting, file written comments or

statements with the committee, or make verbal comments from the floor during the public meeting, at the times, and in the manner, permitted by the BoV.

Written Statements: Pursuant to 41 CFR 102–3.105(j) and 102–3.140 and section 10(a)(3) of the Federal Advisory Committee Act, the public or interested organizations may submit written comments or statements to the BoV about its mission and/or the topics to be addressed in this public meeting. Written comments or statements should be submitted to Capt. Campos, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section in the following formats: Adobe Acrobat or Microsoft Word. The comment or statement must include the author's name, title, affiliation, address, and daytime telephone number. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the committee DFO at least five (5) business days (20 July) prior to the meeting so that they may be made available to the BoV Chairman for their consideration prior to the meeting. Written comments or statements received after this date (20 July) may not be provided to the BoV until its next meeting. Please note that because the BoV operates under the provisions of the Federal Advisory Committee Act, as amended, all written comments will be treated as public documents and will be made available for public inspection.

Verbal Comments: Members of the public will be permitted to make verbal comments during the meeting only at the time and in the manner allowed herein. If a member of the public is interested in making a verbal comment at the open meeting, that individual must submit a request, with a brief statement of the subject matter to be addressed by the comment, at least three (3) business days (24 July) in advance, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section. The BoV DFO will log each request to make a comment, in the order received, and the DFO and BoV Chairman will determine whether the subject matter of each comment is relevant to the BoV's mission and/or the topics to be addressed in this public meeting. A period near the end of the meeting will be available for verbal public comments. Members of the public who have requested to make a verbal comment and whose comments have been deemed relevant under the process described in this paragraph, will be allotted no more than five (5) minutes during this period, and will be

invited to speak in the order in which their requests were received by the DFO. For the benefit of the public, rosters that list the names of BoV members and any releasable materials presented during the BoV meeting shall be made available upon request.

FOR FURTHER INFORMATION CONTACT: Captain Natalie Campos, Officer of the Deputy Assistant Secretary of the Air Force, SAF/MRM, Executive Officer and Force Management Action Officer, 1660 Air Force Pentagon, Washington, DC 20330, (703) 697–7058, natalie.m.campos.mil@mail.mil.

Bao-Anh Trinh,

Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018–14393 Filed 7–3–18; 8:45 am]

BILLING CODE 5001–10–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2018–ICCD–0072]

Agency Information Collection Activities; Comment Request; 2019–20 National Postsecondary Student Aid Study (NPSAS: 20) Field Test Institution Contacting and Enrollment List Collection

AGENCY: National Center for Education Statistics (NCES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before September 4, 2018.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED–2018–ICCD–0072. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Room 206–06, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Kashka Kubzdela, 202–245–7377 or email NCES.Information.Collections@ed.gov.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: 2019–20 National Postsecondary Student Aid Study (NPSAS: 20) Field Test Institution Contacting and Enrollment List Collection.

OMB Control Number: 1850–0666.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 794.

Total Estimated Number of Annual Burden Hours: 726.

Abstract: The 2019–20 National Postsecondary Student Aid Study (NPSAS:20) is a nationally representative cross-sectional study of how students and their families finance education beyond high school in a given academic year. NPSAS is conducted by the National Center for Education Statistics (NCES) and was first implemented by NCES during the 1986–87 academic year and has been fielded every 2 to 4 years since. This request is to conduct a field test in preparation for

the 11th cycle in the NPSAS series that will be conducted during the 2019–20 academic year. NPSAS:20 also will serve as the base year data collection for the Beginning Postsecondary Students Longitudinal Study (BPS), a study of first-time beginning postsecondary students that will be conducted three years (BPS:20/22) and six years (BPS:20/25) after beginning their postsecondary education. This request covers NPSAS:20 field test materials and procedures related to institution sampling, institution contacting, enrollment list collection, and enrollment list sampling, which are scheduled to begin by November 2018. In late 2018, NCES will submit a separate request for the NPSAS:20 field test student data collection, including student record data abstraction and student interviews, which in turn are scheduled to begin in January 2019. Following the 2018–19 field test study, NCES will request to conduct the NPSAS:20 full-scale data collection, scheduled to take place from October 1, 2019 through September 2020. The materials that will be used in the 2019–20 full-scale study will be based upon the field test materials included in this submission and in the forthcoming student data collection submission.

Dated: June 29, 2018.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018–14441 Filed 7–3–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2018–ICCD–0054]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Fast Response Survey System (FRSS) 109: Teachers' Use of Technology for School and Homework Assignments

AGENCY: National Center for Education Statistics (NCES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before August 6, 2018.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please

use <http://www.regulations.gov> by searching the Docket ID number ED–2018–ICCD–0054. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Room 206–06, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Kashka Kubzdela, 202–245–7377 or email NCES.Information.Collections@ed.gov.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Fast Response Survey System (FRSS) 109: Teachers' Use of Technology for School and Homework Assignments.

OMB Control Number: 1850–0857.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 9,500.

Total Estimated Number of Annual Burden Hours: 3,251.

Abstract: The Fast Response Survey System (FRSS) 109 survey on teachers' use of technology for school and homework assignments in public schools is conducted by the National Center for Education Statistics (NCES) as part of the IES response to the request in the Every Student Succeeds Act of 2015 (ESSA, 20 U.S.C. 6301 *et seq.*) to provide information about the educational impact of access to digital learning resources (DLRs) outside of the classroom. The expanding use of technology affects the lives of students both inside and outside the classroom. For this reason, the role of technology in education is an increasingly important area of research. While access to technology can provide valuable learning opportunities to students, technology by itself does not guarantee successful outcomes. Schools and teachers play an important role in successfully integrating technology into teaching and learning. Findings from the FRSS 109 study will provide insight on the types and availability of DLRs outside of the classroom, and will contribute to IES legislatively mandated report on the educational impact of access to DLRs outside the classroom. To provide the needed data, FRSS 109 will collect nationally representative data from public school teachers about their use of DLRs for teaching, and how their knowledge and beliefs about their students' access to DLRs outside the classroom affect the assignments they give. The survey will focus on information that can best be provided by teachers from their perspective and direct interaction with students. FRSS 109 will provide national statistics on: (1) Teachers' knowledge and beliefs about students' access to technology for doing school assignments outside of school; (2) Barriers and challenges teachers believe their students face in using technology for class assignments outside of school; and (3) Computers that the district or school may make available to students for use outside of class time. The request for FRSS 109 preliminary activities, including securing research approval from special contact school districts beginning in April 2018, notifying superintendents of districts with sampled schools about the survey, and obtaining teacher lists from sampled schools beginning in August 2018, was approved in March 2018, with the latest change request approved in April 2018 (1850–0857 v.2–4). This

request is to conduct the FRSS 109 data collection.

Dated: June 28, 2018.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018-14369 Filed 7-3-18; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

[Docket No. ED-2018-ICCD-0070]

Agency Information Collection Activities; Comment Request; National Teacher and Principal Survey of 2019-2020 (NTPS 2019-20) Preliminary Field Activities

AGENCY: National Center for Education Statistics (NCES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before September 4, 2018.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2018-ICCD-0070. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Room 206-04, Washington, DC 20202-4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Kashka Kubzdela, 202-245-7377 or email NCES.Information.Collections@ed.gov.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department

assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: National Teacher and Principal Survey of 2019-2020 (NTPS 2019-20) Preliminary Field Activities.

OMB Control Number: 1850-0598.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 10,525.

Total Estimated Number of Annual Burden Hours: 3,322.

Abstract: The National Teacher and Principal Survey (NTPS), conducted biennially by the National Center for Education Statistics (NCES), is a system of related questionnaires that provides descriptive data on the context of elementary and secondary education. Redesigned from the Schools and Staffing Survey (SASS) with a focus on flexibility, timeliness, and integration with other ED data, the NTPS system allows for school, principal, and teacher characteristics to be analyzed in relation to one another. NTPS is an in-depth, nationally representative survey of first through twelfth grade public school teachers, principals, and schools. Kindergarten teachers in schools with at least a first grade are also surveyed. NTPS utilizes core content and a series of rotating modules to allow timely collection of important education trends as well as trend analysis. Topics covered include characteristics of teachers, principals, schools, teacher training opportunities, retention, retirement, hiring, and shortages. This request is to contact districts and schools in order to begin preliminary activities for NTPS 2019-20, namely: (a)

Contacting and seeking research approvals from special contact districts, where applicable, (b) notifying districts that their school(s) have been selected for NTPS 2019-20, and (c) notifying sampled schools of their selection for the survey and verifying their mailing addresses.

Dated: June 29, 2018.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018-14390 Filed 7-3-18; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL18-183-000]

Radford's Run Wind Farm, LLC v. PJM Interconnection, L.L.C.; Notice of Complaint

Take notice that on June 26, 2018, pursuant to sections 206, 306 and 309 of the Federal Power Act, 16 U.S.C. 824e, 825e and 825h (2012) and Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206 (2017), Radford's Run Wind Farm, LLC (Complainant) filed a formal complaint against PJM Interconnection, L.L.C., (PJM or Respondent) alleging that PJM has not followed its tariff and Complainant is due incremental capacity transfer rights, as more fully explained in the complaint.

Complainant certifies that a copy of the complaint was served on the contacts for Respondent as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and

interventions in lieu of paper using the eFiling link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the eLibrary link and is available for electronic review in the Commission's Public Reference Room in Washington, DC there is an eSubscription link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 p.m. Eastern Time on July 16, 2018.

Dated: June 27, 2018.

Kimberly D. Bose,
Secretary.

[FR Doc. 2018-14344 Filed 7-3-18; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC18-113-000.

Applicants: Copenhagen Wind Farm, LLC, Stoneray Power Partners, LLC.

Description: Application for Authorization under Section 203 of the Federal Power Act and Request for Confidential Treatment and Request for Expedited Action of Copenhagen Wind Farm, LLC, et al.

Filed Date: 6/26/18.

Accession Number: 20180626-5217.

Comments Due: 5 p.m. ET 7/17/18.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10-2407-005; ER10-2424-005; ER10-2425-007; ER13-1816-009; ER17-1316-002; ER18-1186-001.

Applicants: Lost Lakes Wind Farm LLC, Pioneer Prairie Wind Farm I, LLC, Quilt Block Wind Farm LLC, Rail Splitter Wind Farm, LLC, Sustaining Power Solutions LLC, Turtle Creek Wind Farm LLC.

Description: Updated Market Power Analysis for Central Region and Notice

of Non-Material Change in Status of Lost Lakes Wind Farm LLC, et al.

Filed Date: 6/26/18.

Accession Number: 20180626-5243.

Comments Due: 5 p.m. ET 8/27/18.

Docket Numbers: ER15-1332-006; ER10-2398-007; ER10-2399-007; ER10-2400-008; ER10-2401-006; ER10-2402-006; ER10-2403-007; ER10-2406-008; ER10-2409-007; ER10-2410-007; ER10-2411-008; ER10-2412-008; ER10-2414-008; ER11-2935-009; ER11-3414-007; ER13-1816-008; ER14-1933-007; ER15-1333-006; ER16-1724-004; ER17-1315-004; ER17-1318-002; ER17-2087-002.

Applicants: Arbuckle Mountain Wind Farm LLC, Blackstone Wind Farm, LLC, Blackstone Wind Farm II LLC, Blue Canyon Windpower LLC, Blue Canyon Windpower II LLC, Blue Canyon Windpower V LLC, Blue Canyon Windpower VI LLC, Cloud County Wind Farm, LLC, Headwaters Wind Farm LLC, High Trail Wind Farm, LLC, Hog Creek Wind Project, LLC, Meadow Lake Wind Farm LLC, Meadow Lake Wind Farm II LLC, Meadow Lake Wind Farm III LLC, Meadow Lake Wind Farm IV LLC, Meadow Lake Wind Farm V LLC, Old Trail Wind Farm, LLC, Paulding Wind Farm II LLC, Paulding Wind Farm III LLC, Redbed Plains Wind Farm LLC, Waverly Wind Farm LLC, Sustaining Power Solutions LLC.

Description: Notice of Non-Material Change in Status of Arbuckle Mountain Wind Farm LLC, et al.

Filed Date: 6/26/18.

Accession Number: 20180626-5239.

Comments Due: 5 p.m. ET 7/17/18.

Docket Numbers: ER17-512-006.
Applicants: Virginia Electric and Power Company.

Description: Compliance filing: Informational Filing of VEPCO Docket No. ER17-512-006 to be effective N/A.

Filed Date: 6/27/18.

Accession Number: 20180627-5001.

Comments Due: 5 p.m. ET 7/18/18.

Docket Numbers: ER18-1464-003.
Applicants: Midcontinent Independent System Operator, Inc.

Description: Tariff Amendment: 2018-06-26 Deficiency response for the Sub-Regional Power Balance Constraints to be effective 6/26/2018.

Filed Date: 6/26/18.

Accession Number: 20180626-5180.

Comments Due: 5 p.m. ET 7/17/18.

Docket Numbers: ER18-1859-000.
Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2018-06-27 SA 2840 Entergy Arkansas-Stuttgart Solar LLC 1st Rev GIA (J348) to be effective 6/18./2018.

Filed Date: 6/27/18.

Accession Number: 20180627-5025.

Comments Due: 5 p.m. ET 7/18./18.

Docket Numbers: ER18-1860-000.

Applicants: NorthWestern

Corporation.

Description: § 205(d) Rate Filing: SA 767 5th Rev—NITSA with Basin Electric Power Cooperative, Inc. to be effective 7/1/2018.

Filed Date: 6/27/18.

Accession Number: 20180627-5031.

Comments Due: 5 p.m. ET 7/18/18.

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: June 27, 2018.

Kimberly D. Bose,
Secretary.

[FR Doc. 2018-14342 Filed 7-3-18; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14581-002; Project No. 2299-082]

Notice of Modification of Procedural Schedule; Turlock Irrigation District, Modesto Irrigation District

Take notice that the schedule for processing the following hydroelectric applications has been modified.

a. *Type of Applications:* Major Licenses.

b. *Project Nos.:* 14581-002 and 2299-082.

c. *Date filed:* October 11, 2017.

d. *Applicant:* Turlock Irrigation District and Modesto Irrigation District (Districts).

e. *Name of Projects:* La Grange and Don Pedro Hydroelectric Projects.

f. *Location:* The La Grange Project is located on the Tuolumne River in

Stanislaus and Tuolumne Counties, California. The Don Pedro Project is located on the Tuolumne River in Tuolumne County, California. Portions of both projects occupy public lands managed by the Bureau of Land Management.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contacts:* Steve Boyd, Turlock Irrigation District, 333 East Canal Drive, Turlock, California 95381–0949, (209) 883–8300; and Anna Brathwaite, Modesto Irrigation District, P.O. Box 4060, Modesto, CA 95352, (209) 526–7384.

i. *FERC Contact:* Jim Hastreiter at (503) 552–2760 or james.hastreiter@ferc.gov.

j. *Procedural Schedule:* The Commission's November 30, 2017, Notice of Application Ready for Environmental Analysis for each of the projects established July 2018 as the estimated date for issuing the Draft Environmental Impact Statement (EIS). The revised estimate for issuing the Draft EIS is now November 2018. As such, the applications will be processed according to the following revised schedule. Revisions to the schedule may be made as appropriate. If a due date falls on a weekend or holiday, the due date will be the following business day.

Milestone	Target date
Commission issues Draft EIS.	November 2018.
Comments on Draft EIS Modified Terms and Conditions.	January 2019. March 2019.
Commission issues Final EIS.	May 2019.

Dated: June 27, 2018.

Kimberly D. Bose,
Secretary.

[FR Doc. 2018–14345 Filed 7–3–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 8315–013]

Notice of Application Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests; Eagle Creek Sartell Hydro, LLC

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Request for temporary variance of Article 34.

b. *Project No.:* 8315–013.

c. *Date Filed:* June 19, 2018.

d. *Applicant:* Eagle Creek Sartell Hydro, LLC.

e. *Name of Project:* Sartell Dam Hydro Project.

f. *Location:* Mississippi River in Stearns and Benton counties, Minnesota.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Ms. Melissa Rondou, Eagle Creek Sartell Hydro, LLC, 116 N. State Street, P.O. Box 167, Neshkoro, WI 54960, (920) 293–4628 ext. 347, melissa.rondou@eaglecreekre.com.

i. *FERC Contact:* Mr. Jeremy Jessup, (202) 502–6779, Jeremy.Jessup@ferc.gov.

j. *Deadline for filing comments, motions to intervene, and protests, is 15 days from the issuance date of this notice by the Commission. The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/doc-sfiling/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket numbers P–8315–013.*

k. *Description of Request:* The applicant requests a temporary variance from the run-of-river and reservoir elevation requirements of Article 34 of the license. The variance will allow the licensee to drawdown the reservoir approximately three feet over a six-week period, from August 1 through September 15, 2018. The drawdown is to assist the Minnesota Department of Natural Resources, the Little Rock Lake Association, and the Benton Soil and Water Conservation District to facilitate water quality, fish habitat, and restoration improvements in the reach of the Mississippi River upstream of the project, and at Little Rock Lake, located approximately six miles upstream of the project.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE, Room 2A,

Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Motions To Intervene, or Protests:* Anyone may submit comments, a motion to intervene, or a protest in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, motions to intervene, or protests must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title COMMENTS, MOTION TO INTERVENE, or PROTEST as applicable; (2) set forth in the heading the name of the applicant and the project number(s) of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person intervening or protesting; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the application. Agencies may obtain copies of the application directly from the applicant. A copy of any motion to intervene or protest must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource

agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: June 27, 2018.

Kimberly D. Bose,
Secretary.

[FR Doc. 2018-14346 Filed 7-3-18; 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: RP18-741-001.
Applicants: Saltville Gas Storage Company L.L.C.

Description: Compliance filing Reservation Charge Crediting Language—Compliance Filing to be effective 12/1/2018.

Filed Date: 6/25/18.

Accession Number: 20180625-5058.

Comments Due: 5 p.m. ET 7/9/18.

Docket Numbers: RP18-904-000.

Applicants: Gulf South Pipeline Company, LP.

Description: § 4(d) Rate Filing: Remove Expired Agreements to be effective 7/1/2018.

Filed Date: 6/25/18.

Accession Number: 20180625-5042.

Comments Due: 5 p.m. ET 7/9/18.

Docket Numbers: RP18-905-000.

Applicants: Big Sandy Pipeline, LLC.
Description: § 4(d) Rate Filing: Big Sandy EPC 2018 to be effective 8/1/2018.

Filed Date: 6/25/18.

Accession Number: 20180625-5175.

Comments Due: 5 p.m. ET 7/9/18.

Docket Numbers: RP18-906-000.

Applicants: Mississippi Canyon Gas Pipeline, L.L.C.

Description: § 4(d) Rate Filing: FT2 and RCA tariff modifications to be effective 8/1/2018.

Filed Date: 6/26/18.

Accession Number: 20180626-5028.

Comments Due: 5 p.m. ET 7/9/18.

Docket Numbers: RP18-907-000.

Applicants: Texas Eastern Transmission, LP.

Description: § 4(d) Rate Filing: Negotiated Rate—Infinite Energy 911508 eff 6.27.18 to be effective 6/27/2018.

Filed Date: 6/26/18.

Accession Number: 20180626-5141.

Comments Due: 5 p.m. ET 7/9/18.

Docket Numbers: RP18-908-000.

Applicants: Tallgrass Interstate Gas Transmission, L.

Description: § 4(d) Rate Filing: Neg Rate 2018-6-26 Preferred Sands, Valero to be effective 6/26/2018.

Filed Date: 6/26/18.

Accession Number: 20180626-5182.

Comments Due: 5 p.m. ET 7/9/18.

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: June 27, 2018.

Kimberly D. Bose,
Secretary.

[FR Doc. 2018-14343 Filed 7-3-18; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-ORD-2014-0527; FRL-9980-16-ORD]

Availability of the IRIS Assessment Plan for Naphthalene

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public comment period.

SUMMARY: The Environmental Protection Agency (EPA) is announcing a 30-day public comment period associated with release of the draft IRIS Assessment Plan for naphthalene. This document communicates information on the scoping needs identified by EPA program and regional offices and the IRIS Program's initial problem formulation activities. Specifically, the assessment plan outlines the objectives for each assessment and the type of evidence considered most pertinent to address the scoping needs. EPA is

releasing this draft IRIS Assessment Plan for public comment at least 30 days in advance of a public science webinar planned on August 23, 2018.

DATES: The 30-day public comment period begins July 5, 2018, and ends August 6, 2018.

ADDRESSES: The IRIS Assessment Plan for Naphthalene, will be available via the internet on IRIS' website at https://cfpub.epa.gov/ncea/iris2/chemicalLanding.cfm?substance_nmbr=436 and in the public docket at <http://www.regulations.gov>, Docket ID: EPA-HQ-ORD-2014-0527.

FOR FURTHER INFORMATION CONTACT: For information on the public comment period, contact the ORD Docket at the EPA Headquarters Docket Center; telephone: 202-566-1752; facsimile: 202-566-9744; or email: Docket_ORD@epa.gov.

For technical information on the draft IRIS Assessment Plan for naphthalene, contact Dr. James Avery, NCEA; telephone: 202-564-1494; or email: avery.james@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background Information on IRIS Assessment Plans

EPA's IRIS Program is a human health assessment program that evaluates quantitative and qualitative risk information on effects that may result from exposure to chemicals found in the environment. Through the IRIS Program, EPA provides the highest quality science-based human health assessments to support the Agency's regulatory activities and decisions to protect public health. As part of scoping and initial problem formulation activities prior to the development of a draft assessment, the IRIS Program carries out a broad, preliminary literature survey to assist in identifying health effects that have been studied in relation to the chemical or substance of interest, as well as science issues that may need to be considered when evaluating toxicity. This information, in conjunction with scoping needs identified by EPA program and regional offices, is used to inform the development of an IRIS Assessment Plan (IAP).

The IAP communicates the plan for developing each individual chemical assessment to the public and includes summary information on the IRIS Program's scoping and initial problem formulation, objectives and specific aims for the assessment, and a PECO (Populations, Exposures, Comparators, and Outcomes) for the systematic review. The PECO provides the framework for developing literature

search strategies and inclusion/exclusion criteria, particularly with respect to evidence stream (*i.e.*, human, animal, mechanistic), exposure measures and outcome measures. The IAP serves to inform the subsequent development of chemical-specific systematic review protocols, which will be made publicly available.

II. Public Webinar

In order to allow for public input, EPA is convening a public webinar to discuss the draft IRIS Assessment Plan for naphthalene on August 23, 2018. Specific teleconference and webinar information regarding this public meeting will be provided through the IRIS website (<https://www.epa.gov/iris>) and via EPA's Human Health Risk Assessment (HHRA) and IRIS listservs. To register for the HHRA or IRIS listserv, visit the IRIS website (<https://www.epa.gov/iris>) or visit <https://www.epa.gov/iris/forms/staying-connected-integrated-risk-information-system#connect>.

III. How to Submit Technical Comments to the Docket at <http://www.regulations.gov>

Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2014-0527 for naphthalene, by one of the following methods:

- www.regulations.gov: Follow the on-line instructions for submitting comments.
- *Email*: Docket_ORD@epa.gov.
- *Fax*: 202-566-9744.
- *Mail*: U.S. Environmental Protection Agency, EPA Docket Center (ORD Docket), Mail Code: 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460. The phone number is 202-566-1752.
- *Hand Delivery*: The ORD Docket is located in the EPA Headquarters Docket Center, EPA West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20229.

The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is 202-566-1744. Deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. If you provide comments by mail or hand delivery, please submit three copies of the comments. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies.

Instructions: Direct your comments to docket number EPA-HQ-ORD-2014-

0527 for naphthalene. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked "late," and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at www.regulations.gov, including any personal information provided, unless a comment includes information claimed to be Confidential Business Information (CBI) or other information for which disclosure is restricted by statute. Do not submit information through www.regulations.gov or email that you consider to be CBI or otherwise protected. The www.regulations.gov website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through www.regulations.gov, 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. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at www.epa.gov/epahome/dockets.htm.

Docket: Documents in the docket are listed in the www.regulations.gov index. Although listed in the index, some information is not publicly available, *e.g.*, CBI or other information whose disclosure is restricted by statute. Certain other materials, such as copyrighted material, are publicly available only in hard copy. Publicly available docket materials are available either electronically in www.regulations.gov or in hard copy at the ORD Docket in the EPA Headquarters Docket Center.

Dated: June 21, 2018.

Tina Bahadori,

Director, National Center for Environmental Assessment.

[FR Doc. 2018-14446 Filed 7-3-18; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0139]

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 of 1995 (PRA), 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.

The FCC 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 PRA comments should be submitted on or before September 4, 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 Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0139.

Title: Application for Antenna Structure Registration.

Form Number: FCC Form 854.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households, business or other for-profit entities, not-for-profit institutions, and State, local, or Tribal governments.

Number of Respondents and Responses: 2,400 respondents; 57,100 responses.

Estimated Time per Response: .33 hours to 2.5 hours.

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

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in sections 1, 2, 4(i), 303, and 309(j) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 303, and 309(j), section 102(C) of the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4332(C), and section 1506.6 of the regulations of the Council on Environmental Quality, 40 CFR 1506.6.

Total Annual Burden: 25,682 hours.

Total Annual Cost: \$1,176,813.

Privacy Act Impact Assessment: Yes. This information collection contains personally identifiable information on individuals which is subject to the Privacy Act of 1974. Information on the FCC Form 854 is maintained in the Commission's System of Records, FCC/WTB-1, "Wireless Services Licensing Records." These licensee records are publicly available and routinely used in accordance of subsection b of the Privacy Act, 5 U.S.C. 552a(b), as amended. Taxpayer Identification Numbers (TINs) and materials that are 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.

Nature and Extent of Confidentiality: Respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR 0.459 of the Commission's rules. The Commission has in place the following policy and procedures for records retention and disposal: Records will be actively maintained as long as the entity remains a tower owner. Paper records will be archived after being keyed or scanned into the Antenna Structure Registration (ASR) database and destroyed when twelve (12) years old.

Needs and Uses: The purpose of FCC Form 854 (Form 854) is to register antenna structures that are used for radio communication services which are regulated by the Commission; to make

changes to existing antenna structure registrations or pending applications for registration; or to notify the Commission of the completion of construction or dismantlement of such structures, as required by Title 47 of the Code of Federal Regulations, Chapter 1, Sections 1.923, 1.1307, 1.1311, 17.1, 17.2, 17.4, 17.5, 17.6, 17.7, 17.57 and 17.58.

Any person or entity proposing to construct or alter an antenna structure that is more than 60.96 meters (200 feet) in height, or that may interfere with the approach or departure space of a nearby airport runway, must notify the Federal Aviation Administration (FAA) of proposed construction. The FAA determines whether the antenna structure constitutes a potential hazard and may recommend appropriate painting and lighting for the structure. The Commission then uses the FAA's recommendation to impose specific painting and/or lighting requirements on radio tower owners and subject licensees. When an antenna structure owner for one reason or another does not register its structure, it then becomes the responsibility of the tenant licensees to ensure that the structure is registered with the Commission.

Section 303(q) of the Communications Act of 1934, as amended, gives the Commission authority to require painting and/or illumination of radio towers in cases where there is a reasonable possibility that an antenna structure may cause a hazard to air navigation. In 1992, Congress amended Sections 303(q) and 503(b)(5) of the Communications Act to make radio tower owners, as well as Commission licensees and permittees responsible for the painting and lighting of radio tower structures, and to provide that non-licensee radio tower owners may be subject to forfeiture for violations of painting or lighting requirements specified by the Commission.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2018-14419 Filed 7-3-18; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL MARITIME COMMISSION

Notice of Request for Additional Information

The Commission gives notice that it has formally requested that the parties to the below listed agreements provide additional information pursuant to 46 U.S.C. 40304(d). This action prevents the agreements from becoming effective

as originally scheduled. Interested parties may file comments within fifteen (15) days after publication of this notice appears in the **Federal Register**.

Agreement No.: 201143-017.

Title: West Coast MTO Agreement.

Parties: APM Terminals Pacific, Ltd.; Eagle Marine Services, Ltd.; Everport Terminal Services Inc.; International Transportation Service, Inc.; LBCT LLC; Pacific Maritime Services, L.L.C.; SSA Terminals (Pier A), LLC; SSA Terminals, LLC; Total Terminals International, LLC; TraPac Inc.; West Basin Container Terminal LLC; and Yusen Terminals LLC.

By Order of the Federal Maritime Commission.

Dated: June 29, 2018.

Rachel E. Dickon,

Secretary.

[FR Doc. 2018-14417 Filed 7-3-18; 8:45 am]

BILLING CODE 6731-AA-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 July 19, 2018.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001:

1. *Tyler J. Bachman, Shawnee, Kansas;* to acquire voting shares of First Centralia Bancshares, Inc., and to become a member of the Bachman family group which controls First Centralia Bancshares, Inc., and thereby indirectly controls First Heritage Bank, both in Centralia, Kansas.

Board of Governors of the Federal Reserve System, June 29, 2018.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2018-14431 Filed 7-3-18; 8:45 am]

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FEDERAL RESERVE SYSTEM

[Docket Number OP-1613]

New Message Format for the Fedwire® Funds Service

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of proposed service enhancement; request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is requesting comment on a proposal to adopt the ISO® 20022 message format for the Fedwire® Funds Service. ISO 20022 is an international standard that would replace the Fedwire Funds Service's current, proprietary message format. The migration to ISO 20022 would take place in three phases beginning in 2020 and ending in 2023.

DATES: *Comment due date:* September 4, 2018.

ADDRESSES: You may submit comments, identified by Docket No. OP-1613, by any of the following methods:

- *Agency Website:* <http://www.federalreserve.gov>. Follow the instructions for submitting comments at <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.

- *Email:* regs.comments@federalreserve.gov. Include the docket number in the subject line of the message.

- *Fax:* (202) 452-3819 or (202) 452-3102.

- *Mail:* Address to Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments will be made available on the Board's website at <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm> as submitted, unless modified for technical

reasons or to remove personal information at the commenter's request. Accordingly, comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper in Room 3515, 1801 K Street NW (between 18th and 19th Streets NW), between 9:00 a.m. and 5:00 p.m. on weekdays.

FOR FURTHER INFORMATION CONTACT:

Evan Winerman, Counsel (202-872-7578), Legal Division; or Melissa Leistra, Manager (202-530-6285), Renuka Lakshmanan, Senior Financial Services Analyst (202-475-6633), Division of Reserve Bank Operations and Payment Systems. For users of Telecommunications Device for the Deaf (TDD) only, contact (202-263-4869).

SUPPLEMENTARY INFORMATION:

I. Background

The Fedwire Funds Service is a real-time gross settlement system owned and operated by the Federal Reserve Banks (Reserve Banks) that enables participants to make final payments using their balances held at Reserve Banks or intraday credit provided by the Reserve Banks. The Fedwire Funds Service and the CHIPS® funds-transfer system, which is owned and operated by The Clearing House Payments Company, L.L.C. (TCH), are the main large-value payment systems in the United States.¹

A. Current Fedwire Funds Service Message Format

The Fedwire Funds Service uses a proprietary message format that supports multiple types of communications. Specifically, Fedwire Funds Service participants can send "value" messages that order the movement of funds and "nonvalue" messages that do not result in the movement of funds but rather communicate information or requests to other participants.² The Fedwire Funds Service also includes messages that enable Fedwire participants to request account balance information and the processing status of payment orders.

Although the Fedwire Funds Service message format is proprietary, it can be mapped to—and is interoperable with—the CHIPS message format and the message type (MT) format of the SWIFT® messaging network.³ As a result, multi-step domestic and international funds transfers can involve payment orders sent over the Fedwire Funds Service, CHIPS, and the SWIFT Financial Message Service network.

B. ISO 20022

The International Organization for Standardization (ISO) is an independent, non-governmental organization comprised of 161 national standards bodies. ISO "brings together experts to share knowledge and develop voluntary, consensus-based, market relevant International Standards that support innovation and provide solutions to global challenges."⁴ ISO publishes standards for a broad range of industries.

The ISO 20022 standard includes a suite of messages for the financial industry, including messages for payments, securities, trade services, cards, and foreign exchange. ISO 20022 messages use extensible markup language (XML) syntax and have a common data dictionary that can support end-to-end payment message flow, including payment initiation (*i.e.*, customer to bank messages), interbank settlement (*i.e.*, bank to bank messages), and cash management (*i.e.*, bank to customer messages).

ISO 20022 messages include structured data elements that provide for potentially richer payment message data than the current Fedwire Funds Service message format. For example, ISO 20022 messages contain fields for three intermediary financial institutions while the current Fedwire Funds message format contains a field for only one intermediary financial institution. Similarly, ISO 20022 messages can include more structured and detailed information than the current Fedwire Funds message format (see example in Table 1).

TABLE 1

Current Fedwire Funds Service format	ISO 20022 format
Free-text lines for address information:	Discrete fields for specific address information:

¹ In 2017, the Fedwire Funds Service processed 152,649,633 payments with a total value of approximately \$740 trillion and CHIPS processed 112,597,088 payments with a total value of approximately \$393 trillion.

² Value messages can be used for multiple types of funds transfers, *e.g.*, "bank transfers" in which

the originator and beneficiary are both banks and "customer transfers" in which the originator and/or beneficiary is not a bank. Nonvalue messages include, *e.g.*, "requests for reversal" in which a Fedwire participant requests that another Fedwire participant send a funds transfer that would return the amount of a previously accepted payment order.

³ SWIFT is a member-owned cooperative headquartered in Belgium that provides its users (including banking and securities organizations, market infrastructures, and corporate customers) a global service for financial messages, such as payments and securities transactions.

⁴ See <https://www.iso.org/about-us.html>.

TABLE 1—Continued

Current Fedwire Funds Service format	ISO 20022 format
Address Line 1 (up to 35 characters) Address Line 2 (up to 35 characters) Address Line 3 (up to 35 characters)	Postal Address <PstAdr>. <AdrTp> (4 characters). <Dept> (up to 70 characters). <SubDept> (up to 70 characters). <StrtNm> (up to 70 characters). <BldgNb> (up to 16 characters). <PstCd> (up to 16 characters). <TwnNm> (up to 35 characters). <CtrySubDvsn> (up to 35 characters). <Ctry> (2 characters).

Table 2 shows how ISO 20022 current Fedwire Funds Service messages is available on the ISO 20022 messages correspond to messages in the format. The full catalogue of ISO 20022 website.⁵

TABLE 2

Category	Description	ISO 20022 Message	Comparable message in current fedwire funds service format
Business application header	Processing information placed at the beginning of each message (e.g., sender, receiver, input message accountability data or output message accountability data).	BusinessApplicationHeaderV01_head.001.001.01.	This information is contained in various data elements of the current format.
Value messages	Used by Fedwire Funds Service participants to order the movement of funds.	Financial Institution To Financial Institution Customer Credit Transfer (pacs.008.001.0x). Financial Institution Credit Transfer (pacs.009.001.0x). Payment Return (pacs.004.001.0x).	Customer transfers. Bank transfers. Returns.
Nonvalue messages	Used by Fedwire Funds Service participants to request that a funds transfer be made, to refuse to honor those requests, or to share free-format information.	Customer Credit Transfer Initiation (pain.001.001.09). FIToFI Payment Cancellation Request (camt.056.001.07). FIToFI Payment Status Report (pacs.002.001.09). Note: This message will also be used for a Return Refusal, but there is currently no comparable message. Proprietary Format Investigation (camt.035.001.04).	Drawdown request. Return request. Drawdown refusal. Service message.
System messages	Used to communicate about the processing status of messages submitted to the Fedwire Funds Service, to report about Fedwire Funds Service operations, or to request copies of current or prior-day messages.	FIToFI Payment Status Report (pacs.002.001.09). Message Reject (admi.002.001.01). System Event Notification (admi.004.001.02). Resend Request (admi.006.001.01).	Acknowledgment and reject notification. Error response to an account report request or retrieval request. Broadcast messages (i.e., open, close, extensions). Retrievals (current day or prior two business days).
Reporting messages	Used to request or report on transaction activity or account balance information.	Account Reporting Request (camt.060.001.03). Bank To Customer Account Report (camt.052.001.07).	The following requests: <ul style="list-style-type: none"> ■ Account balance. ■ Endpoint totals. ■ Detailed summary. The following reports: <ul style="list-style-type: none"> ■ Account balance. ■ Endpoint totals. ■ Detailed summary. ■ Reconciliation gap report. ■ Funds subsidiary statement.

⁵ See https://www.iso20022.org/full_catalogue.page.

II. Payments Industry Efforts Related to ISO 2022

In late 2012, the Federal Reserve Bank of New York and other key entities involved in the U.S. payments industry formed a “Stakeholder Group” to assess the merits of adopting the ISO 2022 standard in the U.S.⁶ The Stakeholder Group engaged an independent external consultant to evaluate the business case for adopting ISO 2022. The consultant identified certain strategic reasons to consider adopting ISO 2022 in the U.S. for cross-border wire and Automated Clearing House (ACH) payments and then, if appropriate, for domestic wire and ACH payments. For example, the consultant emphasized that adopting ISO 2022 in lieu of proprietary standards would improve interoperability between domestic and global payment systems.⁷ In accordance with the findings of the Stakeholder Group, the Federal Reserve recommended in its 2015 *Strategies for Improving the Payment System* paper that the U.S. payments industry “[d]evelop an implementation strategy for the application of the ISO 2022 standard to U.S. payment transactions.”⁸

Since 2015, the Reserve Banks have worked with TCH on plans to adopt ISO 2022 for the Fedwire Funds Service and CHIPS. While the Reserve Banks and TCH decided independently to pursue implementation of ISO 2022, they intend to align ISO 2022 implementation for the Fedwire Funds Service and CHIPS to the extent possible.⁹ The Reserve Banks and TCH have indicated that aligning ISO 2022 implementation for their respective wire transfer systems would create efficiencies that would benefit their

common customers.¹⁰ The Reserve Banks’ specific proposed timeline for adopting ISO 2022 for the Fedwire Funds Service is discussed in greater detail below.

The Reserve Banks have also engaged in extensive public outreach regarding ISO 2022. For example, the Reserve Banks and TCH conducted a survey in 2015 of over 2,300 Fedwire Funds Service customers, Fedwire and CHIPS advisory group banks, vendors, and industry groups on the potential scope, approach, and timing of ISO 2022 implementation.¹¹ The Reserve Banks have also presented at industry conferences, published webinars, and established websites to educate market participants about ISO 2022 and to solicit direct informal feedback on plans to implement ISO 2022.¹² Finally, the Reserve Banks have established advisory groups that include banks, software vendors, and other stakeholders to provide input on how to implement ISO 2022 for the Fedwire Funds Service.

SWIFT has initiated a study to consider the migration of cross-border traffic in its proprietary MT format to ISO 2022.¹³ The SWIFT study includes a community consultation to help determine the timing and practicalities of migration.¹⁴ SWIFT has indicated that the “consultation will run until early June, with results analysed over the following months and a final report produced before the end of 2018. The report will draw on the feedback from the consultation to propose a detailed roadmap for” migrating cross-border MT traffic to ISO 2022.¹⁵

Similarly, many foreign wire transfer systems, including those for currencies of key U.S. trading partners, have adopted ISO 2022 (e.g., China, India, Japan, Switzerland) or have announced

plans to adopt ISO 2022 (e.g., Canada, European Union, Hong Kong, United Kingdom).¹⁶

III. Potential Benefits of Adopting ISO 2022 for the Fedwire Funds Service

The Board believes that adopting ISO 2022 for the Fedwire Funds Service could be beneficial for a number of reasons. As described above, the ISO 2022 message format would allow Fedwire Funds Service participants to include richer and more structured data in their messages—for example, increased character lengths for name data elements and discrete elements for address information, including a country code. This data could help banks and other entities meet evolving requirements to screen payments for sanctions and anti-money laundering purposes.

Adopting ISO 2022 messages could also improve domestic and cross-border interoperability between the Fedwire Funds Service and other payment or messaging systems. As noted above, TCH has announced plans to adopt ISO 2022 messages for the CHIPS system and SWIFT has initiated a study to consider the migration of cross-border MT traffic to ISO 2022. Similarly, as noted above, many foreign wire transfer systems, including those for currencies of key U.S. trading partners, have adopted or have announced plans to adopt ISO 2022. Adopting ISO 2022 as a common, global standard could reduce operating costs for banks and their customers by reducing the need to map payment information from one message format to another. This could improve the efficiency of end-to-end processing of multi-leg domestic and international funds transfers.

Relatedly, adopting ISO 2022 as a common, global standard could allow banks to provide useful services to their customers. For example, ISO 2022 would support a structured format for including extended remittance information (ERI) in business-to-business payment messages.¹⁷ While the current proprietary message formats for the Fedwire Funds Service and CHIPS support ERI, usage of ERI by depository institutions and their customers has been limited. Widespread adoption of

⁶ The other members of the Stakeholder Group are the Federal Reserve Bank of Atlanta; TCH; NACHA—The Electronic Payments Association, which develops the rules that govern the Automated Clearing House network; and Accredited Standards Committee X9—Financial Industry Standards, Inc., which has been accredited by the U.S. national standards body (the American National Standards Institute) to develop financial standards.

⁷ See Appendix 7 of the Federal Reserve’s *Strategies for Improving the Payment System* (Jan. 26, 2015), <https://fedpaymentsimprovement.org/wp-content/uploads/strategies-improving-us-payment-system.pdf>, for a fuller discussion of the consultant’s findings.

⁸ *Id.* at 19–20. *Strategies for Improving the Payment System* made a number of other recommendations intended to improve, *inter alia*, the speed, efficiency, and security of payments.

⁹ See “Deep Dive into the ISO 2022 Implementation Strategy for U.S. High-Value Payment Systems”, Sibos Community Session (Oct. 18, 2017), slide 7 <https://fedpaymentsimprovement.org/wp-content/uploads/101817-iso2022-deep-dive.pdf>.

¹⁰ *Id.*

¹¹ See https://fedpaymentsimprovement.org/wp-content/uploads/iso2022_adoption_considerations_survey.pdf.

¹² See “Fedwire Funds Service ISO 2022 Implementation Center,” <https://www.frbservices.org/resources/financial-services/wires/iso-2022-implementation-center.html>, which includes information on the Reserve Banks’ proposal to implement ISO 2022 for the Fedwire Funds Service. See also “The Fed’s Resource Center for Adoption of ISO 2022 Payment Messages,” <https://fedpaymentsimprovement.org/payments-efficiency/iso-2022/>, which includes links to presentations and webinars concerning plans to adopt ISO 2022 for wire transfers and ACH payments. The Reserve Banks will host additional webinars and in-person workshops throughout the first half of 2018. The Reserve Banks will also continue to work with NACHA to educate ACH participants about ISO 2022.

¹³ See <https://www.swift.com/news-events/news/iso-2022-migration-the-time-is-now>.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ For further discussion of payment systems that have adopted ISO 2022 or have announced plans to adopt ISO 2022, see section 7.3 of SWIFT’s ISO 2022 consultation paper, <https://www.swift.com/resource/iso-2022-migration-study>.

¹⁷ Extended remittance information generally refers to details in the payment message regarding the purpose of a business-to-business payment. For example, a business that sends a payment to a vendor could include details regarding the invoices against which the vendor should apply the payment.

ISO 20022 would create a common, global format for ERI that could encourage depository institutions and their customers to invest in the changes needed to support the end-to-end flow of ERI for business-to-business payments.

IV. Proposed Timeline for Adopting ISO 20022 for the Fedwire Funds Service

The Reserve Banks would transition from the current Fedwire Funds Service message format to ISO 20022 in three phases.

Phase 1: ISO 20022 Preparation (Target Implementation Date of November 23, 2020)

In phase 1, the Reserve Banks would make a number of changes to the current Fedwire Funds Service message format to address existing interoperability gaps with SWIFT's proprietary MT format. The Reserve Banks would also eliminate the free-text format option for the originator and beneficiary fields in customer transfer messages and instead require Fedwire Funds Service participants to use a structured format for these fields; SWIFT is making a similar change to its MT format in November 2020.¹⁸

Although the Reserve Banks would need to make most of the changes in phase 1 even if the Reserve Banks were not planning to adopt ISO 20022, all of the changes in this phase would simplify the Fedwire Funds Service's migration to ISO 20022 messages.

Phase 2: ISO 20022 "like-for-like" Implementation (Target Implementation Period From March 2022 to August 2023)

In phase 2, the Reserve Banks would migrate Fedwire Funds Service participants in waves to send and receive ISO 20022 messages that have elements and character lengths that are comparable to the current Fedwire Funds Service message format. Table 2, *supra*, shows how ISO 20022 messages correspond to messages in the current Fedwire Funds Service message format.

While the syntax for the phase 2 like-for-like ISO 20022 messages would be XML, the content of the messages would be limited to data elements and character lengths comparable to those that are supported in the current Fedwire Funds Service message format. For example, like-for-like ISO 20022 messages in phase 2 could include only one field for an intermediary financial institution (similar to the current Fedwire Funds Service message format) even though ISO 20022 messages can generally accommodate up to three such fields. Similarly, while ISO 20022 messages can support structured data elements for address information (see Table I, *supra*), like-for-like ISO 20022 messages in phase 2 would (similar to the current Fedwire Funds Service message format) be limited to three lines of 35 characters each for free-text address information.

Because the Reserve Banks would transition Fedwire Funds Service participants to ISO 20022 in waves, the Fedwire Funds Service would translate the current message format to ISO 20022 and vice versa when necessary to accommodate Fedwire senders and receivers that are not using the same

format. At the end of phase 2, the Fedwire Funds Service would move into a stability period lasting at least three months (from August 2023 to November 2023) in which all Fedwire Funds participants would send and receive ISO 20022 like-for-like messages. During the stability period, the Reserve Banks would retain the current, proprietary Fedwire Funds Service format as a fallback option in case one or more participants encounter issues and the Reserve Banks determine that such participants need to revert back to the proprietary format.

The Reserve Banks would also use phase 2 to prepare for full implementation of ISO 20022 in phase 3. Specifically, the Reserve Banks would require Fedwire Funds Service participants to test their ability to receive full ISO 20022 messages.

Phase 3: ISO Enhancements (Target Implementation Date of November 2023)

In phase 3, the Reserve Banks would fully implement ISO 20022 by enabling Fedwire Funds Service participants to send ISO 20022 messages that contain enhanced data as noted in Table 3. Although it would be optional for participants to *send* the enhanced data, all participants would need to be capable of *receiving* enhanced data.¹⁹ Participants would also need to determine, consistent with any legal obligations, how to handle enhanced data that they receive—for example, whether (and how) to provide enhanced data to the next receiving bank in the funds transfer or to the beneficiary (if the Fedwire Funds Service participant is the beneficiary's bank).

TABLE 3

ISO 20022 Enhancements

1. New data elements for additional persons or entities identified in payment messages:²⁰
 - initiating party
 - two additional previous instructing agents
 - two additional intermediary agents
 - ultimate debtor
 - ultimate creditor
2. New purpose code data element to help explain the business purpose of the funds transfer.
3. New data element that participants can use to determine how they handle or process a message (e.g., SWIFT global payments innovation service level).
4. New data element to provide information about a bilateral processing agreement.
5. Longer character lengths for certain fields (e.g., Name can be up to 140 characters).
6. Structured postal address data elements, including a country code.
7. Contact details for certain persons/entities in the funds transfer.

¹⁸ See <https://www.swift.com/news-events/news/payments-standards-changes-for-2020-and-why-you-should-act-now>.

¹⁹ As noted above, the Reserve Banks would require Fedwire Funds Service participants to test

their ability to receive full ISO 20022 messages during phase 2.

²⁰ ISO 20022 employs terminology that differs in key respects from that used in U.S. funds-transfer law, including subpart B of the Board's Regulation J (12 CFR 210), which governs funds transfers

through the Fedwire Funds Service. The Board has proposed an amendment to subpart B of Regulation J that would clarify that terms used in financial messaging standards, such as ISO 20022, do not confer or connote legal status or responsibilities. See 83 FR 11431 (Mar. 15, 2018).

TABLE 3—Continued

8. New regulatory reporting data elements to provide regulatory information (e.g., OFAC license) related to customer transfers.
9. New tax component to provide remittance information related to tax payments.

The target implementation date for phase 3 could be delayed if SWIFT has not yet implemented a solution for its network to support ISO 20022 messages that contain enhanced data.

V. Fedwire Funds Service Message Format Documentation and Testing

The Reserve Banks are using a restricted page on the MyStandards web-based application as a tool to store and share documentation related to the ISO 20022 project with authorized Fedwire Funds Service participants and software vendors.²¹ In March 2018, the Reserve Banks published the final message format documents for phase 1, which would provide the industry over two years to prepare for the proposed phase 1 target implementation date in November 2020. The Reserve Banks also published draft message format documents for phases 2 and 3 in March 2018 and will publish the final documents for these phases by the end of June 2018; this would provide the industry nearly four years to prepare for the proposed phase 2 migration (which is targeted to begin in March 2022) and over five years to prepare for the proposed phase 3 target implementation date in November 2023.

The Reserve Banks plan to provide nine months for testing the phase 1 changes in their Depository Institution Testing (DIT) environment prior to the proposed implementation date in November 2020.²² Similarly, the Reserve Banks plan to provide at least one year for testing the phase 2 and phase 3 changes in their DIT environment. The Reserve Banks plan to publish a final testing plan by the end of 2018.

VI. Impact on Fedwire Funds Service Participants and Service Providers

The Board believes that the impact of ISO 20022 implementation on Fedwire Funds Service participants would vary depending on how each participant accesses the Fedwire Funds Service. Certain Fedwire Funds Service participants or service providers develop their own software (or rely on software from vendors) to access the Fedwire Funds Service. These

institutions include (1) Fedwire Funds Service participants and service providers that access the Fedwire Funds Service via the FedLine Direct® solution and (2) Fedwire Funds Service participants that use the import/export feature of FedPayments® Manager-Funds over the FedLine Advantage® solution. FedLine Direct access to the Fedwire Funds Service is an unattended, IP-based computer interface. It is typically used by participants conducting larger volumes of funds transfers. FedPayments Manager is a web-based application that midsize and smaller participants typically use to create, send, and receive payment orders and nonvalue messages. The import functionality built into FedPayments Manager enables participants to upload payment files from separate payment applications (e.g., those that interface with customer-facing systems) so the participants do not have to enter the messages one by one into the application. Similarly, the export functionality allows participants to download files from FedPayments Manager into other applications (e.g., so payments can post to customer accounts in their deposit systems). The Board believes that participants and service providers accessing the service through FedLine Direct or using the import/export feature of FedPayments Manager would need to make significant changes to their payment applications or processes to be able to send and receive messages (or import and export files) in the revised proprietary format in phase 1 and in the new ISO 20022 format in phases 2 and phase 3.

Other Fedwire Funds Service participants access the Fedwire Funds Service manually through FedPayments Manager-Funds.²³ These participants would need to become familiar with the terminology used in, and information required by, the ISO 20022 format and the updated appearance of the graphical user interface in FedPayments Manager. The Reserve Banks would make the necessary changes to FedPayments Manager, however, and would provide training regarding the updates.

Finally, some Fedwire Funds Service participants access the Fedwire Funds Service through an offline, telephone-

based service that requires a Reserve Bank employee to enter payment order information into a Reserve Bank application. The Board does not believe that these participants' current processes for submitting payment orders would materially change, though the participants would need to become familiar with the terminology used in, and information required by, the ISO 20022 format so they could provide it to the Reserve Bank employees.

VII. Request for Comment

The Board requests comment on this proposal to replace the current Fedwire Funds Service message format with ISO 20022.

A. Potential Benefits and Drawbacks of Adopting ISO 20022

1. Would adopting ISO 20022 for the Fedwire Funds Service produce the benefits discussed above?

2. Would adopting ISO 20022 for the Fedwire Funds Service produce any other benefits?

3. What drawbacks (if any) would adopting ISO 20022 for the Fedwire Funds Service entail and how might they be addressed?

B. Proposed Timeline for Adopting ISO 20022

1. Is the timeline that the Reserve Banks have proposed for adopting ISO 20022 for the Fedwire Funds Service (including the proposed timeframes for publishing final message format documents and testing changes in the Reserve Banks' DIT environment) reasonable? If not, how much time would Fedwire Funds Service participants and service providers (including software vendors) need to adjust their applications and processes for each phase?

2. Should the Reserve Banks delay the implementation date for phase 3 of the proposal if SWIFT has not yet implemented a solution on its network to support ISO 20022 for cross-border messages?

3. Would the proposal to migrate to ISO 20022 in phases mitigate any risks associated with implementing ISO 20022?

C. Impact on Fedwire Funds Service Participants and Service Providers

1. How does your institution access the Fedwire Funds Service? If your institution accesses the Fedwire Funds

²¹ For more information on MyStandards, see <https://www.swift.com/our-solutions/compliance-and-shared-services/mystandards>.

²² For more information on the DIT environment, see <https://www.ftbsecurities.org/financial-services/wires/testing/di-testing.html>.

²³ Specifically, these Fedwire Funds Service participants enter messages individually into FedPayments Manager-Funds over the FedLine Advantage solution through a graphical user interface.

Service via the FedLine Direct solution or uses the import/export feature of FedPayments Manager-Funds over the FedLine Advantage solution, do you develop your own software or rely on a software vendor?

2. What costs would your institution incur if the Reserve Banks adopt ISO 20022 for the Fedwire Funds Service? If possible, please provide dollar estimates or ranges.

3. Would the benefits of adopting ISO 20022 for the Fedwire Funds Service outweigh any associated costs for your institution?

VIII. Competitive Impact Analysis

The Board conducts a competitive impact analysis when it considers a rule or policy change that may have a substantial effect on payment system participants. Specifically, the Board determines whether there would be a direct or material adverse effect on the ability of other service providers to compete with the Federal Reserve due to differing legal powers or due to the Federal Reserve's dominant market position deriving from such legal differences.²⁴

The Board does not believe that the proposal to adopt ISO 20022 for the Fedwire Funds Service would have an adverse impact on other service providers. As described above, the current, proprietary message format for the Fedwire Funds Service is interoperable with the proprietary message format for the CHIPS system. As further described above, the Reserve Banks have worked with TCH on plans to align ISO 20022 implementation for the Fedwire Funds Service and CHIPS where possible; the Reserve Banks and TCH have indicated that such coordination will benefit their common customers. If the Reserve Banks and TCH each adopt ISO 20022 for the Fedwire Funds Service and CHIPS, respectively, the message formats for the two systems will remain interoperable.

By order of the Board of Governors of the Federal Reserve System, June 28, 2018.

Michele Taylor Fennell,

Assistant Secretary of the Board.

[FR Doc. 2018-14351 Filed 7-3-18; 8:45 am]

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FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 26, 2018.

A. Federal Reserve Bank of Dallas (Robert L. Triplett III, Senior Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Independent Bank Group, Inc., McKinney, Texas*; to acquire Guaranty Bancorp, and thereby indirectly acquire Guaranty Bank and Trust Company, both of Denver, Colorado.

2. *VBT Financial Corporation, San Antonio, Texas*; to become a bank holding company by acquiring Vantage Bank Texas, San Antonio, Texas.

Board of Governors of the Federal Reserve System, June 29, 2018.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2018-14432 Filed 7-3-18; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0062; Docket No. 2018-0003; Sequence No. 5]

Submission for OMB Review; Material and Workmanship

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning material and workmanship.

DATES: Submit comments on or before August 6, 2018.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for GSA, Room 10236, NEOB, Washington, DC 20503. Additionally submit a copy to GSA by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching the OMB Control number 9000-0062. Select the link "Comment Now" that corresponds with "Information Collection 9000-0062, Material and Workmanship". Follow the instructions provided on the screen. Please include your name, company name (if any), and "Information Collection 9000-0062, Material and Workmanship" on your attached document.

- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 9000-0062, Material and Workmanship.

Instructions: Please submit comments only and cite Information Collection 9000-0062, Material and Workmanship, in all correspondence related to this collection. Comments received generally will be posted without change to <http://www.regulations.gov>, including any

²⁴ See *The Federal Reserve in the Payments System* (issued 1984; revised 1990), Federal Reserve Regulatory Service 9-1558, http://www.federalreserve.gov/paymentsystems/pfs_frpaysys.htm.

personal and/or business confidential information provided. To confirm receipt of your comment(s), please check www.regulations.gov, approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Curtis E. Glover, Sr., Procurement Analyst, Federal Acquisition Policy Division, GSA, telephone 202-501-1448, or via email at curtis.glover@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

Under Federal contracts requiring that equipment (e.g., pumps, fans, generators, chillers, etc.) be installed in a project, the Government must determine that the equipment meets the contract requirements. Therefore, the contractor must submit sufficient data on the particular equipment to allow the Government to analyze the item.

The Government uses the submitted data to determine whether or not the equipment meets the contract requirements in the categories of performance, construction, and durability. This data is placed in the contract file and used during the inspection of the equipment when it arrives on the project and when it is made operable.

B. Annual Reporting Burden

The information collection requirement at FAR clause 52.236-5 has decreased based on information from the FY 2017 FPDS database which shows a lower number of estimated respondents that are subject to the clause.

Respondents: 1,377.

Responses per Respondent: 2.0.

Annual Responses: 2,754.

Hours per Response: .25.

Total Burden Hours: 689.

C. Public Comments

A notice was published in the **Federal Register** at 83 FR 11201 on March 14, 2018. No comments were received. Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of

information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

OBTAINING COPIES OF PROPOSALS: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, telephone 202-501-4755. Please cite OMB Control No. 9000-0062, Material and Workmanship, in all correspondence.

Dated: June 29, 2018.

William F. Clark,

Director, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2018-14410 Filed 7-3-18; 8:45 am]

BILLING CODE 6820-EP-P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0054; Docket No. 2018-0003; Sequence No. 4]

Submission for OMB Review; U.S.-Flag Air Carriers Statement

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve a previously approved information collection requirement concerning U.S.-Flag Air Carriers Statement.

DATES: Submit comments on or before August 6, 2018.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for GSA, Room 10236, NEOB, Washington, DC 20503.

Additionally submit a copy to GSA by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by

searching the OMB control number 9000-0054. Select the link "Comment Now" that corresponds with "Information Collection "Information Collection 9000-0054, U.S. Flag Air Carriers Statement". Follow the instructions provided on the screen. Please include your name, company name (if any), and "Information Collection 9000-0054, U.S.-Flag Air Carriers Statement" on your attached document.

- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street, NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 9000-0054, U.S.-Flag Air Carriers Statement.

Instructions: Please submit comments only and cite Information Collection 9000-0054, U.S.-Flag Air Carriers Statement, in all correspondence related to this collection. Comments received generally will be posted without change to regulations.gov, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check regulations.gov, approximately two-to-three business days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Curtis E. Glover, Sr., Procurement Analyst, Contract Policy Division, GSA, 202-501-1448, or via email at curtis.glover@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

Section 5 of the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. 1517) (Fly America Act) requires that all Federal agencies and Government contractors and subcontractors at FAR 47.402, use U.S.-flag air carriers for U.S. Government-financed international air transportation of personnel (and their personal effects) or property, to the extent that service by those carriers is available. It requires the Comptroller General of the United States, in the absence of satisfactory proof of the necessity for foreign-flag air transportation, to disallow expenditures from funds, appropriated or otherwise established for the account of the United States, for international air transportation secured aboard a foreign-flag air carrier if a U.S.-flag air carrier is available to provide such services.

In the event that the contractor selects a carrier other than a U.S.-flag air carrier for international air transportation during performance of the contract, the contractor shall include per FAR clause

52.247–64 a statement on vouchers involving such transportation. The contracting officer uses the information furnished in the statement to determine whether adequate justification exists for the contractor's use of other than a U.S.-flag air carrier.

B. Annual Reporting Burden

Respondents: 150.

Responses Per Respondent: 2.

Annual Responses: 300.

Hours per Response: .25.

Total Burden Hours: 75.

C. Public Comments

A notice was published in the **Federal Register** at 83 FR 12949 on March 26, 2018. No comments were received. Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street, NW, Washington, DC, 20405, telephone 202–501–4755. Please cite OMB Control No. 9000–0054, U.S.-Flag Air Carriers Statement, in all correspondence.

Dated: June 29, 2018.

William F. Clark,

Director, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2018–14409 Filed 7–3–18; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Statement of Organizations, Functions, and Delegations of Authority

AGENCY: Office of Foods and Veterinary Medicine, Center for Food Safety and Applied Nutrition, Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: Statement of Organizations, Functions, and Delegations of Authority.

The Food and Drug Administration (FDA) is announcing that it has reorganized the Office of Foods and Veterinary Medicine (OFVM), Center for Food Safety and Applied Nutrition (CFSAN) by establishing the new Office of Executive Programs (OEP); realigning OFVM's Office of Coordinated Outbreak Response and Evaluation (CORE) Network along with its Prevention Staff and Response Staff under CFSAN; and retitling the Office of Regulations, Policy, and Social Science (ORPSS) to the Office of Regulations and Policy (ORP). With the retitling to ORP, the Regulations and Special Government Employee Management Staff was retitled to the Regulations Development Staff, and the Government Information Staff was established. This reorganization resulted in the abolishment of OFVM's Executive Secretariat Staff, CFSAN's Office of the Center Director's (OCD) Executive Operations Staff, and the Division of Social Sciences under the former ORPSS. This new organizational structure was approved by the Acting Secretary of Health and Human Services and applicable on December 7, 2017.

FOR FUTHER INFORMATION CONTACT:

Jeffrey Domanski, Associate Director for Management, Center for Food Safety and Applied Nutrition, Office of Foods and Veterinary Medicine, Food and Drug Administration, 5001 Campus Drive, College Park, MD 20740, 240–402–2471.

I. Part D, Chapter D–B, (Food and Drug Administration), the Statement of Organizations, Functions, and Delegations of Authority for the Department of Health Human Services (35 FR 3685, February 25, 1970; 60 FR 56605, November 9, 1995; 64 FR 36361, July 6, 1999; 72 FR 50112, August 30, 2007; 74 FR 41713, August 18, 2009; and 76 FR 45270, July 28, 2011) is amended to reflect the realigning of functions and personnel from OFVM's abolished Executive Secretariat Staff and CFSAN OCD's Executive Operations Staff to the newly established OEP, which will strengthen OFVM's capacity to coordinate across the various components of the Foods and Veterinary Medicine Program and better meet the day-to-day needs of its senior leadership. CORE is now reflected under CFSAN to facilitate greater collaboration, coordination, and leveraging of resources. ORP formalizes previous informal programs clarifying staff allocation, management, and leadership for internal and external

stakeholders. This reorganization is explained in Staff Manual Guides 1160.1, 1230A.1, 1231.10, 1231.19, 1231.22, 1231.23, and 1241.1.

FDA, OFVM and CFSAN have been restructured as follows:

DJJ Organization. OFVM is headed by the Deputy Commissioner for Foods and Veterinary Medicine and includes the following organizational units: Office of Foods and Veterinary Medicine (DJJ) Communications and Public Engagement Staff (DJJ1) Office of Resource Planning and Strategic Management (DJJA) Center for Food Safety and Applied Nutrition (DJJH) Center for Veterinary Medicine (DJJV)

DJJH Organization. CFSAN is headed by the Center Director and includes the following organizational units:

Center for Food Safety and Applied Nutrition (DJJH) Office of the Center Director (DJJHA) Office of Management (DJJHB) Office of Analytics and Outreach (DJJHC) Office of Food Safety (DJJHD) Office of Cosmetics and Colors (DJJHE) Office of Regulatory Science (DJJHF) Office of Food Additive Safety (DJJHG) Office of Compliance (DJJHH) Office of Applied Research and Safety Assessment (DJJHI) Office of Regulations and Policy (DJJHJ) Office of Nutrition and Food Labeling (DJJHK) Office of Dietary Supplement Programs (DJJHL) Office of Executive Programs (DJJHM) Office of Coordinated Outbreak Response and Evaluation Network (DJJHN)

DJJHJ Organization. ORP is headed by the Office Director and includes the following organizational units:

Office of Regulations and Policy (DJJHJ) Regulations Development Staff (DJJHJ1) Government Information Staff (DJJHJ2)

DJJHM Organization. OEP is headed by the Office Director and includes the following organizational unit:

DJJHN Organization. CORE is headed by the Office Director and includes the following organizational units: Office of Coordinated Outbreak Response and Evaluation Network (DJJHN) Prevention Staff (DJJHN1) Response Staff (DJJHN2)

I. *Delegations of Authority.* Pending further delegation, directives, or orders by the Commissioner of Food and Drugs, all delegations and redelegations

of authority made to officials and employees of affected organizational components will continue in them or their successors pending further redelegations, provided they are consistent with this reorganization.

II. *Electronic Access.* Persons interested in seeing the completed Staff Manual Guide can find it on FDA's Webs site at: <http://www.fda.gov/AboutFDA/ReportsManualsForms/StaffManualGuides/default.htm>.

(Authority: 44 U.S.C. § 3101.)

Dated: June 28, 2018.

Alex M. Azar II,

Secretary.

[FR Doc. 2018-14375 Filed 7-3-18; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2017-D-5670]

Abbreviated New Drug Application Submissions—Amendments to Abbreviated New Drug Applications Under the Generic Drug User Fee Act; 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 “ANDA Submissions—Amendments to Abbreviated New Drug Applications Under GDUFA.” This guidance finalizes the October 2017 draft guidance for industry “ANDA Submissions—Amendments to Abbreviated New Drug Applications Under GDUFA.” This guidance is intended to explain to applicants how the review goals established as part of the Generic Drug User Fee Amendments Reauthorization of 2017 (GDUFA II) apply to amendments to either abbreviated new drug applications (ANDAs) or prior approval supplements (PASs) submitted to FDA under the Federal Food, Drug, and Cosmetic Act (FD&C Act). This guidance describes amendment classifications and categories and explains how amendment submissions may affect an application's review goal dates. The guidance also describes how FDA will review amendments submitted to ANDAs and PASs received prior to October 1, 2017, the effective date to implement the GDUFA II review goals.

DATES: The announcement of the guidance is published in the **Federal Register** on July 5, 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-2017-D-5670 for “ANDA Submissions—Amendments to Abbreviated New Drug Applications Under GDUFA.” 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: Elizabeth Giaquinto Friedman, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 1670, Silver Spring, MD 20993-0002, 240-

402-7930, elizabeth.giaquinto@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled “ANDA Submissions—Amendments to Abbreviated New Drug Applications Under GDUFA.” This guidance finalizes the October 2017 draft guidance for industry “ANDA Submissions—Amendments to Abbreviated New Drug Applications Under GDUFA.” This guidance is intended to assist applicants preparing to submit amendments to ANDAs or to PASs to FDA under section 505(j) of the FD&C Act (21 U.S.C. 355(j)) by explaining how the review goals established as part of GDUFA II apply to these submissions. In accordance with the GDUFA Reauthorization Performance Goals and Program Enhancements Fiscal Years 2018–2022 (GDUFA II Commitment Letter: <https://www.fda.gov/downloads/ForIndustry/UserFees/GenericDrug/UserFees/ucm525234.pdf>), FDA agreed to certain review goals and procedures for the review of amendments pending as of or received on or after the GDUFA II effective date.

The GDUFA II Commitment Letter reflects significant changes in the classification of and review goals for amendments to ANDAs and PASs under the Generic Drug User Fee Amendments of 2012 (GDUFA I). Under GDUFA I, amendments were classified into a complex Tier system based on the following factors: (1) Whether the amendment was solicited (submitted in response to a complete response letter) or unsolicited (submitted on the applicant’s own initiative); (2) whether the amendment was major or minor; the number of amendments submitted to the ANDA or PAS; and (3) whether an inspection was necessary to support the information contained in the amendment.

GDUFA II simplified the amendment review goals and no longer subjects them to a Tier system; however, review goals are still dependent on several factors. In general, under GDUFA II, amendments will be designated as either standard or priority; will be classified as major or minor, and will receive a goal date based on the factors discussed in the draft guidance, including whether a preapproval inspection is needed. This guidance supersedes the December 2001 guidance for industry “Major, Minor, and Telephone Amendments to Abbreviated New Drug Applications” and the July 2014 draft guidance for industry

“ANDA Submissions—Amendments and Easily Correctable Deficiencies Under GDUFA,” both of which will be withdrawn. This guidance finalizes the October 2017 draft guidance for industry “ANDA Submissions—Amendments to Abbreviated New Drug Applications Under GDUFA.” The final guidance contains clarifications to the draft guidance of the same title that published in October 2017.

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 “ANDA Submissions—Amendments to Abbreviated New Drug Applications Under GDUFA.” 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 found in FDA regulations. These collections of information 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 314.96 have been approved under OMB control number 0910–0001.

III. Electronic Access

Persons with access to the internet may obtain the guidance at either <https://www.fda.gov/Drugs/Guidance/ComplianceRegulatoryInformation/Guidances/default.htm> or <https://www.regulations.gov>.

Dated: June 29, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–14429 Filed 7–3–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Advisory Council on Alzheimer’s Research, Care, and Services; Meeting

AGENCY: Assistant Secretary for Planning and Evaluation, HHS.

ACTION: Notice of meeting.

SUMMARY: This notice announces the public meeting of the Advisory Council on Alzheimer’s Research, Care, and Services (Advisory Council). The Advisory Council on Alzheimer’s Research, Care, and Services provides advice on how to prevent or reduce the

burden of Alzheimer’s disease and related dementias on people with the disease and their caregivers. The Advisory Council will spend the majority of the July meeting considering recommendations made by each of the three subcommittees to present to the Secretary of HHS and Congress. Additional presentations in the afternoon will include a presentation on a recent study by RAND on the health care infrastructure, the CDC/Alzheimer’s Association’s joint Healthy Brain Initiative Roadmap, federal workgroup updates, and updates on work by the non-federal members.

DATES: The meeting will be held on July 30, 2018 from 9:00 a.m. to 5:00 p.m. EDT.

ADDRESSES: The meeting will be held in Room 800 in the Hubert H. Humphrey Building, 200 Independence Avenue SW, Washington, DC 20201.

Comments: Time is allocated in the afternoon on the agenda to hear public comments. The time for oral comments will be limited to two (2) minutes per individual. In lieu of oral comments, formal written comments may be submitted for the record to Rohini Khillan, OASPE, 200 Independence Avenue SW, Room 424E, Washington, DC 20201. Comments may also be sent to napa@hhs.gov. Those submitting written comments should identify themselves and any relevant organizational affiliations. Those intending to make public comments at the meeting must submit their comments either by mail or email ahead of time for the record. Comments are due no later than Monday, July 23, 2018.

FOR FURTHER INFORMATION CONTACT:

Rohini Khillan (202) 690–5932, rohini.khillan@hhs.gov. Note: Seating may be limited. Those wishing to attend the meeting must send an email to napa@hhs.gov and put “July 30 Meeting Attendance” in the Subject line by Friday, July 20, so that their names may be put on a list of expected attendees and forwarded to the security officers at the Department of Health and Human Services. Any interested member of the public who is a non-U.S. citizen should include this information at the time of registration to ensure that the appropriate security procedure to gain entry to the building is carried out. Although the meeting is open to the public, procedures governing security and the entrance to Federal buildings may change without notice. If you wish to make a public comment, you must note that within your email.

SUPPLEMENTARY INFORMATION: Notice of these meetings is given under the

Federal Advisory Committee Act (5 U.S.C. App. 2, section 10(a)(1) and (a)(2)). Topics of the Meeting: The Advisory Council will spend the majority of the July meeting considering recommendations made by each of the three subcommittees to present to the Secretary of HHS and Congress. Additional presentations in the afternoon will include a presentation on a recent study by RAND on the health care infrastructure, the CDC/Alzheimer's Association's joint Healthy Brain Initiative Roadmap, federal workgroup updates, and updates on work by the non-federal members.

Procedure and Agenda: This meeting is open to the public. Please allow 30 minutes to go through security and walk to the meeting room. The meeting will also be webcast at www.hhs.gov/live.

Authority: 42 U.S.C. 11225; Section 2(e)(3) of the National Alzheimer's Project Act. The panel is governed by provisions of Public Law 92-463, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

Dated: June 28, 2018.

Brenda Destro,

Deputy Assistant Secretary for Planning and Evaluation, Office of Human Services Policy.

[FR Doc. 2018-14376 Filed 7-3-18; 8:45 am]

BILLING CODE 4150-05-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Office of Direct Service and Contracting Tribes; Tribal Management Grant Program

Announcement Type: New and Competing Continuation.

Funding Announcement Number: HHS-2018-IHS-TMD-0001.

Catalog of Federal Domestic Assistance Number (CFDA): 93.228.

Key Dates

Application Deadline Date: August 17, 2018.

Review Date: August 20–24, 2018.

Earliest Anticipated Start Date: September 1, 2018.

Signed Tribal Resolutions Due Date: August 17, 2018.

Proof of Non-Profit Status Due Date: August 17, 2018.

I. Funding Opportunity Description

Statutory Authority

The Indian Health Service (IHS) is accepting competitive grant applications for the Tribal Management Grant (TMG) Program. This program is authorized under 25 U.S.C. § 5322(b)(2) and 25

U.S.C. § 5322(e) of the Indian Self-Determination and Education Assistance Act (ISDEAA), Public Law (P.L.) 93-638, as amended. This program is described in the Catalog of Federal Domestic Assistance (CFDA) under 93.228.

Background

The TMG Program is a competitive grant program that is capacity building and developmental in nature and has been available for federally recognized Indian Tribes and Tribal Organizations (T/TOs) since shortly after enactment of the ISDEAA in 1975. The TMG Program was established to assist T/TOs to prepare for assuming all or part of existing IHS programs, functions, services, and activities (PFSAs) and further develop and improve Tribal health management capabilities. The TMG Program provides competitive grants to T/TOs to establish goals and performance measures for current health programs; assess current management capacity to determine if new components are appropriate; analyze programs to determine if a Tribe or Tribal Organization's management is practicable; and develop infrastructure systems to manage or organize PFSAs.

Purpose

The purpose of this IHS grant announcement is to announce the availability of the TMG Program to enhance and develop health management infrastructure and assist T/TOs in assuming all or part of existing IHS PFSAs through a Title I contract and assist established Title I contractors and Title V compactors to further develop and improve management capability. In addition, Tribal Management Grants are available to T/TOs under the authority of 25 U.S.C. 5322(e) for the following: (1) Obtaining technical assistance from providers designated by the Tribe/Tribal Organization (including T/TOs that operate mature contracts) for the purposes of program planning and evaluation, including the development of any management systems necessary for contract management, and the development of cost allocation plans for indirect cost rates; and (2) planning, designing, monitoring, and evaluating Federal programs serving T/TOs, including Federal administrative functions.

II. Award Information

Type of Award

Grant.

Estimated Funds Available

The total amount of funding identified for the current fiscal year (FY) 2018 is approximately \$2,412,000. Individual award amounts are anticipated to be between \$50,000 and \$100,000. The amount of funding available for new and competing continuation awards issued under this grant announcement is subject to the availability of appropriations and budgetary priorities of the Agency. The IHS is under no obligation to make awards that are selected for funding under this grant announcement.

Anticipated Number of Awards

Approximately 16–18 awards will be issued under this grant announcement.

Period of Performance

The Tribal Management Grant (TMG Project) period of performance vary based on the project type selected. Period of performance could run from 1 to 3 years and will run consecutively from the earliest anticipated start date of September 1, 2018 through August 31, 2019, for 1-year projects; September 1, 2018, through August 31, 2020, for 2-year projects; and September 1, 2018, through August 31, 2021, for 3-year projects. Please refer to "Eligible TMG Project Types, Maximum Funding Levels, and Periods of Performance," for additional details. State the number of years for the period of performance and include the exact dates.

III. Eligibility Information

I.

1. Eligibility

Eligible Applicants: "Indian Tribes" and "Tribal Organizations" (T/TOs) as defined by the ISDEAA are eligible to apply for the TMG Program. The definitions for each entity type are outlined below. Only one application per Tribe/Tribal organization is allowed.

Definitions: "Indian Tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) [43 U.S.C. 1601 *et seq.*], which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. 25 U.S.C. 5304(e).

"Tribal organization" means the recognized governing body of any Indian Tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult

members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities. 25 U.S.C. 5304(l).

A Tribal Organization must provide proof of non-profit status.

Eligible TMG Project Types, Maximum Funding Levels, and Project Periods: The TMG Program consists of four project types: (1) Feasibility study; (2) planning; (3) evaluation study; and (4) health management structure. Tribal applicants may submit applications for one project type only. An application must state the project type selected. Any application that address more than one project type will be considered ineligible and will not be reviewed. The maximum funding levels noted must include both direct and indirect costs. Application budgets may not exceed the maximum funding level or period of performance identified for a project type. Any application with a budget or period of performance that exceeds the maximum funding level or period of performance will be considered ineligible and will not be reviewed. Please refer to Section IV.5, "Funding Restrictions," for further information regarding ineligible project activities.

1. FEASIBILITY STUDY (Maximum funding/project period: \$70,000/12 months).

A Feasibility Study must include a study of a specific IHS program or segment of a program to determine if Tribal management of the program is possible. The study shall present the planned approach, training, and resources required to assume Tribal management of the program. The study must include the following four components:

- Health needs and health care service assessments that identify existing health care services and delivery systems, program divisibility issues, health status indicators, unmet needs, volume projections, and demand analysis.

- Management analysis of existing management structures, proposed management structures, implementation plans and requirements, and personnel staffing requirements and recruitment barriers.

- Financial analysis of historical trends data, financial projections, and new resource requirements for program management costs and analysis of potential revenues from Federal/non-Federal sources.

- Decision statement/report that incorporates findings; conclusions; and recommendations; the presentation of the study and recommendations to the Tribal governing body for determination

regarding whether Tribal program assumption is desirable or warranted.

2. PLANNING (Maximum funding/project period: \$50,000/12 months).

Planning projects involve data collection to establish goals and performance measures for health programs operation or anticipated PFSAs under a Title I contract. Planning projects will specify the design of health programs and the management systems (including appropriate policies and procedures) to accomplish the health priorities of the Tribe or Tribal Organization. For example, planning projects could include the development of a Tribe-specific Health Plan or a Strategic Health Plan, etc. Please note that updated Healthy People information and Healthy People 2020 objectives are available in electronic format at the following website: <http://www.health.gov/healthypeople/publications>. The United States (U.S.) Public Health Service (PHS) encourages applicants submitting strategic health plans to address specific objectives of Healthy People 2020.

3. EVALUATION STUDY (Maximum funding/project period: \$50,000/12 months).

An Evaluation Study must include a systematic collection, analysis, and interpretation of data for the purpose of determining the value of a program. The extent of the evaluation study could relate to the goals and objectives, policies and procedures, or programs regarding targeted groups. The evaluation study could also be used to determine the effectiveness and efficiency of a Tribe or Tribal Organization's program operations (*i.e.*, direct services, financial management, personnel, data collection and analysis, third-party billing, etc.), as well as to determine the appropriateness of new components of a Tribe or Tribal Organization's program operations that will assist efforts to improve Tribal health care delivery systems.

4. HEALTH MANAGEMENT STRUCTURE (Average funding/project period: \$100,000/12 months; maximum funding/project period: \$300,000/36 months).

The first year maximum funding level is limited to \$150,000 for multi-year projects. The Health Management Structure component allows for implementation of systems to manage or organize PFSAs. Management structures include health department organizations, health boards, and financial management systems, including systems for accounting, personnel, third-party billing, medical records, management information systems, etc. This includes the design,

improvement, and correction of management systems that address weaknesses identified through quality control measures, internal control reviews, and audit report findings under required financial audits and ISDEAA requirements.

For the minimum standards for the management systems used by a Tribe or Tribal Organization when carrying out Self-Determination contracts, please see 25 CFR part 900, Contracts Under the Indian Self-Determination and Education Assistance Act, Subpart F—"Standards for Tribal or Tribal Organization Management Systems," §§ 900.35–900.60. For operational provisions applicable to carrying out Self-Governance compacts, please see 42 CFR part 137, Tribal Self-Governance, Subpart I—"Operational Provisions," §§ 137.160–137.220.

Please refer to Section IV, "Application and Submission Information," for information on how to obtain a copy of the TMG application package.

Note: Please refer to Section IV, (Application and Submission Information/ Subsection 2, Content and Form of Application Submission) for additional proof of applicant status documents required, such as Tribal Resolutions, proof of non-profit status, etc.

2. Cost Sharing or Matching

The IHS does not require matching funds or cost sharing for grants or cooperative agreements.

3. Other Requirements

If the application budget exceeds the highest dollar amount outlined under the "Estimated Funds Available" section within this grant announcement, the application will be considered ineligible and will not be reviewed. If deemed ineligible, the IHS will not return the application. The applicant will be notified by email by the IHS Division of Grants Management (DGM) of this decision.

The following documentation is required.

Tribal Resolution

A. An Indian Tribe or Tribal Organization that is proposing a project affecting another Tribe must include Tribal Resolutions from each affected Tribe served. Applications by Tribal Organizations will not require a specific Tribal Resolution if the current Tribal Resolution(s) under which they operate would encompass the proposed grant activities.

A signed Tribal Resolution must be received by the IHS DGM prior to a Notice of Award being issued to any

applicant selected for funding. However, if a signed Tribal Resolution cannot be submitted with the electronic application submission prior to the official application deadline date, a draft Tribal Resolution must be submitted by the application deadline for the application to be considered complete and eligible for review. The draft Tribal Resolution is not in lieu of the required signed Tribal Resolution, but is acceptable until a signed Tribal Resolution is received. If a signed Tribal Resolution is not received by IHS DGM when funding decisions are made, then a Notice of Award will not be issued to that applicant and they will not receive any IHS funds until such time as they have submitted a signed Tribal Resolution to the Grants Management Specialist listed in this grant announcement.

B. Tribal Organizations applying for technical assistance and/or training grants must provide written notice that the Tribal Organization is applying upon the request of the Indian Tribe and/or Tribes it intends to serve.

C. Documentation for Priority I participation requires a copy of the **Federal Register** notice or letter from the Bureau of Indian Affairs verifying establishment of recognized Tribal status within the past 5 years. The date on the documentation must reflect that Federal recognition was received during or after March 2013.

D. Documentation for Priority II participation requires a copy of the most current transmittal letter and Attachment A from the Department of Health and Human Services (HHS), Office of Inspector General (OIG), National External Audit Review Center (NEAR). See "Funding Priorities" for more information. If an applicant is unable to provide a copy of the most recent transmittal letter or needs assistance with audit issues; information or technical assistance may be obtained by contacting the IHS Office of Finance and Accounting, Division of Audit by telephone at (301) 443-1270, or toll-free at the NEAR help line at (800) 732-0679 or (816) 426-7720. Recognized Indian Tribes or Tribal Organizations not subject to Single Audit Act requirements must provide a financial statement identifying the Federal dollars received in the footnotes. The financial statement must also identify specific weaknesses/recommendations that will be addressed in the TMG proposal and that are related to 25 CFR part 900, subpart F—"Standards for Tribal or Tribal Organization Management Systems."

E. Documentation of Consortium participation—If an applicant is a

member of an eligible intertribal consortium, the Tribe must:

- Identify the consortium.
- Indicate if any of the consortium member Tribes intend to submit a TMG application.
- Demonstrate that the Tribe's application does not duplicate or overlap any objectives of the consortium's application.
- Identify all consortium member Tribes.
- Identify if any of the consortium member Tribes intend to submit a TMG application of their own.
- Demonstrate that the consortium's application does not duplicate or overlap any objectives of other consortium members who may be submitting their own TMG application.

Funding Priorities: The IHS has established the following funding priorities for TMG awards:

- **PRIORITY I**—Any Indian Tribe that has received Federal recognition (including restored, funded, or unfunded) within the past 5 years, specifically received during or after March 2013, will be considered Priority I.

- **PRIORITY II**—Federally recognized Indian T/TOs submitting a new application or a competing continuation application for the sole purpose of addressing audit material weaknesses will be considered Priority II. Priority II participation is only applicable to the Health Management Structure project type. For more information, see "Eligible TMG Project Types, Maximum Funding Levels, and Project Periods," in Section II.

- **PRIORITY III**—Eligible Direct Service and Title I recognized Indian T/TOs submitting a new application or a competing continuation application will be considered Priority III.

- **PRIORITY IV**—Eligible Title V Self-Governance recognized Indian T/TOs submitting a new application or a competing continuation application will be considered Priority IV.

The funding of approved Priority I applicants will occur before the funding of approved Priority II applicants. Priority II applicants will be funded before approved Priority III applicants. Priority III applicants will be funded before approved Priority IV applicants. Funds will be distributed until depleted.

The following definitions are applicable to the PRIORITY II category:

Audit finding—deficiencies that the auditor is required by 45 CFR § 75.516, to report in the schedule of findings and questioned costs.

Material weakness—"Statements on Auditing Standards 115" defines material weakness as a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Significant deficiency—"Statements on Auditing Standards 115," defines significant deficiency as a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

The audit findings are identified in Attachment A of the transmittal letter received from the HHS/OIG/NEAR. Please identify the material weaknesses to be addressed by underlining the item(s) listed in Attachment A.

Federally Recognized T/TOs not subject to Single Audit Act requirements must provide a financial statement identifying the Federal dollars received in the footnotes. The financial statement should also identify specific weaknesses/recommendations that will be addressed in the TMG proposal and that are related to 25 CFR part 900, "Subpart F, "Standards for Tribal and Tribal Organization Management Systems."

Proof of Non-Profit Status

Organizations claiming non-profit status must submit proof. A copy of the 501(c)(3) Certificate must be received with the application submission by the Application Deadline Date listed under the Key Dates section on the first page of this announcement.

An applicant submitting any of the above additional documentation after the initial application submission due date is required to ensure the information was received by the IHS DGM by obtaining documentation confirming delivery (*e.g.*, FedEx tracking, postal return receipt, etc.)

Note: A decision to award a TMG does not represent a determination from the IHS regarding the T/TO's eligibility to contract for a specific PFSA under the ISDEAA. An application for a TMG does not constitute a contract proposal.

IV. Application and Submission Information

1. Obtaining Application Materials

The TMG application package and detailed instructions for this announcement can be found at <http://www.Grants.gov> or <https://www.ihs.gov/dgm/funding/>.

Questions regarding the electronic application process may be directed to Mr. Paul Gettys by telephone at (301) 443-2114 or (301) 443-5204.

2. Content and Form of Application Submission

Each applicant must include the project narrative as an attachment to the TMG application package. Mandatory documents for all applicants include:

- Table of contents.
 - Abstract (1 page) summarizing the project.
 - Application forms:
 - SF-424, Application for Federal Assistance.
 - SF-424A, Budget Information—Non-Construction Programs.
 - SF-424B, Assurances—Non-Construction Programs.
 - Budget Justification and Narrative (must be single spaced and not exceed 5 pages).
 - Project Narrative (must be single spaced and not exceed 15 pages).
 - Background information on the organization.
 - Proposed scope of work, objectives, and activities that provide a description of what will be accomplished, including a 1-page Timeframe Chart.
 - Tribal Resolution(s).
 - 501(c)(3) Certificate (if applicable).
 - Position descriptions for key personnel.
 - Contractor/Consultant resumes or qualifications and scope of work.
 - Disclosure of Lobbying Activities (SF-LLL).
 - Certification Regarding Lobbying (GG-Lobbying Form).
 - Copy of current Negotiated Indirect Cost (IDC) rate agreement (required) in order to receive Indirect Cost.
 - Organizational Chart (optional).
 - Documentation of current Office of Management and Budget (OMB) Financial Audit (if applicable).
 - Email confirmation from the Federal Audit Clearinghouse (FAC) that audits were submitted; or
 - Face sheets from audit reports.
- These can be found on the FAC Website at <https://harvester.census.gov/facdissem/Main.aspx>.

Public Policy Requirements

All Federal public policies apply to IHS grants and cooperative agreements, with exception of the discrimination policy.

Requirements for Project and Budget Narratives

A. Project Narrative: This narrative should be a separate Word document that is no longer than 15 pages and must be: Single-spaced, type written, have

consecutively numbered pages, use black type not smaller than 12-point font, and be printed on one side only of standard size 8-1/2 by 11 inch paper.

Be sure to succinctly answer all questions listed under the evaluation criteria (refer to Section V.1, "Evaluation criteria" in this grant announcement) and place all responses and required information in the correct section (noted below), or the application shall be considered ineligible and will not be reviewed. These narratives will assist the Objective Review Committee (ORC) in becoming familiar with the applicant's activities and accomplishments prior to this possible grant award. If the narrative exceeds the page limit, only the first 15 pages will be reviewed. The 15-page limit for the narrative does not include the work plan, standard forms, Tribal Resolution(s), table of contents, budget, budget justifications, narratives, and/or other appendix items.

There are three parts to the narrative: Part A—Program Information; Part B—Program Planning and Evaluation; and Part C—Program Report. See below for additional details about what must be included in the narrative.

Part A: Program Information (2-Page Limit)

Section 1: Needs.

Describe how the T/TO has determined the need to either enhance or develop Tribal management capability to either assume PFSA's or not in the interest of Self-Determination. Note the progression of previous TMG projects/awards if applicable.

Part B: Program Planning and Evaluation (11-Page Limit)

Section 1: Program Plans.

Describe fully and clearly the direction the Tribe or Tribal Organization plans to take with the selected TMG Project type in addressing their health management infrastructure, including how the T/TO's plans to demonstrate improved health and services to the community or communities it serves. Include proposed timelines.

Section 2: Program Evaluation.

Describe fully and clearly the improvements that will be made by the Tribe or Tribal Organization that will impact their management capability or prepare them for future improvements to their organization that will allow them to manage their health care system and identify the anticipated or expected benefits for the Tribe.

Part C: Program Report (2-Page Limit)

Section 1: Describe major accomplishments over the past 24 months.

Please identify and describe significant program achievements associated with the delivery of quality health services. Provide a comparison of the actual accomplishments to the goals established for the project period, or if applicable, provide justification for the lack of progress.

Section 2: Describe major activities over the past 24 months.

Please identify and summarize recent significant health related project activities of the work done during the project period.

B. Budget Narrative (5-Page Limit)

This narrative must include a line item budget, with a justification for all expenditures that identify reasonable, allowable, and/or allocable costs necessary to accomplish the goals and objectives as outlined in the project narrative. Budget should match the scope of work described in the project narrative.

3. Submission Dates and Times

Applications must be submitted electronically through *Grants.gov* by 11:59 p.m., Eastern Daylight Time (EDT) on the Application Deadline Date listed in the Key Dates section on page 1 of this announcement. Any application received after the application deadline will not be accepted for processing, nor will it be given further consideration for funding. *Grants.gov* will notify the applicant via email if the application is rejected.

If technical challenges arise and assistance is required with the electronic application process, contact *Grants.gov* Customer Support via email at support@grants.gov or toll-free at (800) 518-4726. Customer Support is available to address questions 24 hours per day, 7 days per week (except on Federal holidays). If problems persist, contact Mr. Gettys (Paul.Gettys@ihs.gov), DGM Grant Systems Coordinator, by telephone at (301) 443-2114 or (301) 443-5204. Please be sure to contact Mr. Gettys at least 10 days prior to the application deadline. Please do not contact the DGM until you have received a *Grants.gov* tracking number. In the event you are not able to obtain a tracking number, call the DGM as soon as possible.

4. Intergovernmental Review

Executive Order 12372 requiring intergovernmental review is not applicable to this program.

5. Funding Restrictions

- Pre-award costs are not allowable.
- The available funds are inclusive of direct and appropriate indirect costs.
- Only one grant will be awarded per applicant.

• The IHS will not acknowledge receipt of applications.

• The TMG may not be used to support recurring operational programs or to replace existing public and private resources. Funding received under a recurring Public Law 93–638 contract cannot be totally supplanted or totally replaced. Exception is allowed to charge a portion or percentage of salaries of existing staff positions involved in implementing the TMG grant, if applicable. However, this percentage of TMG funding must reflect supplementation of funding for the project and not supplantation of existing ISDEAA contract funds. Supplementation is defined as “adding to a program” whereas supplantation is defined as “taking the place of” funds. An entity cannot use the TMG funds to supplant the ISDEAA contract or recurring funding.

• Ineligible Project Activities—The inclusion of the following projects or activities in an application will render the application ineligible.

- Planning and negotiating activities associated with the intent of a Tribe to enter the IHS Self-Governance Project. A separate grant program is administered by the IHS for this purpose. If you are interested in this program, please contact Mr. Jeremy Marshall, Policy Analyst, Office of Tribal Self-Governance, or Ms. Roxanne Houston, Program Analyst, Office of Tribal Self-Governance, Indian Health Service, 5600 Fishers Lane, Mail Stop 08E05, Rockville, MD, 20857, (301) 443–7821, and request information concerning the “Tribal Self-Governance Program Planning Cooperative Agreement Announcement” or the “Negotiation Cooperative Agreement Announcement.”

- Projects related to water, sanitation, and waste management.

- Projects that include direct patient care and/or equipment to provide those medical services to be used to establish, or augment, or continue direct patient clinical care. Medical equipment that is allowable under the Special Diabetes Program for Indians is not allowable under the TMG Program.

- Projects that include recruitment efforts for direct patient care services.

- Projects that include long-term care or provision of any direct services.

- Projects that include tuition, fees, or stipends for certification or training of staff to provide direct services.

- Projects that include pre-planning, design, and planning of construction for facilities, including activities relating to program justification documents.

- Projects that propose more than one project type. Refer to Section II, “Award Information,” specifically “Eligible TMG Project Types, Maximum Funding Levels, and Project Periods,” for more information. An example of a proposal with more than one project type that would be considered ineligible may include the creation of a strategic health plan (defined by TMG as a planning project type) and improving third-party billing structures (defined by TMG as a health management structure project type). Multi-year applications that include in the first year planning, evaluation, or feasibility activities with the remainder of the project years addressing management structure are also deemed ineligible.

- Any Alaska Native Village that is neither a Title I nor a Title V organization and does not have the legal authority to contract services under the ISDEAA as it is affiliated with one of the Alaska health corporations as a consortium member and has all of its IHS funding for the Village administered through an Alaska health corporation, a Title V compactor, is not eligible for consideration under the TMG program.

Moreover, Congress has reenacted its moratorium in Alaska on new contracting under the ISDEAA with Alaska Native Tribes that do not already have contracts or compacts with the IHS under this Act. See the Consolidated Appropriations Act, 2014 (Jan. 17, 2014), Public Law 113–76, 128 Stat. 5, 343–44; § 424. (a) Notwithstanding any other provision of law, and until October 1, 2018, the IHS may not disburse funds for the provision of health care services pursuant to Public Law 93–638 (25 U.S.C. 5301 *et seq.*) to any Alaska Native Village or Alaska Native Village corporation that is located within the area served by an Alaska Native regional health entity.

Consequently, Alaska Native Villages will not have any opportunity to enter into an ISDEAA contract with the IHS unless this law lapses on October 1, 2018, due to congressional inaction.

- Other Limitations—A current TMG recipient cannot be awarded a new, renewal, or competing continuation grant for any of the following reasons:

- The grantee will be administering two TMGs at the same time or have overlapping project/budget periods;

- The current project is not progressing in a satisfactory manner;

- The current project is not in compliance with program and financial reporting requirements; or

- The applicant has an outstanding delinquent Federal debt. No award shall be made until either:

- The delinquent account is paid in full; or

- A negotiated repayment schedule is established and at least one payment is received.

6. Electronic Submission Requirements

All applications must be submitted electronically. Please use the <http://www.Grants.gov> website to submit an application electronically and select the “Find Grant Opportunities” link on the homepage. Follow the instructions for submitting an application under the Package tab. Electronic copies of the application may not be submitted as attachments to email messages addressed to IHS employees or offices.

If the applicant needs to submit a paper application instead of submitting electronically through *Grants.gov*, a waiver must be requested. Prior approval must be requested and obtained from Mr. Robert Tarwater, Director, DGM, IHS (see Section IV.6 below for additional information). A written waiver request must be sent to GrantsPolicy@ihs.gov with a copy to Robert.Tarwater@ihs.gov. The waiver must: (1) Be documented in writing (emails are acceptable), before submitting a paper application; and (2) include clear justification for the need to deviate from the required electronic grants submission process.

Once the waiver request has been approved, the applicant will receive a confirmation of approval email containing submission instructions and the mailing address to submit the application. A copy of the written waiver must be submitted along with the copy of the application that is mailed to DGM. Paper applications that are submitted without a copy of the signed waiver from the Director, DGM, will not be reviewed or considered for funding. The applicant will be notified via email of this decision by the Grants Management Officer of the DGM. Paper applications must be received by the DGM no later than 5:00 p.m., EDT, on the Application Deadline Date listed in the Key Dates section on page 1 of this announcement. Late applications will not be accepted for processing or considered for funding. An applicant who does not adhere to the timelines for System for Award Management (SAM) and/or <http://www.Grants.gov> registration or who fails to request timely assistance with technical issues

will not be considered for a waiver to submit a paper application.

Please be aware of the following:

- Please search for the application package in <http://www.Grants.gov> by entering the CFDA number or the Funding Announcement Number. Both numbers are located in the header of this announcement.

- If you experience technical challenges while submitting your application electronically, please contact [Grants.gov](mailto:support@grants.gov) support directly at support@grants.gov or toll-free at (800) 518-4726. Customer Support is available to address questions 24 hours per day, 7 days per week (except on Federal holidays).

- Upon contacting <http://www.Grants.gov>, obtain a tracking number as proof of contact. The tracking number is helpful if there are technical issues that cannot be resolved and a waiver from the Agency must be obtained.

- Applicants are strongly encouraged not to wait until the deadline date to begin the application process through <http://www.Grants.gov> as the registration process for SAM and <http://www.Grants.gov> could take up to 15 working days.

- Please use the optional attachment feature in <http://www.Grants.gov> to attach additional documentation that may be requested by the DGM.

- All applicants must comply with any page limitation requirements described in this funding announcement.

- After electronically submitting the application, the applicant will receive an automatic acknowledgment from <http://www.Grants.gov> that contains a tracking number. The DGM will download the application from <http://www.Grants.gov> and provide necessary copies to the appropriate Agency officials. Neither the DGM, nor the IHS Office of Direct Service and Contracting Tribes (ODSCT) will notify the applicant that the application has been received.

- Email applications will not be accepted under this announcement.

Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)

All IHS applicants and grantee organizations are required to obtain a DUNS number and maintain an active registration in the SAM database. The DUNS number is a unique 9-digit identification number provided by D&B that uniquely identifies each entity. The DUNS number is site specific; therefore, each distinct performance site may be assigned a DUNS number. Obtaining a DUNS number is easy, and there is no

charge. To obtain a DUNS number, you may access it through <http://fedgov.dnb.com/webform>, or to expedite the process, call (866) 705-5711.

All HHS recipients are required by the Federal Funding Accountability and Transparency Act of 2006, as amended (Transparency Act), to report information on sub-awards. Accordingly, all IHS grantees must notify potential first-tier sub-recipients that no entity may receive a first-tier sub-award unless the entity has provided its DUNS number to the prime grantee organization. This requirement ensures the use of a universal identifier to enhance the quality of information available to the public pursuant to the Transparency Act.

System for Award Management (SAM)

Organizations that were not registered with Central Contractor Registration and have not registered with SAM will need to obtain a DUNS number first and then access the SAM online registration through the SAM home page at <https://www.sam.gov> (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2–5 weeks to become active). Completing and submitting the registration takes approximately one hour to complete and SAM registration will take 3–5 business days to process. Registration with the SAM is free of charge. Applicants may register online at <https://www.sam.gov>.

Additional information on implementing the Transparency Act, including the specific requirements for DUNS and the SAM, can be found on the IHS Grants Management, Grants Policy website at <https://www.ihs.gov/dgm/policytopics/>.

V. Application Review Information

The instructions for preparing the application narrative also constitute the evaluation criteria for reviewing and scoring the application. Weights assigned to each section are noted in parentheses. The 15-page narrative should include only the first year of activities; information for multi-year projects should be included as an appendix. See “Multi-Year Project Requirements,” at the end of this section for more information. The narrative section should be written in a manner that is clear to outside reviewers unfamiliar with prior related activities of the applicant. It should be well-organized, succinct, and contain all information necessary for reviewers to understand the project fully. Points will be assigned to each evaluation criteria adding up to a total of 100 points. A

minimum score of 70 points is required for funding. Points are assigned as follows:

1. Criteria

A. Introduction and Need for Assistance (20 Points)

(1) Describe the Tribe or Tribal Organization’s current health operation. Include a list of programs and services that are currently provided (*e.g.*, federally funded, State-funded, etc.), information regarding technologies currently used (*e.g.*, hardware, software, services, etc.), and identify the source(s) of technical support for those technologies (*i.e.*, Tribal staff, Area office IHS, vendor, etc.). Include information regarding whether the Tribe or Tribal Organization has a health department and/or health board and how long it has been operating.

(2) Describe the population to be served by the proposed project. Include the total number of eligible IHS beneficiaries currently using the services.

(3) Describe the geographic location of the proposed project, including any geographic barriers to health care users in the area to be served.

(4) Identify all TMGs received since FY 2013, dates of funding, and a summary of project accomplishments. State how previous TMG funds facilitated the progression of health development relative to the current proposed project. (Copies of reports will not be accepted.)

(5) Identify the eligible project type and priority group of the applicant.

(6) Explain the need or reason for the proposed TMG project. Identify specific weaknesses and gaps in service or infrastructure that will be addressed by the proposal. Explain how these gaps and weaknesses will be assessed.

(7) If the proposed TMG project includes information technology (*i.e.*, hardware, software, etc.), provide further information regarding measures that have occurred or will occur to ensure the proposed project will not create other gaps in services or infrastructure (*e.g.*, negatively affect or impact IHS interface capability, Government Performance and Results Act reporting requirements, contract reporting requirements, Information Technology (IT) compatibility, etc.) if applicable.

(8) Describe the effect of the proposed TMG project on current programs (*e.g.*, federally funded, State-funded, etc.), and if applicable, on current equipment (*e.g.*, hardware, software, services, etc.). Include the effect of the proposed project on planned or anticipated programs and equipment.

(9) Address how the proposed TMG project relates to the purpose of the TMG Program by addressing the appropriate description that follows:

- Identify whether the Tribe or Tribal Organization is an IHS Title I contractor. Address if the Self-Determination contract is a master contract of several programs or if individual contracts are used for each program. Include information regarding whether or not the Tribe or Tribal Organization participates in a consortium contract (*i.e.*, more than one Tribe participating in a contract). Address what programs are currently provided through those contracts and how the proposed TMG project will enhance the organization's capacity to manage the contracts currently in place.

- Identify if the Tribe or Tribal Organization is not a Title I organization. Address how the proposed TMG project will enhance the organization's management capabilities, what programs and services the organization is currently seeking to contract and an anticipated date for contract.

- Identify if the Tribe or Tribal Organization is an IHS Title V compactor. Address when the Tribe or Tribal Organization entered into the compact and how the proposed project will further enhance the organization's management capabilities.

B. Project Objectives, Work Plan, and Approach (40 Points)

(1) The proposed project objectives must be:

- Measureable and (if applicable) quantifiable.
- Results-oriented.
- Time-limited.

Example: By installing new third-party billing software, the Tribe proposes to increase the number of claims processed by 15 percent within 12 months.

(2) For each objective address how the proposed TMG project will result in change or improvement in program operations or processes. Also address what tangible products are expected from the project (*i.e.*, policies and procedures manual, health plan, etc.)

(3) Address the extent to which the proposed project will build local capacity to provide, improve, or expand services that address the needs of the target population.

(4) Submit a work plan in the Appendix that includes the following:

- Provide action steps on a timeline for accomplishing the proposed project objectives.
- Identify who will perform the action steps.

- Identify who will supervise the action steps taken.

- Identify tangible products that will be produced during and at the end of the proposed project.

- Identify who will accept and/or approve work products during the duration of the proposed TMG project and at the end of the proposed project.

- Include a description of any training activities proposed. This description will identify the target audience and training personnel.

- Include work plan evaluation activities

(5) If consultants or contractors will be used during the proposed project, please complete the following information in their scope of work. (If consultants or contractors will not be used, please make note in this section):

- Educational requirements.
- Desired qualifications and work experience.

- Expected work products to be delivered, including a timeline.

If potential consultants or contractors have already been identified, please include a resume for each consultant or contractor in the Appendix.

(6) Describe updates that will be required for the continued success of the proposed TMG project (*i.e.*, revision of policies/procedures, upgrades, technical support, etc.) Include a timeline of anticipated updates and source of funding to conduct the update and/or maintenance.

C. Program Evaluation (20 Points)

Each proposed objective requires an evaluation activity to assess its progression and ensure completion. This should be included in the work plan.

Describe the proposal's plan to evaluate project processes and outcomes. Outcome evaluation relates to the results identified in the objectives, and process evaluation relates to the work plan and activities of the project.

(1) For outcome evaluation, describe:

- The criteria for determining whether or not each objective was met.
- The data to be collected to determine whether the objective was met.

- Data collection intervals.
- Who will be responsible for collecting the data and their qualifications.

- Data analysis method.

- How the results will be used.

(2) For process evaluation, describe:

- The process for monitoring and assessing potential problems, then identifying quality improvements.
- Who will be responsible for monitoring and managing project

improvements based on results of ongoing process improvements and their qualifications.

- Provide details with regards to the ways ongoing monitoring will be used to improve the project.

- Describe any products, such as manuals or policies, that might be developed and how they might lend themselves to replication by others.

- How the Tribe or Tribal Organization will document what is learned throughout the project period.

(3) Describe any additional evaluation efforts planned after the grant period has ended.

(4) Describe the ultimate benefit to the Tribe or Tribal Organization that is expected to result from this project. An example would be a Tribe or Tribal Organization's ability to expand preventive health services because of increased billing and third-party payments.

D. Organizational Capabilities, Key Personnel, and Qualifications (15 Points)

This section outlines the Tribe or Tribal Organization's capacity to complete the proposal outlined in the work plan. It includes the identification of personnel responsible for completing tasks and the chain of responsibility for completion of the proposed plan.

(1) Provide the organizational structure of the Tribe or Tribal Organization.

(2) Provide information regarding plans to obtain management systems if a Tribe or Tribal Organization does not have an established management system currently in place that complies with 25 CFR part 900, subpart F, "Standards for Tribal or Tribal Organization Management Systems." State if management systems are already in place and how long the systems have been in place.

(3) Describe the ability of the Tribe or Tribal Organization to manage the proposed project. Include information regarding similarly sized projects in scope and financial assistance as well as other grants and projects successfully completed.

(4) Describe equipment (*e.g.*, fax machine, telephone, computer, etc.) and facility space (*i.e.*, office space) will be available for use during the proposed project. Include information about any equipment not currently available that will be purchased through the grant.

(5) List key project personnel and their titles in the work plan. Provide the position descriptions and resumes for all key personnel in the Appendix. The included position descriptions should:

(1) Clearly describe each position's

duties; and (2) indicate desired qualifications and project associated experience. Each resume must include a statement indicating that the proposed key personnel is explicitly qualified to carry out the proposed project activities. If no current candidate for a position exists please provide a statement to that effect in the Appendix.

(6) If an individual is partially funded by this grant, indicate the percentage of his or her time to be allocated to the project and identify the resources used to fund the remainder of that individual's salary.

(7) Address how the Tribe/Tribal Organization will sustain the proposal created positions after the grant expires. Please indicate if the project requires additional personnel (*i.e.*, IT support, etc.) If no additional personnel is required please indicate that in this section.

E. Categorical Budget and Budget Justification (5 Points)

(1) Provide a categorical budget for each of the 12-month budget periods requested.

(2) If indirect costs are claimed, indicate and apply the current negotiated rate to the budget. Include a copy of the rate agreement in the Appendix.

(3) Provide a narrative justification explaining why each categorical budget line item is necessary and relevant to the proposed project. Include sufficient cost and other details to facilitate the determination of cost allowability (*e.g.*, equipment specifications, etc.)

Multi-Year Project Requirements

For projects requiring a second and/or third year, include only Year 2 and/or Year 3 narrative sections (objectives, evaluation components, and work plan) that differ from those in Year 1. For every project year, include a full budget justification and a detailed, itemized categorical budget showing calculation methodologies for each item. The same weights and criteria that are used to evaluate a 1-year project or the first year of a multi-year project will be applied when evaluating the second and third years of a multi-year application. A weak second and/or third year submission could negatively impact the overall score of an application and result in elimination of the proposed second and/or third years with a recommendation for only a 1-year award.

Additional documents can be uploaded as Appendix Items in <http://www.Grants.gov>

- Work plan, logic model, and/or timeline for proposed objectives.
- Position descriptions for key staff.
- Resumes of key staff that reflect current duties.
- Consultant or contractor proposed scope of work and letter of commitment (if applicable).
- Current Indirect Cost Agreement.
- Organizational chart.
- Additional documents to support narrative (*e.g.*, data tables, key news articles, etc.).

2. Review and Selection

Each application will be prescreened by DGM staff for eligibility and completeness as outlined in this funding announcement. Applications that meet the eligibility criteria shall be reviewed for merit by the ORC based on evaluation criteria in this funding announcement. The ORC could be composed of both Tribal and Federal reviewers appointed by the IHS program to review and make recommendations on these applications. The technical review process ensures selection of quality projects in a national competition for limited funding. Incomplete applications and applications that are non-responsive to the eligibility criteria will not be referred to the ORC. The applicant will be notified via email of this decision by the DGM Grants Management Officer. Applicants will be notified by the DGM, via email, to outline minor missing components (*e.g.*, budget narratives, audit documentation, key contact form, etc.) needed for an otherwise complete application. All missing documents must be sent to the DGM on or before the due date listed in the email of notification of missing documents required.

To obtain a minimum score for funding by the ORC, applicants must address all program requirements and provide all required documentation.

Please note that a decision to award a TMG does not represent a determination from the IHS regarding the Tribe or Tribal Organization's eligibility to contract for a specific PFSA under the ISDEAA. An application for a TMG does not constitute a contract proposal.

VI. Award Administration Information

1. Award Notices

The Notice of Award (NoA) is a legally binding document signed by the Grants Management Officer that serves as the official notification of the TMG

award. The NoA will be initiated by the DGM in our grant system, GrantSolutions (<https://www.grantsolutions.gov>). Each entity approved for funding under this announcement will need to request or have a user account in GrantSolutions in order to retrieve their NoA. The NoA is the authorizing document for which funds are dispersed to the approved entities and reflects the amount of Federal funds awarded, the purpose of the grant, the terms and conditions of the award, the effective date of the award, and the budget/project period.

Disapproved Applications

Applicants that received a score less than the recommended funding level for approval (70 points) and that are deemed to be disapproved by the ORC, will receive an Executive Summary Statement from the IHS ODSCT within 30 days of the conclusion of the ORC, outlining the strengths and weaknesses of their application submitted. The summary statement will be sent to the Authorized Organizational Representative identified on the face page (SF-424) of the application. The IHS ODSCT will also provide additional contact information as needed to address questions and concerns, as well as provide technical assistance if desired.

Approved but Unfunded Applications

Approved but unfunded applications that met the minimum scoring range and that are deemed by the ORC to be "Approved," but were not funded due to lack of TMG funding, will have their applications held by DGM for a period of 1 year. If additional funding becomes available during the course of FY 2018, the approved, but unfunded application may be re-considered by the awarding program office for possible funding. The applicant will also receive an Executive Summary Statement from the IHS program office within 30 days of the conclusion of the ORC.

Note: Any correspondence other than the official NoA signed by an IHS grants management official announcing to the project director that an award has been made to their organization is not an authorization to implement their program on behalf of IHS.

2. Administrative Requirements

Grants are administered in accordance with the following regulations and policies:

- A. The criteria as outlined in this program announcement.
- B. Uniform Administrative Regulations for Grants:

- Uniform Administrative Requirements for HHS Awards, located at 45 CFR part 75.

C. Grants Policy:

- HHS Grants Policy Statement, Revised January 2007.

D. Cost Principles:

- Uniform Administrative Requirements for HHS Awards, "Cost Principles," located at 45 CFR part 75, subpart E.

E. Audit Requirements:

- Uniform Administrative Requirements for HHS Awards, "Audit Requirements," located at 45 CFR part 75, subpart F.

3. Indirect Costs

This section applies to all TMG recipients who request reimbursement of IDC in their grant application. In accordance with HHS Grants Policy Statement, Part II–27, the IHS requires applicants to obtain a current IDC rate agreement prior to award. The rate agreement must be prepared in accordance with the applicable cost principles and guidance as provided by the cognizant agency or office. A current rate covers the applicable grant activities under the current award's budget period. If the current rate is not on file with the DGM at the time of award, the IDC portion of the budget will be restricted. The restrictions remain in place until the current rate is provided to the DGM.

Generally, IDC rates for IHS grantees are negotiated with the Division of Cost Allocation (DCA) <https://rates.psc.gov/> and the Department of the Interior (Interior Business Center) <https://www.doi.gov/ibc/services/finance/indirect-cost-services/indian-tribes/>. For questions regarding the IDC policy, please contact the Grants Management Specialist listed under "Agency Contacts," or the main DGM office by telephone (301) 443–5204.

4. Reporting Requirements

The grantee must submit required reports consistent with the applicable TMG deadlines. Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions, such as withholding payments or converting to the reimbursement method of payment. Continued failure to submit required reports may result in one or both of the following: (1) The imposition of special award provisions; and/or (2) non-funding or non-award of other eligible projects or activities. This requirement applies whether the delinquency is attributable to the failure

of the grantee organization or the individual responsible for preparation of the reports. Per IHS DGM policy, all reports are required to be submitted electronically by attaching them as a "Grant Note" in GrantSolutions. Personnel responsible for submitting reports will be required to obtain a login and password for GrantSolutions. Please see the Agency Contacts list in Section VII for systems contact information.

The reporting requirements for this program are noted below.

A. Progress Reports

Program progress reports are required semi-annually within 30 days after the budget period ends. These reports must include the following: A brief comparison of actual accomplishments to the goals established for the period, or, if applicable, provide sound justification for the lack of progress, and other pertinent information as required. A final report must be submitted within 90 days of expiration of the budget/project period.

B. Financial Reports

Federal Financial Report FFR (SF–425), Cash Transaction Reports are due 30 days after the close of every calendar quarter to the Payment Management Services, HHS, at <https://pms.psc.gov>. It is recommended that the applicant also send a copy of the FFR (SF–425) report to the Grants Management Specialist. Failure to submit timely reports may cause a disruption in timely payments to the organization.

Grantees are responsible and accountable for accurate information being reported on all required reports: The Progress Reports and FFR.

C. Federal Sub-Award Reporting System (FSRS)

This award may be subject to the Transparency Act sub-award and executive compensation reporting requirements at 2 CFR part 170.

The Transparency Act requires the OMB to establish a single searchable database, accessible to the public, with information on financial assistance awards made by Federal agencies. The Transparency Act also includes a requirement for recipients of Federal grants to report information about first-tier sub-awards and executive compensation under Federal assistance awards.

The IHS has implemented a Term of Award into all IHS Standard Terms and Conditions, NoAs, and funding announcements regarding the FSRS reporting requirement. This IHS Term of Award is applicable to all IHS grant and cooperative agreements issued on or

after October 1, 2010, with a \$25,000 sub-award obligation dollar threshold met for any specific reporting period. Additionally, all new (discretionary) IHS awards (when the period of performance is made up of more than one budget period) and: (1) The period of performance start date was October 1, 2010, or after; and (2) the primary awardee will have a \$25,000 sub-award obligation dollar threshold during any specific reporting period will be required to address the FSRS reporting.

For the full IHS award term implementing this requirement and additional award applicability information, visit the DGM Grants Policy website at <https://www.ihs.gov/dgm/policytopics/>.

D. Compliance With Executive Order 13166 Implementation of Services Accessibility Provisions for All Grant Application Packages and Funding Opportunity Announcements

Recipients of Federal financial assistance (FFA) from the HHS must administer their programs in compliance with Federal civil rights law. This means that recipients of HHS funds must ensure equal access to their programs without regard to a person's race, color, national origin, disability, age and, in some circumstances, sex and religion. HHS provides guidance to FFA recipients on meeting their legal obligation to take reasonable steps to provide meaningful access to their programs by persons with limited English proficiency. Please see <http://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/guidance-federal-financial-assistance-recipients-title-VI/>.

The HHS Office for Civil Rights (OCR) also provides guidance on civil rights law enforcement compliance. Please see <http://www.hhs.gov/civil-rights/for-individuals/section-1557/index.html>; and <http://www.hhs.gov/civil-rights/index.html>. Recipients of FFA also have specific legal obligations for serving qualified individuals with disabilities. Please see <http://www.hhs.gov/civil-rights/for-individuals/disability/index.html>. Please contact the HHS OCR for additional information about obligations and prohibitions under Federal civil rights laws at <https://www.hhs.gov/ocr/about-us/contact-us/index.html> or toll-free by telephone at (800) 368–1019 or TDD (800) 537–7697. Also note it is an HHS goal to ensure access to quality, culturally competent care, including long-term services and supports, for vulnerable populations. For further guidance on providing culturally and linguistically appropriate services, recipients should review the

National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care at <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=2&lvlid=53>.

Pursuant to 45 CFR 80.3(d), an individual shall not be deemed subjected to discrimination by reason of his or her exclusion from benefits limited by Federal law to individuals eligible for benefits and services from the IHS.

Recipients will be required to sign the HHS-690 Assurance of Compliance form which can be obtained from the following website: <http://www.hhs.gov/sites/default/files/forms/hhs-690.pdf>, and send it directly to the: U.S. Department of Health and Human Services, Office for Civil Rights, 200 Independence Avenue SW, Room 509F, Washington, DC 20201.

E. Federal Awardee Performance and Integrity Information System (FAPIIS)

The IHS is required to review and consider any information about the applicant that is in the Federal Awardee Performance and Integrity Information System (FAPIIS) before making any award in excess of the simplified acquisition threshold (currently \$150,000) over the period of performance. An applicant may review and comment on any information about itself that a Federal awarding agency previously entered. The IHS will consider any comments by the applicant, in addition to other information in FAPIIS in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by the applicant as described in 45 CFR 75.205.

As required by 45 CFR part 75 Appendix XII of the Uniform Guidance, non-Federal entities (NFEs) are required to disclose in FAPIIS any information about criminal, civil, and administrative proceedings, and/or affirm that there is no new information to provide. This applies to NFEs that receive Federal awards (currently active grants, cooperative agreements, and procurement contracts) greater than \$10,000,000 for any period of time during the period of performance of an award/project.

Mandatory Disclosure Requirements

As required by 2 CFR part 200 of the Uniform Guidance, and the HHS implementing regulations at 45 CFR part 75, effective January 1, 2016, the IHS must require a non-Federal entity or an applicant for a Federal award to disclose, in a timely manner, in writing,

to the IHS or pass-through entity, all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

Submission is required for all applicants and recipients, in writing, to the IHS and to the HHS Office of Inspector General. 45 CFR 75.113.

Disclosures must be sent in writing to: U.S. Department of Health and Human Services, Indian Health Service, Division of Grants Management, ATTN: Robert Tarwater, Director, 5600 Fishers Lane, Mailstop: 09E70, Rockville, MD 20857. (Include "Mandatory Grant Disclosures" in subject line).

Telephone: (301) 443-5204.

Fax: (301) 594-0899.

Email: Robert.Tarwater@ihs.gov.

AND

U.S. Department of Health and Human Services, Office of Inspector General, ATTN: Mandatory Grant Disclosures, Intake Coordinator, 330 Independence Avenue SW, Cohen Building, Room 5527, Washington, DC 20201.

Website: <http://oig.hhs.gov/fraud/reportfraud/index.asp>. (Include "Mandatory Grant Disclosures" in subject line).

Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or

Email: MandatoryGranteeDisclosures@oig.hhs.gov.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 Remedies for noncompliance, including suspension or debarment (See 2 CFR part 180 and Part 376, and 31 U.S.C. 3321).

VII. Agency Contacts

1. Questions on the programmatic issues may be directed to: Ms. Roselyn Tso, Director, Office of Direct Service and Contracting Tribes, Indian Health Service, 5600 Fishers Lane, Mail Stop: 08E17, Rockville, MD 20857, Telephone: (301) 443-1104, Email: roselyn.tso@ihs.gov.

2. Questions on grants management and fiscal matters may be directed to: Ms. Vanietta Armstrong, Grants Management Specialist, Indian Health Service, OMS/DGM, 5600 Fishers Lane, Mail Stop: 09E70, Rockville, MD 20857, Telephone: (301) 443-4792, Fax: (301) 594-0899, Email: vanietta.armstrong@ihs.gov.

3. Questions on technical systems matters may be directed to: Mr. Paul Gettys, Grant Systems Coordinator, 5600 Fishers Lane, Mail Stop: 09E70,

Rockville, MD 20857, Telephone: (301) 443-2114; or the DGM main line (301) 443-5204, Fax: (301) 594-0899, Email: paul.gettys@ihs.gov.

VIII. Other Information

The Public Health Service strongly encourages all recipients of cooperative agreement and contracts provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Pubic Law 103-227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of the facility) in which regular or routine education, library, day care, health care, or early childhood development services are provided to children. This is consistent with the HHS mission to protect and advance the physical and mental health of the American people.

Dated: June 26, 2018.

Michael D. Weahkee,

RADM, Assistant Surgeon General, USPHS, Acting Director, Indian Health Service.

[FR Doc. 2018-14426 Filed 7-3-18; 8:45 am]

BILLING CODE 4165-16-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request; The Genetic Testing Registry

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 30-days of the date of this publication.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the: Office of Management and Budget, Office of Regulatory Affairs, OIRA_submission@omb.eop.gov or by fax to 202-395-6974, Attention: Desk Officer for NIH.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of

the data collection plans and instruments, contact: Dr. Dina Paltoo, Director, Scientific Data Sharing Policy Division, Office of Science Policy, NIH, 6705 Rockledge Dr., Suite 750, Bethesda, MD 20892, or call non-toll-free number (301) 496-9838, or Email your request, including your address to: SciencePolicy@mail.nih.gov.

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** on April 2, 2018, page 14018 (83 FR 14018) and allowed 60 days for public comment. No public comments were received. The purpose of this notice is to allow an additional 30 days for public comment. The Office of the Director (OD), National Institutes of Health, may not conduct or sponsor,

and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

In compliance with Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

Proposed Collection: The Genetic Testing Registry, 0925-0651, Expiration Date 07/31/2018—EXTENSION, Office of the Director (OD), National Institutes of Health (NIH).

Need and Use of Information Collection: Clinical laboratory tests are available for more than 10,000 genetic conditions. The Genetic Testing Registry (GTR) provides a centralized, online location for test developers, manufacturers, and researchers to voluntarily submit detailed information about the availability and scientific basis of their genetic tests. The GTR is of value to clinicians by providing information about the accuracy, validity, and usefulness of genetic tests. The GTR also highlights evidence gaps where additional research is needed.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 4,198.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average time per response (in hours)	Total annual burden hour
Laboratory Personnel Using Bulk Submission Optional Fields.	Minimal Fields	313	25	18/60	2,348
Laboratory Personnel Not Using Bulk Submission Optional Fields.	.....	313	25	6/60	783
	Minimal Fields	64	25	30/60	800
	.....	64	25	10/60	267
Total .....	.....	377	18,850	.....	4,198

Dated: June 28, 2018.

Lawrence A. Tabak,
Principal Deputy Director, National Institutes of Health.

[FR Doc. 2018-14435 Filed 7-3-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Center for Mental Health Services; Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given that the Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Mental Health Services (CMHS) National Advisory Council (NAC) will meet on August 1, 2018, from 9:00 a.m. to 5:00 p.m. E.D.T. The NAC will convene in both open and closed sessions on August 1, 2018.

The closed portion of the meeting will include discussion of grant applications that were reviewed by SAMHSA's Initial Review Groups, and involves an examination of confidential financial

and business information as well as personal information concerning the applications. Therefore, the meeting will be closed to the public from 9:00 a.m. to 9:30 a.m., as determined by the Assistant Secretary for Mental Health and Substance Use, SAMHSA in accordance with Title 5 U.S.C. § 552b(c)(4) and (6) and Title 5 U.S.C. App. 2, § 10(d).

The remainder of this meeting will be open to the public from 9:30 a.m. to 5:00 p.m., E.D.T., to include discussion of the Center's policy issues, updates on the Interdepartmental Serious Mental Illness Coordinating Committee, presentations on Suicide Prevention, School Mental Health/Child Trauma and a conversation with the Assistant Secretary for Mental Health and Substance Use.

Attendance by the public will be limited to available space. Interested persons may present data, information, or views, orally or in writing, on issues pending before the council. Written submissions should be forwarded to the contact person (below) on or before July 17, 2018. Oral presentations from the public will be scheduled at the conclusion of the meeting on Wednesday, August 1, 2018. Five

minutes will be allotted for each presentation. Meeting information and a roster of Council members may be obtained either by accessing the SAMHSA Council website at <http://www.samhsa.gov/about-us/advisory-councils/cmhs-national-advisory-council> or by contacting Ms. Pamela Foote (see contact information below).

The meeting can be accessed via telephone. To obtain the conference call-in number and access code, submit written or brief oral comments, or request special accommodations for persons with disabilities, please register at the SAMHSA's Advisory Council website at <http://nac.samhsa.gov/Registration/meetingsRegistration.aspx>, or contact Pamela Foote (see contact information below).

Committee Name: Substance Abuse and Mental Health Services Administration Center for Mental Health Services National Advisory Council.

Dates/Time/Type: Wednesday, August 1, 2018, 9:00 a.m. to 9:30 a.m. EDT: CLOSED; Wednesday, August 1, 2018, 9:30 a.m. to 5:00 p.m. EDT: OPEN.

Place: SAMHSA, 5600 Fishers Lane, 5th Floor, Conference Room 5W11, Rockville, Maryland 20857.

Contact: Pamela Foote, Designated Federal Official, SAMHSA CMHS National Advisory Council, 5600 Fishers Lane, Room 14E53C, Rockville, Maryland 20857, Telephone: (240) 276-1279, Fax: (301) 480-8491, *Email:* pamela.foote@samhsa.hhs.gov.

Carlos Castillo,

Committee Management Officer.

[FR Doc. 2018-14381 Filed 7-3-18; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS-2018-0023]

Nationwide Cyber Security Review Assessment

AGENCY: Office of Cybersecurity and Communications (CS&C), National Protection and Programs Directorate (NPPD), Department of Homeland Security (DHS).

ACTION: 60-Day Notice and request for comments; New Collection, 1670-NEW.

SUMMARY: DHS NPPD CS&C will submit the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted until September 4, 2018.

ADDRESSES: You may submit comments, identified by docket number DHS-2018-0023, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Please follow the instructions for submitting comments.

- *Email:* SLTTCyber@HQ.DHS.GOV. Please include docket number DHS-2018-0023 in the subject line of the message.

- *Mail:* Written comments and questions about this Information Collection Request should be forwarded to DHS/NPPD/CS&C, ATTN: 1670-NEW, Donna Beach, 245 Murray Lane, SW, Mail Stop 0612, Arlington, VA 20528.

Instructions: All submissions received must include the words "Department of Homeland Security" and docket number DHS-2018-0023. Comments received will be posted without alteration at <http://www.regulations.gov>, including any personal information provided.

Comments submitted in response to this notice may be made available to the public through relevant websites. 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 comments that may be made available to the public notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Donna Beach at 703-705-6213 or at SLTTCyber@HQ.DHS.GOV.

SUPPLEMENTARY INFORMATION: In its reports to the Department of Homeland Security Appropriations Act, 2010, Congress requested a Nationwide Cyber Security Review (NCSR) from the National Cyber Security Division (NCSA), the predecessor organization of the Stakeholder Engagement and Cyber Infrastructure Resilience (SECIR) division. S. Rep. No. 111-31, at 91 (2009), H.R. Rep. No. 111-298, at 96 (2009). The House Conference Report accompanying the Department of Homeland Security Appropriations Act, 2010 "note[d] the importance of a comprehensive effort to assess the security level of cyberspace at all levels of government" and directed DHS to "develop the necessary tools for all levels of government to complete a cyber network security assessment so that a full measure of gaps and capabilities can be completed in the near future." H.R. Rep. No. 111-298, at 96 (2009). Concurrently, in its report accompanying the Department of Homeland Security Appropriations Bill, 2010, the Senate Committee on Appropriations recommended that DHS "report on the status of cyber security measures in place, and gaps in all 50 States and the largest urban areas." S. Rep. No. 111-31, at 91 (2009).

The Homeland Security Act of 2002, as amended, established "a national cybersecurity and communications integration center [NCCIC] . . . to carry out certain responsibilities of the Under Secretary," including the provision of assessments. 6 U.S.C. 148(b). The Act also directs the composition of the NCCIC to include an entity that collaborates with State and local governments on cybersecurity risks and incidents, and has entered into a voluntary information sharing

relationship with the NCCIC. 6 U.S.C. 148(d)(1)(E). The Multistate Information Sharing and Analysis Center (MS-ISAC) currently fulfills this function. NPPD funds the MS-ISAC through a Cooperative Agreement and maintains a close relationship with this entity. As part of the Cooperative Agreement, DHS directs the MS-ISAC to produce the NCSR as contemplated by Congress.

Generally, NPPD has authority to perform risk and vulnerability assessments for Federal and non-Federal entities, with consent and upon request. The NCCIC performs these assessments in accordance with its authority to provide voluntary technical assistance to Federal and non-Federal entities. See 6 U.S.C. 148(c)(6), 143(2). This authority is consistent with the Department's responsibility to "[c]onduct comprehensive assessments of the vulnerabilities of the Nation's critical infrastructure in coordination with the SSAs [Sector-Specific Agencies] and in collaboration with SLTT [State, Local, Tribal, and Territorial] entities and critical infrastructure owners and operators." Presidential Policy Directive (PPD)-21, at 3. A private sector entity or state and local government agency also has discretion to use a self-assessment tool offered by NPPD or request NPPD to perform an on-site risk and vulnerability assessment. See 6 U.S.C. 148(c)(6), 143(2), 6 U.S.C. 121(d)(2). The NCSR is a voluntary annual self-assessment.

Upon submission of the first NCSR report in March 2012, Congress further clarified its expectation "that this survey will be updated every other year so that progress may be charted and further areas of concern may be identified." S. Rep. No. 112-169, at 100 (2012). In each subsequent year, Congress has referenced this NCSR in its explanatory comments and recommendations accompanying the Department of Homeland Security Appropriations. Consistent with Congressional mandates, SECIR developed the NCSR to measure the gaps and capabilities of cybersecurity programs within SLTT governments. Using the anonymous results of the NCSR, DHS delivers a bi-annual summary report to Congress that provides a broad picture of the current cybersecurity gaps & capabilities of SLTT governments across the nation.

The assessment allows SLTT governments to manage cybersecurity related risks through the NIST Cybersecurity Framework (CSF) which consists of best practices, standards and guidelines. In efforts of continuously providing Congress with an accurate representation of the SLTT

governments' cybersecurity programs gaps and capabilities the NCSR question set may slightly change from year-to-year.

The NCSR is an annual voluntary self-assessment that is hosted on the RSA Archer Suite, which is a technology platform that provides a foundation for managing policies, controls, risks, assessments, and deficiencies across organizational lines of business. The NCSR self-assessment runs every year from October–December. In efforts of increasing participation, the deadline is sometimes extended. The target audience for the NCSR are personnel within the SLTT community who are responsible for the cybersecurity management within their organization.

Through the NCSR, DHS & MS-ISAC will examine relationships, interactions, and processes governing IT management and the ability to effectively manage operational risk. Using the anonymous results of the NCSR, DHS delivers a bi-annual summary report to Congress that provides a broad picture of the cybersecurity gaps & capabilities of SLTT governments across the nation. The bi-annual summary report is shared with MS-ISAC members, NCSR End Users, and Congress. The report is also available on the MS-ISAC website, <https://www.cisecurity.org/ms-isac/services/ncsr/>.

Upon submission of the NCSR self-assessment, participants will immediately receive access to several reports specific to their organization and their cybersecurity posture. Additionally, after the annual NCSR survey closes there will be a brief NCSR End User Survey offered to everyone who completed the NCSR assessment. The survey will provide feedback on participants' experiences, such as from how they heard about the NCSR, what they found or did not find useful, how they will utilize the results of their assessment, and other information about their current and future interactions with the NCSR.

Additionally, MS-ISAC will administer a survey to those who were registered participants in the past and did not register or complete the most recent NCSR. The purpose of the Non-Response Survey is to solicit feedback on ways the NCSR could be improved to maximize benefits and increase response rates in the future.

The NCSR assessment requires approximately two hours for completion and is located on the RSA Archer Suite. During the assessment period, participants can respond at their own pace with the ability to save their progress during each session. If additional support is needed,

participants can contact the NCSR helpdesk via phone and email.

The NCSR End User survey will be fully electronic. It contains less than 30 multiple choice and fill-in-the-blank answers and takes approximately 10 minutes to complete. The feedback survey will be administered via Survey Monkey and settings will be updated to opt out of collecting participants' IP addresses.

The Non-Response Survey will be fully electronic and take approximately 10 minutes to complete. The survey will be administered via Survey Monkey and settings will be updated to opt out of collecting participants' IP addresses.

This is a new information collection.

OMB is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Title of Collection: Nationwide Cyber Security Review Assessment.

OMB Control Number: 1670–NEW.

Frequency: Annually.

Affected Public: State, Local, Tribal, and Territorial entities.

Number of Respondents: 591.

Estimated Time per Respondent: 2 hours.

Total Burden Hours: 1,278.

Total Burden Cost (Capital/Startup): \$0.

Total Recordkeeping Burden: \$0.

Total Burden Cost (Operating/Maintaining): \$0.

David Epperson,

Chief Information Officer.

[FR Doc. 2018–14352 Filed 7–3–18; 8:45 am]

BILLING CODE 9110–9P–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7002–N–09]

60-Day Notice of Proposed Information Collection: Housing Trust Fund (HTF) Program

AGENCY: The Office of Community Planning and Development, HUD.

ACTION: Notice of proposed information collection.

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:* September 4, 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: Quinn Warner, Affordable Housing Specialist, Office of Affordable Housing Programs, 451 7th Street SW, Washington, DC 20410; email at quinn.a.warner@hud.gov or telephone 202–402–1401. 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: Housing Trust Fund (HTF).

OMB Approval Number: 2506–New.

Type of Request: New collection.

Form Number: SF-1199A, HUD-27055, SF-424, SF-425.

Description of the need for the information and proposed use: The information collected through HUD's Integrated Disbursement and Information System (IDIS) (24 CFR § 93.402) is used by HUD Field Offices, HUD Headquarters, and HTF Grantees. The information on program funds committed and disbursed is used by HUD to track grantee performance and to determine compliance with the statutory 24-month commitment deadline and the regulatory 5-year expenditure deadline (§ 93.400(d)). The project-specific property, tenant, owner, and financial data is used to make program management decisions about how well program participants are achieving the statutory objectives of the HTF Program. Program management reports are generated by IDIS to provide data on the status of program

participants' commitment and disbursement of HTF funds. These reports are provided to HUD staff as well as to HTF grantees.

Financial, project, tenant and owner documentation are used to determine compliance with HTF Program cost limits (§ 93.404), eligible activities (§ 93.200), and eligible costs (§ 93.201). Other information collected under Subpart H (Other Federal Requirements) is primarily intended for local program management and is only viewed by HUD during routine monitoring visits. The written agreement with the owner for long-term obligation (§ 93.404(b)) and tenant protections (§ 93.303) are required to ensure that the property owner complies with these important elements of the HTF Program and are also reviewed by HUD during monitoring visits. HUD reviews all other data collection requirements during monitoring to assure compliance with

the requirements of the Act and other related laws and authorities.

HUD tracks grantee performance and compliance with the requirements of 24 CFR parts 91 and 93. Grantees use the required information in the execution of their program, and to gauge their own performance in relation to stated goals.

Respondents (i.e., affected public): State grantees.

Estimated Number of Respondents: 56.

Estimated Number of Responses: 12,130.

Frequency of Response: Most data are collected annually, though there are specific items that are requested monthly.

Average Hours per Response: 2.16 hours.

Total Estimated Burdens: 26,219 hours.

Regulatory section	Paperwork requirement	Number of responses	Frequency of response	Responses per annum	Reporting hours	Annual burden hours	Annual cost
§ 93.100(a)	Notification of intent to participate	56.00	Once	1.00	4.00	224.00	\$8,752.00
§ 93.100(b)	Submission of Consolidated Plan	56.00	Every five years	0.2	40.00	448.00	17,503.00
§ 91.220	Action plan	56.00	Annual	1.00	10.00	560.00	21,879.00
§ 93.101	Distribution of assistance	56.00	Annual	1.00	4.00	224.00	8,752.00
§ 93.150(a)	Site and neighborhood standards	56.00	Annual	1.00	4.00	224.00	8,752.00
§ 93.150(b)	New rental housing site and neighborhood requirements.	56.00	Annual	1.00	5.00	280.00	10,940.00
§ 93.200(b)	Establishment of terms of assistance	56.00	Annual	1.00	4.00	224.00	8,752.00
§ 93.200(d)	Terminated projects	1.00	Annual	1.00	20.00	20.00	781.00
§ 93.201(b)(2)	Establish refinancing guidelines	56.00	Annual	1.00	4.00	224.00	8,752.00
§ 93.300(a)	Establish maximum per-unit development subsidy amount.	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.300(b)	Underwriting and subsidy layering	168.00	Annual	168.00	4.00	672.00	26,255.00
§ 93.301(a)	Property standards—New construction	56.00	Annual	56.00	3.00	168.00	6,564.00
§ 93.302(b)	Establish rent limitations	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.302(c)	Establish utility allowance	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.302(d)(1)	Establish affordability requirements	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.302(d)(3)	Establish preemptive procedures to purchase the housing before foreclosure or deed in lieu of foreclosure.	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.302(e)(1)	Initial income determination	1,821	Annual	1821.00	1.00	1,821.00	71,146.00
§ 93.302(e)(1)	Annual income recertification	5,600	Annual	5600.00	0.25	1,400.00	54,698.00
§ 93.304(f)	Establish resale or recapture provisions	0	Annual	1	5	0	
§ 93.304(m)(1)	Underwriting standards for homeownership assistance.	0	Annual	1	6	0	
§ 93.304(m)(2)	Establish policies for anti-predatory lending	0	Annual	1	4	0	
§ 93.304(m)(3)	Establish reasonable refinancing loan terms subordinated HTF loans.	0	Annual	1	4	0	
§ 93.305(1)	Establish modest housing guidelines	0	Annual	1	5	0	
§ 93.350(a)	Equal opportunity procedures	56.00	Annual	56.00	8.00	448.00	17,503.00
§ 93.350(b)(1)	Affirmative marketing procedures	56.00	Annual	56.00	10.00	560.00	21,879.00
§ 93.351	Lead-based paint	56.00	Annual	56.00	1.00	56.00	2,188.00
§ 93.352	Displacement, relocation, and acquisition procedures.	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.353	Conflict of interest adjudication	2.00	Annual	2.00	4.00	8.00	313.00
§ 93.354	Funding Accountability and Transparency Act	56.00	Monthly 12	12	1.00	672.00	26,255.00
§ 93.356(b)	VAWA notification requirements	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.356(d)	VAWA lease term/addendum	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.356(f)	VAWA Emergency transfer plan	56.00	Annual	56.00	4.00	224.00	8,752.00
§ 93.402(b)(1)	IDIS—Project set-up	168.00	Annual	168.00	1.00	168.00	6,564.00
§ 93.402(c)(1)	IDIS—HTF drawdowns	168.00	Annual	168.00	1.00	168.00	6,564.00
§ 93.402(d)(1)	IDIS—Project completion	168.00	Annual	168.00	1.00	168.00	6,564.00
§ 93.403(a)	Program income administration	56.00	Annual	1.00	4.00	224.00	8,752.00
§ 93.403(b)(1)	Repayment for ineligible activities	2.00	Annual	1.00	5.00	10.00	391.00
§ 93.404(b)	Written agreement	168.00	Annual	1.00	2.00	336.00	13,128.00
§ 93.404(d)(1)	Project completion inspection	168.00	Annual	1.00	2.00	336.00	13,128.00
§ 93.404(d)(2)(i)	Onsite inspection upon completion	560.00	Annual	1.00	2.00	1,120.00	43,758.00
§ 93.404(d)(2)(ii)	Onsite inspections post completion	504.00	Annual	1.00	2.00	1,008.00	39,383.00
§ 93.404(d)(2)(iv)	Project owner annual certification	168.00	Annual	1.00	2.00	336.00	13,128.00
§ 93.404(e)	Annual financial oversight of 10 or more units	168.00	Annual	1.00	2.00	336.00	13,128.00
§ 93.405	Uniform administrative requirements	56.00	Annual	1.00	4.00	224.00	8,752.00

Regulatory section	Paperwork requirement	Number of responses	Frequency of response	Responses per annum	Reporting hours	Annual burden hours	Annual cost
§ 93.406(a)	Annual CFR 200 audit	56.00	Annual	1.00	10.00	560.00	21,879.00
§ 93.407(a)(1)	Program recordkeeping	56.00	Annual	1.00	8.00	44.80	17,503.00
§ 93.407(a)(2)	Project recordkeeping	560.00	Annual	1.00	2.00	1,120.00	43,758.00
§ 93.407(a)(3)	Financial recordkeeping	56.00	Monthly	12.00	2.00	1,344.00	52,510.00
§ 93.407(a)(4)	Program administration records	56.00	Monthly	12.00	8.00	5,376.00	210,040.00
§ 93.407(a)(5)	Records concerning other Federal requirements	56.00	Annual	1.00	10.00	560.00	21,879.00
§ 93.408	Performance reports	56.00	Monthly	12.00	2.05	1,680.00	65,638.00
§ 93.451	Annual performance reviews	56.00	Annual	1.00	8.00	448.00	17,503.00
Total		12,130.00			265.75	26,219.00	\$1,024,376.00

Total cost: 26,219 hours * \$39.07
Hourly rate for GS12).

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 respondents; including using 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: June 18, 2018.

Neal Rackleff,

Assistant Secretary for Community Planning and Development.

[FR Doc. 2018-14353 Filed 7-3-18; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R4-ES-2018-N068;
FXES1114040000-178-FF04EF2000]

Four Habitat Conservation Plans for Sand Skink and Blue-Tailed Mole Skink, Polk and Osceola Counties, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments and information.

SUMMARY: We, the Fish and Wildlife Service, announce receipt of four incidental take permit (ITP) applications and four habitat conservation plans (HCPs). Each of the four applicants requests an ITP under the Endangered Species Act. If granted, the ITPs would authorize take of the sand skink and blue-tailed mole skink via destruction of the species' feeding, breeding, and sheltering habitat. The applicants are Tohopekaliga Water Authority; Mystic Dunes, LLC; Clay Cut, LLC; and Land Acquisition One, LLC. We invite comments from the public and Federal, Tribal, State, and local governments on the four applicants' HCPs, and our draft environmental action statements and low-effect screening forms, which support categorical exclusions under the National Environmental Policy Act.

DATES: We must receive your written comments on or before August 6, 2018.

ADDRESSES: *Obtaining Documents:* You may obtain copies of the documents by any of the following methods:

- Telephone: Alfredo Begazo, 772-469-4234 (telephone).
- Email: alfredo_begazo@fws.gov.
- U.S. mail: Alfredo Begazo, South Florida Ecological Services Office; Attn: [Insert appropriate ITP numbers; see SUPPLEMENTARY INFORMATION]; U.S. Fish and Wildlife Service; 1339 20th Street; Vero Beach, FL 32960-3559. In addition, we will make the documents available for public inspection by appointment during normal business hours at this address. Please call to make an appointment.

Submitting Comments: If you wish to comment on any of the documents, you may do so via any one of the following methods:

- Email: alfredo_begazo@fws.gov. Use "Attn: ITP numbers [Insert appropriate ITP numbers; see SUPPLEMENTARY INFORMATION]" as your message subject line.
- Fax: Alfredo Begazo, 772-562-4288, "[Attn.: [Insert appropriate ITP

numbers; see SUPPLEMENTARY INFORMATION."

• U.S. mail or hand-delivery: See our South Florida Ecological Services Office address, above. Be sure to specify clearly the ITP applications on which you are commenting.

FOR FURTHER INFORMATION CONTACT: Mr. Alfredo Begazo, telephone: 772-469-4234.

SUPPLEMENTARY INFORMATION: We, the Fish and Wildlife Service (Service), announce receipt of four incidental take permit (ITP) applications and four habitat conservation plans (HCPs). Each of the four applicants requests an ITP under section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicants and potential ITP numbers are:

- Tohopekaliga Water Authority (TE69950C-0).
- Mystic Dunes, LLC (TE69951C-0).
- Clay Cut, LLC (TE69952C-0).
- Land Acquisition One, LLC (TE69953C-0).

Each applicant seeks authority to take sand skink (*Neoseps reynoldsi*) and blue-tailed mole skink (*Eumeces egregius*) via destruction of the species' feeding, breeding, and sheltering habitat incidental to land preparation and construction in Polk and Osceola Counties, Florida. The applicants' proposed HCPs provide measures to mitigate for the effects of their respective construction activities on the species, which were federally-listed as threatened in 1987 (November 6, 1987; 52 FR 42658).

Applicants' Proposed Projects

- Tohopekaliga Water Authority (TE69950C-0) anticipates taking 2.2 acres of species' habitat, incidental to land preparation and construction in Sections 10 and 11, Township 25 South, Range 28 East, in Polk County, Florida.
- Mystic Dunes, LLC (ITP TE69951C-0) anticipates taking 6.7 acres of species' habitat incidental to land preparation and construction in Section 15, Township 25 South, Range 27 East, in Osceola County, Florida.

- Clay Cut, LLC (ITP TE69952C-0) anticipates taking 8.6 acres of species' habitat incidental to land preparation and construction in Section 3, Township 27 South, Range 28 East, in Polk County, Florida.

- Land Acquisition One, LLC (ITP TE69953C-0) anticipates taking 11.2 acres of species' habitat incidental to land preparation and construction in Sections 18 and 19, Township 25 South, Range 27 East, in Osceola County, Florida.

None of the applicants currently has a timeframe for development or specific site plans; however, each applicant intends to develop its parcel by constructing one or more structures and parking areas and installing associated utilities.

The applicants propose to mitigate for impacts to the species by purchasing credits from a Service-approved conservation bank as follows:

- Tohopekaliga Water Authority proposes to purchase the equivalent of 4.4 acres of credits.
- Mystic Dunes, LLC proposes to purchase the equivalent of 13.4 acres of credits.
- Clay Cut, LLC proposes to purchase the equivalent of 17.2 acres of credits.
- Land Acquisition One, LLC proposes to purchase the equivalent of 22.4 acres of credits.

Our Preliminary Determination

The Service has made a preliminary determination that each of the applicants' projects, including the mitigation measures, will individually and cumulatively have a minor or negligible effect on the species. Therefore, we have determined that the ITPs for each of these projects would be "low effect" and qualify for categorical exclusions under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*).

Public Availability of Comments

Written comments we receive become part of the administrative record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of

organizations or businesses, will be made available for public disclosure in their entirety.

Authority: We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22 and 17.32) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.305).

Roxanna Hinzman,

Field Supervisor, South Florida Ecological Services Office.

[FR Doc. 2018-14395 Filed 7-3-18; 8:45 am]

BILLING CODE 4333-15-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1046]

Certain Non-Volatile Memory Devices and Products Containing Same; Notice of Commission Determination To Review in Part a Final Initial Determination Finding No Violation of Section 337; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest and Bonding; Extension of Target Date

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in part the final initial determination ("ID") issued by the presiding administrative law judge ("ALJ") on April 27, 2018, finding no violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), as to claims 1-8 of U.S. Patent No. 6,552,360 ("the '360 patent"); claims 1-10 of U.S. Patent No. 6,788,602 ("the '602 patent"); and claims 11-16 of U.S. Patent No. 8,035,417 ("the '417 patent"). The Commission has also determined to extend the target date for completion of this investigation until September 4, 2018.

FOR FURTHER INFORMATION CONTACT:

Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202-205-3042. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202-205-2000. General

information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted Inv. No. 337-TA-1046 on April 12, 2017, based on a complaint filed by Macronix International Co., Ltd. of Hsin-chu, Taiwan and Macronix America, Inc. of Milpitas, California (collectively, "Macronix"). 82 FR 17687-88 (Apr. 12, 2017). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain non-volatile memory devices and products containing the same that infringe one or more of claims 1-8 of the '360 patent; claims 1-12 and 16 of the '602 patent; and claims 1-7, 11-16, and 18 of the '417 patent. The notice of investigation named the following respondents: Toshiba Corporation of Tokyo, Japan; Toshiba America, Inc. of New York, New York; Toshiba America Electronic Components, Inc. of Irvine, California; Toshiba America Information Systems, Inc. of Irvine, California; and Toshiba Information Equipment (Philippines), Inc. of Binan, Philippines (collectively, "Toshiba"). The Office of Unfair Import Investigations is a party to the investigation.

On June 16, 2017, the Commission determined not to review the ALJ's order (Order No. 11) granting an unopposed motion to amend the Notice of investigation to add Toshiba Memory Corporation of Tokyo, Japan as a respondent. *See* Order No. 11, Comm'n Notice of Non-Review (June 16, 2017).

On October 17, 2017, the Commission determined not to review the ALJ's order (Order No. 20) granting an unopposed motion to terminate the investigation as to claims 11, 12, and 16 of the '602 patent. *See* Order No. 20, Comm'n Notice of Non-Review (Oct. 17, 2017).

On October 4, 2017, the ALJ held a *Markman* hearing to construe certain disputed claim terms. On December 5, 2017, the ALJ issued Order No. 23 (*Markman* Order), setting forth her construction of the disputed claim terms.

On January 18, 2018, the Commission determined not to review the ALJ's

order (Order No. 24) granting an unopposed motion to terminate the investigation as to claims 1–7 and 18 of the '417 patent. Order No. 24; Comm'n Notice of Non-Review (Jan. 18, 2018).

The ALJ held an evidentiary hearing from February 8, 2018, through February 14, 2018, and thereafter received post-hearing briefs.

On April, 27 2018, the ALJ issued her final ID, finding no violation of section 337 by Toshiba in connection with the remaining claims, *i.e.*, claims 1–8 of the '360 patent; claims 1–10 of the '602 patent; and claims 11–16 of the '417 patent. Specifically, the ALJ found that the Commission has subject matter jurisdiction, *in rem* jurisdiction over the accused products, and *in personam* jurisdiction over Toshiba. ID at 15–17. The ALJ also found that Macronix satisfied the importation requirement of section 337 (19 U.S.C. 1337(a)(1)(B)). *Id.* The ALJ, however, found that the accused products do not infringe the asserted claims of the '360 patent and '417 patent. *See ID* at 19–65, 118–130. The ALJ also found that Toshiba failed to establish that the asserted claims of the '417 patent are invalid for obviousness. ID at 132–141. Toshiba did not challenge the validity of the '360 patent. ID at 70. With respect to the '602 patent, the ALJ found that certain accused products infringe asserted claims 1–10, but that claims 1–5 and 7–10 are invalid for obviousness. ID at 71–88, 91–117. Finally, the ALJ found that Macronix failed to establish the existence of a domestic industry that practices the asserted patents under 19 U.S.C. 1337(a)(2) and also failed to show a domestic industry in the process of being established. *See ID* at 257–261, 288–294.

On May 10, 2018, the ALJ issued her recommended determination on remedy and bonding. Recommended Determination on Remedy and Bonding (“RD”). The ALJ recommends that in the event the Commission finds a violation of section 337, the Commission should issue a limited exclusion order prohibiting the importation of Toshiba’s accused products that infringe the asserted claims of the asserted patents. RD at 1–5. The ALJ also recommends issuance of cease and desist orders against the domestic Toshiba respondents based on the presence of commercially significant inventory in the United States. RD at 5. With respect to the amount of bond that should be posted during the period of Presidential review, the ALJ recommends that the Commission set a bond in the amount of 100 percent of entered value for Toshiba flash memory devices and solid state drives, and a bond in the amount

of six percent of entered value for Toshiba PCs imported during the period of Presidential review. RD at 6–9.

On May 14, 2018, Macronix filed a petition for review challenging the ID’s finding of no violation of section 337. The IA also filed a petition for review that day, challenging the ID’s finding that Macronix failed to establish a domestic industry in the process of being established and certain findings as to the '602 patent. Also on May 14, 2018, Toshiba filed a contingent petition for review of the ID “in the event that the Commission decides to review the ID.” On May 22, 2018, Macronix and Toshiba filed their respective responses to the petitions for review. On May 23, 2018, the IA filed a response to the private parties’ petitions for review. The Chairman granted the IA’s motion for leave to file the response one day late.

Having examined the record of this investigation, including the ALJ’s final ID, the petitions for review, and the responses thereto, the Commission has determined to review the final ID in part. Specifically, the Commission has determined to review the following: (1) The finding that Macronix failed to satisfy the domestic industry requirement; and (2) the findings of infringement and invalidity as to the '602 patent.

In connection with its review, the Commission is interested in responses to the following questions:

1. Would one of ordinary skill in the art understand that the claim term “coupled” in the asserted claims of the '602 patent construed to mean “conductively connected” requires select transistors? If yes, how does it affect the ID’s infringement, domestic industry technical prong, and invalidity findings?

2. Would one of ordinary skill in the art understand that the claim term “memory array” in the asserted claims of the '602 patent construed to mean “multiple memory cells coupled to a grid of word lines and bit lines” necessarily includes select transistors? If yes, how does it affect the ID’s infringement, domestic industry technical prong, and invalidity findings?

3. The ID states that under the adopted construction of “memory array” (set forth above), “a memory array consistent with the '602 patent . . . could span an entire plane or only a subset of memory cells in a plane.” ID at 80. Is this additional language consistent with the ID’s construction? If that additional language is omitted, how will the ID’s infringement, domestic industry technical prong, and invalidity findings be affected?

4. Please discuss the showing necessary to meet the statutory requirement of “articles protected by the patent” for a domestic industry in the process of being established under section 337(a)(2).

The parties are requested to brief only the discrete issues above, with reference to the applicable law and evidentiary record. The parties are not to brief other issues on review, which are adequately presented in the parties’ existing filings.

In connection with the final disposition of this investigation, the Commission may (1) issue an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) issue one or more cease and desist orders that could result in the respondent being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337–TA–360, USITC Pub. No. 2843 (December 1994) (Commission Opinion).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation. In connection with this, the Commission is interested in responses to the following questions:

1. If an exclusion order issues against Toshiba’s accused products, can Dell’s other SSD suppliers or other SSD suppliers in general fill any void that may be created?

2. What domestic Dell products will be impacted by an exclusion order?

3. Toshiba and Dell request a delay in implementing any exclusion order. If an exclusion order issues, what specific

product(s) should a delay apply to? What should be the duration of the delay?

4. Macronix and Toshiba present vastly different views about the ability of suppliers to satisfy domestic demand if an exclusion order issues. Please discuss the ability of suppliers other than Toshiba to satisfy domestic demand for each and every product that may be affected by an exclusion order.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve or disapprove the Commission's action. See Presidential Memorandum of July 21, 2005. 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

The Commission has also determined to extend the target date for completion of this investigation until September 4, 2018.

Written Submissions: The parties to the investigation are requested to file written submissions on the issues identified in this notice. Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the recommended determination by the ALJ on remedy and bonding. Complainants and the IA are requested to submit proposed remedial orders for the Commission's consideration. Complainants are also requested to state the date that the patents expire and the HTSUS numbers under which the accused products are imported. Complainants are further requested to supply the names of known importers of the Respondents' products at issue in this investigation. The written submissions and proposed remedial orders must be filed no later than close of business on July 12, 2018. Reply submissions must be filed no later than the close of business on July 19, 2018. Opening submissions are limited to 75 pages. Reply submissions are limited to 50 pages. Such submissions should address the ALJ's recommended determinations on remedy and bonding. No further submissions on any of these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit eight true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1046") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf). Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,¹ solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: June 28, 2018.

Katherine Hiner,
Supervisory Attorney.

[FR Doc. 2018-14380 Filed 7-3-18; 8:45 am]

BILLING CODE 7020-02-P

¹ All contract personnel will sign appropriate nondisclosure agreements.

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0062]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Identification of Imported Explosives Materials

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection OMB 1140-0062 (Identification of Imported Explosives Materials) is being revised due to a change in burden, since there is an increase in the number of respondents, responses, and total burden hours since the last renewal in 2015. The proposed information collection is also being published to obtain comments from the public and affected agencies. The proposed information collection was previously published in the **Federal Register**, on May 2, 2018, allowing for a 60-day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until August 6, 2018.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any other additional information, please contact Anita Scheddel, Program Analyst, Explosives Industry Programs Branch, either by mail 99 New York Ave. NE, Washington, DC 20226, or by email at eipb-informationcollection@atf.gov, or by telephone at 202-648-7158. 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *The Title of the Form/Collection:* Identification of Imported Explosives Materials

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: None.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.

Other: None.

Abstract: The information is necessary to ensure that explosive materials can be effectively traced. All licensed importers are required to identify by marking all explosive materials they import for sale or distribution.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 17 respondents will utilize the information collection, and it will take each respondent approximately one hour to respond a total three times annually.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 51 hours, which is equal to 17 (total number of respondents) * 3 (total # of

responses annually) * 1 hour (total time to respond).

(7) *An Explanation of the Change in Estimates:* Due to an increase in the number of federally licensed explosive material importers, the total respondents, responses, and burden hours for this information collection has increased by 2, 6 and 6 respectively, since the last renewal in 2015.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: June 29, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2018-14414 Filed 7-3-18; 8:45 am]

BILLING CODE 4410-14-P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0036]

Agency Information Collection Activities; Proposed eCollection Comments Requested; Revision of a Currently Approved Collection; FFL Out of Business Records Request—ATF F 5300.3A

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed collection OMB 1140-0036 (FFL Out of Business Records Request—ATF F 5300.3A) is being revised due to minor changes to ATF F 5300.3A, as well as an increase in the in respondents, burden hours, and cost since the last renewal in 2016. The proposed information collection was previously published in the **Federal Register**, on May 2, 2018, allowing for a 60-day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until August 6, 2018.

FOR FURTHER INFORMATION CONTACT: If you have additional comments,

particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any additional information, please contact Kris Howard, Program Manager, National Tracing Center Division, either by mail at 244 Needy Road, Martinsburg, WV 25405, by email at kris.howard@atf.gov, or by telephone at 304-260-3683.

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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *The Title of the Form/Collection:* FFL Out of Business Records Request

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: ATF F 5300.3A.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.

Other: None

Abstract: The form is used by ATF to notify licensees that go out of business to send their firearms related business records to the ATF, if the business discontinuance is absolute, or to allow the licensee to notify ATF of the

successor who will be maintaining control of their firearms related records. The questions are simple and a return address is supplied. The format is easy for the user to list the required information ATF needs to perform its functions in regard to the law.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* A combined total of 4,607 respondents will utilize the form and then package and ship/deliver business records to the ATF following business discontinuance. It will take a combined total of five minutes for respondents to prepare the form, and an additional six hours to package and then ship/deliver business records to the ATF.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The combine estimated annual public burden associated with this collection is 27,904.25 hours which is equal to 3,147 (# of respondents who used the form) * 0.0833333 hours (5 minutes—total time taken to complete the form) + 4,607 (# of respondents) * 6 hours (time taken to package and ship/deliver business records to the ATF).

(7) *An Explanation of the Change in Estimates:* The burden changes associated with this collection due to an increase in respondents, as well as the inclusion of the combined time taken and costs associated with both preparing the form, and then packaging and shipping/delivering business records to the ATF.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: June 29, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2018-14412 Filed 7-3-18; 8:45 am]

BILLING CODE 4410-14-P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0050]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Identification Markings Placed on Firearms

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection OMB 1140-0050 (Identification Markings Placed on Firearms) is being revised due to a change in burden, since there is an increase in the number of respondents, although there is a reduction in responses and total burden hours from the previous renewal in 2015, due to less firearms being imported. The proposed information collection was previously published in the **Federal Register** on May 2, 2018, allowing for a 60-day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until August 6, 2018.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any other additional information, please contact Rinell Lawrence, Firearms Industry Programs Branch (FIPB) either by mail at 99 New York Avenue NE, Washington, DC 20226, by email at fipb-informationcollection@atf.gov, or by telephone at 202-648-7190. 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;
- Evaluate whether and if so how the quality, utility, and clarity of the

information to be collected can be enhanced; and

- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *The Title of the Form/Collection:* Identification Markings Placed on Firearms.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: None.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.

Other: None.

Abstract: Each licensed firearms manufacturer or licensed firearm importer must legibly identify each firearm by engraving, casting, stamping (impressing), or otherwise conspicuously placing on the frame or receiver an individual serial number; which will be used to facilitate investigations about the criminal use of firearms.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 13,868 respondents will utilize this information collection, and it will take each respondent approximately 1 minute to complete each response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 85,630 hours which is equal to 13,868 (# of respondents) * 370.4767089702913 (# of responses per respondents) * 0.0166667 hours (1 minute).

(7) *An Explanation of the Change in Estimates:* Although there is an increase in the number of respondents to this collection by 2,654, the total responses, and burden hours have reduced by 401,768, and 6,696 respectively, due to a general reduction of imported firearms. Consequently, the public burden cost for this information collection was also reduced by \$369,627.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: June 29, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2018-14413 Filed 7-3-18; 8:45 am]

BILLING CODE 4410-14-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-392]

Importer of Controlled Substances Application: S & B Pharma, Inc.

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before August 6, 2018. Such persons may also file a written request for a hearing on the application on or before August 6, 2018.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/LJ, 8701 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: The Attorney General has delegated his authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled substances (other than final orders in connection with suspension, denial, or revocation of registration) has been redelegated to the Assistant Administrator of the DEA Diversion Control Division (“Assistant Administrator”) pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.34(a), this is notice that on June 6, 2018, S & B Pharma, Inc. DBA NORAC Pharma, 405 S Motor Avenue, Azusa, California 91702 applied to be registered as an importer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
4-Anilino-N-phenethyl-4-piperidine (ANPP)	8333	II
Tapentadol	9780	II

The company plans to import the controlled substances in bulk for the manufacture of other controlled substances for its customers. Tapentadol (9780) will be imported in Intermediate form to bulk manufacture Tapentadol for distribution to its customers. No other activity for these drug codes will be allowed.

Dated: June 26, 2018.

John J. Martin,

Assistant Administrator.

[FR Doc. 2018-14396 Filed 7-3-18; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Methylene Chloride Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, “Methylene Chloride Standard,” to the

Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before August 6, 2018.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201805-1218-003 or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: OIRA_submission@omb.eop.gov. Commenters are encouraged, but not required, to send a courtesy copy of any

comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: DOL_PRA_PUBLIC@dol.gov.

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Methylene Chloride Standard information collection codified in regulations 29 CFR 1910-1052. The purpose of the Standard and its information collection requirements is to protect workers from the adverse health effects that may result from their exposure to MC. The requirements in the Standard include: Worker exposure monitoring, notifying workers of their MC exposures, administering medical examinations to workers, providing examining physicians with specific program and worker information, ensuring that workers receive a copy of their medical examination results, maintaining workers’ exposure monitoring and medical examination records for specific periods, and

providing access to these records to affected workers and their authorized representatives. Occupational Safety and Health Act of 1970 sections 2(b)(9), 6, and 8(c) authorize this information collection. See 29 U.S.C. 651(b)(9), 655, and 657(c).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1218-0179.

The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 19, 2018 (83 FR 12032).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1218-0179. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or

other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-OSHA.

Title of Collection: Methylene Chloride Standard.

OMB Control Number: 1218-0179.

Affected Public: Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 80,571.

Total Estimated Number of Responses: 218,652.

Total Estimated Annual Time Burden: 56,276 hours.

Total Estimated Annual Other Costs Burden: \$18,417,454.

Authority: 44 U.S.C. 3507(a)(1)(D).

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2018-14437 Filed 7-3-18; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Slings Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, “Slings Standard,” to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before August 6, 2018.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201802-1218-004 or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-OSHA, Office of

Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: OIRA_submission@omb.eop.gov. Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: DOL_PRA_PUBLIC@dol.gov.

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Slings Standard information collection requirements codified in regulations 29 CFR 1910.184. The Standard specifies several information collection requirements, depending on the type of sling. The purpose of each requirement is to prevent workers from using defective or deteriorated slings, thereby reducing the risk of death or serious injury caused by sling failure during material handling. Information on the identification tags, markings, and codings assists the employer in determining whether the sling can be used for the lifting task. Sling inspections enable early detection of faulty slings. Inspection and repair records provide the employer with information about when the last inspection was done and about the type of repairs made. This information provides some assurance about the condition of the slings. These records also provide the most efficient means for an OSHA compliance officer to determine whether an Occupational Safety and Health Act (OSH Act) covered employer is complying with the Standard. Proof-testing certificates give employers, workers, and OSHA compliance officers assurance that the slings are safe to use. The certificates also provide the compliance officers with an efficient means to assess employer compliance with the Standard. OSH Act sections 2(b)(9), 6, and 8(c) authorize this information collection. See 651(b)(9), 655, and 657(c).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA

and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1218-0223.

The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on January 17, 2018 (83 FR 2466).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1218-0223. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-OSHA.

Title of Collection: Slings Standard.

OMB Control Number: 1218-0223.

Affected Public: Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 314,914.

Total Estimated Number of Responses: 314,913.

Total Estimated Annual Time Burden: 25,914 hours.

Total Estimated Annual Other Costs Burden: \$0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2018-14438 Filed 7-3-18; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Vehicle-Mounted Elevating and Rotating Work Platforms Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, "Vehicle-Mounted Elevating and Rotating Work Platforms Standard," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before August 6, 2018.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov website at http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201804-1218-004 or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: OIRA_submission@omb.eop.gov. Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301,

200 Constitution Avenue NW, Washington, DC 20210; or by email: DOL_PRA_PUBLIC@dol.gov.

FOR FURTHER INFORMATION CONTACT:

Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Vehicle-Mounted Elevating and Rotating Work Platforms Standard information collection. This collection requires an Occupational Safety and Health Act of 1970 (OSHA Act) covered employer, subject to the Standard, to obtain a written certification of any field modification made to aerial lifts. Such a certification must be prepared in writing either by the manufacturer of the aerial lift or by a nationally recognized laboratory. This certification is to attest to the safety of the lift after modifications. OSH Act sections 2(b)(9), 6, and 8(c) authorize this information collection. See 29 U.S.C. 651(b)(9), 655, and 657(c).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1218-0230.

The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 20, 2018 (83 FR 7235).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number

1218–0230. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL–OSHA.

Title of Collection: Vehicle-Mounted Elevating and Rotating Work Platforms Standard.

OMB Control Number: 1218–0230.

Affected Public: Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 1,000.

Total Estimated Number of Responses: 1,000.

Total Estimated Annual Time Burden: 20 hours.

Total Estimated Annual Other Costs Burden: \$0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2018–14439 Filed 7–3–18; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Office of Government Information Services

[NARA–2018–049]

Chief FOIA Officers' Council Meeting

AGENCY: Office of Government Information Services (OGIS), National Archives and Records Administration (NARA).

ACTION: Notice of Chief FOIA Officers Council meeting.

SUMMARY: We are announcing the annual 2018 meeting of the Chief FOIA Officers' Council, co-chaired by OGIS and the Department of Justice's Office of Information Policy (OIP).

DATES: The meeting will be Thursday, July 19, 2018, from 10:00 a.m. to 12:00 p.m. EDT. Please register for the meeting no later than July 17, 2018, at 5:00 p.m. EDT (registration information is detailed below).

ADDRESSES: National Archives and Records Administration (NARA); 700 Pennsylvania Avenue NW, William G. McGowan Theater, Washington, DC 20408.

FOR FURTHER INFORMATION CONTACT:

Amy Bennett, by mail at National Archives and Records Administration; Office of Government Information Services; 8601 Adelphi Road—OGIS, College Park, MD 20740–6001, by telephone at 202–741–5782, or by email at amy.bennett@nara.gov, with the subject line “Chief FOIA Officers Council.”

SUPPLEMENTARY INFORMATION: This meeting is open to the public in accordance with the Freedom of Information Act (5 U.S.C. 552(k)). The Chief FOIA Officers' Council is co-chaired by the Directors of OIP and OGIS. Among the purposes of the Chief FOIA Officers' Council is developing recommendations to increase compliance and efficiency and sharing best practices and innovative approaches. Additional details about the meeting will be available on OGIS's website at <https://archives.gov/ogis/about-ogis/Chief-FOIA-Officers-Council> and OIP's website at <https://www.justice.gov/oip/chief-foia-officers-council>.

Procedures: Due to security requirements, you must register in advance if you wish to attend the meeting. You will also go through security screening when you enter the building. Registration for the meeting will go live via Eventbrite on June 26, 2018, at 10:00 a.m. EDT. To register for the meeting, please do so at the following Eventbrite link: <https://www.eventbrite.com/e/chief-foia-officers-council-meeting-71918-tickets-46733943483>.

We will also live-stream this program on the U.S. National Archives' YouTube channel, at <https://www.youtube.com/user/usnationalarchives/>. The webcast will include a captioning option. To request additional accommodations (e.g., a transcript), email ogis@nara.gov or call 202–741–5770.

Members of the media who wish to register, those who are unable to register online, and those who require special accommodations, should contact Amy

Bennett at the phone number, mailing address, or email address listed above.

Alina M. Semo,

Director, Office of Government Information Services.

[FR Doc. 2018–14527 Filed 7–3–18; 8:45 am]

BILLING CODE 7515–01–P

NATIONAL SCIENCE FOUNDATION

Request for Feedback on the Interagency Arctic Research Policy Committee's Draft Principles for Conducting Research in the Arctic

AGENCY: National Science Foundation.

ACTION: Request for public comment on *Principles for Conducting Research in the Arctic*.

SUMMARY: The Interagency Arctic Research Policy Committee (IARPC), chaired by the National Science Foundation, is seeking comment from the public on newly revised Principles for Conducting Research in the Arctic.

Researchers working in the Arctic have a responsibility to conduct ethical research, to respect Arctic residents and cultures, and to advance stewardship of the Arctic environment. The revised document updates the Principles for the Conduct of Research in the Arctic (1990) and renames them *Principles for Conducting Research in the Arctic*, hereafter the Principles, to reflect current research disciplines and approaches in the Arctic. The draft revised Principles have been revised to provide guidelines for the equitable conduct of research, to better align with U.S. Arctic policy, to include changes in research methodologies, and to ensure the Principles are more effective and widely applied.

A U.S. IARPC Principles Revision Working Group prepared these draft revised Principles after conducting a comprehensive literature review and seeking and receiving diverse input from Alaska Natives, Federal and State and local agency representatives, and researchers by a variety of methods, including listening sessions at scientific conferences, through a **Federal Register** notice, and targeted interviews with Alaska residents and researchers. The Working Group seeks public comment on the draft revised Principles, which will be finalized after approval of the IARPC agencies.

DATES: Written comments must be submitted no later than September 4, 2018.

ADDRESSES: Email comments to iarpcprinciples@nsf.gov.

Address written submissions to Renee Crain, Office of Polar Programs, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

FOR FURTHER INFORMATION: For further information contact Renee Crain at 703-292-4482 or rcrain@nsf.gov.

SUPPLEMENTARY INFORMATION: All researchers working in the North have an ethical responsibility toward Arctic communities, their cultures, and the environment. The IARPC developed the *Principles for the Conduct of Research in the Arctic* to provide guidance for researchers in the physical, biological, behavioral, health, economic, political, and social sciences and in the humanities. The Social Science Task Force of the IARPC prepared the current Principles, with approval by the IARPC on June 28, 1990, and published by IARPC in volume 9, (Spring, 1995, pp. 56-57) of the journal "Arctic Research of the United States" (<https://www.arctic.gov/publications/related/arotus.html>).

In June 2017, the IARPC Staff Group formed the Principles Review Working Group to look into revising and updating the current Principles to reflect advances in theory and in practice of community engagement in Arctic research. The revised Principles, entitled "Principles for Conducting Research in the Arctic (2018)" aim to (a) establish five core principles for conducting responsible and ethical research in the Arctic, (b) identify ways to strengthen community-researcher engagement across all stages of research design, data collection, analysis, and reporting, and (c) promote wide implementation and practice of the revised Principles. The audience for the Principles includes academic, federal, state, local, and tribal researchers and all other entities conducting research in the Arctic. The revised Principles encourage mutual respect and communication between scientists and Arctic residents. These principles may be applied to any interactions in the Arctic, from interactions with Arctic residents while travelling or transacting with local businesses, to developing deeper, longer-lasting research collaborations. Adhering to the Principles for Conducting Research in the Arctic is recommended for any person pursuing research in the Arctic.

IARPC requests comments from the public on the revised *Principles for Conducting Research in the Arctic* (2018). IARPC is interested in all comments pertaining to the Principles and including the core principles that researchers are encouraged to adopt

across all stages of research. The core Principles for Conducting Research in the Arctic are:

- Be Accountable
- Establish Effective Two-way Communication
- Respect Local Culture and Knowledge
- Build and Sustain Relationships
- Pursue Responsible Environmental Stewardship

Dated: June 29, 2018.

Suzanne H. Plimpton,
Reports Clearance Officer, National Science Foundation.

[FR Doc. 2018-14388 Filed 7-3-18; 8:45 am]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-219; NRC-2018-0136]

Exelon Generation Company, LLC; Oyster Creek Nuclear Generating Station

AGENCY: Nuclear Regulatory Commission.

ACTION: Exemption; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) issued a partial exemption in response to an April 12, 2018, request from Exelon Generation Company, LLC (the licensee or Exelon). The issuance of the exemption grants Exelon a partial exemption from regulations that require the retention of records for certain systems, structures, and components associated with the Oyster Creek Nuclear Generating Station (Oyster Creek) until the termination of the Oyster Creek operating license.

DATES: The exemption was issued on June 26, 2018.

ADDRESSES: Please refer to Docket ID NRC-2018-0136 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-2018-0136. 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: John G. Lamb, Office of Nuclear Reactor Regulation; U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3100, email: John.Lamb@nrc.gov.

SUPPLEMENTARY INFORMATION: The text of the exemption is attached.

Dated at Rockville, Maryland, this 29th day of June, 2018.

For the Nuclear Regulatory Commission.

John G. Lamb,

Senior Project Manager, Special Projects and Process Branch, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

ATTACHMENT—Exemption.

NUCLEAR REGULATORY COMMISSION [Docket No. 50-219] Exelon Generation Company, LLC Oyster Creek Nuclear Generating Station Exemption

I. Background.

The Oyster Creek Nuclear Generating Station (Oyster Creek) site is a single unit facility located in Lacey Township, New Jersey. The site is near the Atlantic Ocean situated on approximately 152 acres in Ocean County, New Jersey. The Oyster Creek facility employs a General Electric boiling water reactor nuclear steam supply system licensed to generate 1,930 megawatts-thermal. The boiling water reactor and supporting facilities are owned and operated by Exelon Generation Company, LLC (Exelon, the licensee). Exelon is the holder of the Oyster Creek Renewed Facility Operating License No. DPR-16. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC) now or hereafter in effect.

By letter dated February 14, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18045A084), Exelon submitted a notification to the NRC

indicating that it would permanently shut down Oyster Creek no later than October 31, 2018. Once Exelon certifies that it has permanently defueled the Oyster Creek reactor vessel and placed the fuel in the spent fuel pool (SFP), accordingly, pursuant to § 50.82(a)(2) of Title 10 of the *Code of Federal Regulations* (10 CFR), the Oyster Creek renewed facility operating license would no longer authorize operation of the reactor or emplacement or retention of fuel in the reactor vessel. However, the licensee would still be authorized to possess and store irradiated nuclear fuel. Irradiated fuel is currently being stored onsite in a SFP and in independent spent fuel storage installation (ISFSI) dry casks. The irradiated fuel will be stored in the ISFSI until it is shipped off site. With the reactor emptied of fuel, the reactor, reactor coolant system, and secondary system will no longer be in operation and will have no function related to the safe storage and management of irradiated fuel.

II. Request/Action.

By letter dated April 12, 2018 (ADAMS Accession No. ML18102A763), Exelon submitted an exemption request for NRC approval from the record retention requirements of: (1) 10 CFR part 50, Appendix B, Criterion XVII, "Quality Assurance Records," which requires certain records (e.g., results of inspections, tests, and materials analyses) be maintained consistent with applicable regulatory requirements; (2) 10 CFR 50.59(d)(3), which requires that records of changes in the facility must be maintained until termination of a license issued pursuant to 10 CFR part 50; and (3) 10 CFR 50.71(c), which requires certain records to be retained for the period specified by the appropriate regulation, license condition, or technical specification, or until termination of the license if not otherwise specified.

The licensee requested the exemptions because it wants to eliminate: (1) records associated with structures, systems, and components (SSCs) and activities that were applicable to the nuclear unit, which are no longer required by the 10 CFR part 50 licensing basis (i.e., removed from the updated final safety analysis report and/or technical specifications by appropriate change mechanisms; and (2) records associated with the storage of spent nuclear fuel in the SFP once all fuel has been removed from the SFP and the Oyster Creek license no longer allows storage of fuel in the SFP. The licensee cites record retention exemptions granted to Millstone Power

Station, Unit 1 (ADAMS Accession No. ML070110567), Zion Nuclear Power Station, Units 1 and 2 (ADAMS Accession No. ML111260277), Vermont Yankee Nuclear Power Station (ADAMS Accession No. ML15344A243), and San Onofre Nuclear Generating Station, Units 1, 2, and 3 (ADAMS Accession No. ML15355A055), and Kewaunee Power Station (ADAMS Accession No. ML17069A394) as examples of the NRC granting similar requests.

Records associated with residual radiological activity and with programmatic controls necessary to support decommissioning, such as security and quality assurance, are not affected by the exemption request because they will be retained as decommissioning records, as required by 10 CFR part 50, until the termination of the Oyster Creek license. In addition, the licensee did not request an exemption associated with any other recordkeeping requirements for the storage of spent fuel at its ISFSI under 10 CFR part 50 or the general license requirements of 10 CFR part 72. No exemption was requested from the decommissioning records retention requirements of 10 CFR 50.75, or any other requirements of 10 CFR part 50 applicable to decommissioning and dismantlement.

III. Discussion.

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security. However, the Commission will not consider granting an exemption unless special circumstances are present. Special circumstances are described in 10 CFR 50.12(a)(2).

Many of the Oyster Creek reactor facility SSCs are planned to be abandoned in place pending dismantlement. Abandoned SSCs will no longer be operable or maintained. Following permanent removal of fuel from the SFP, those SSCs required to support safe storage of spent fuel in the SFP will also be abandoned. In its April 12, 2018, exemption request, the licensee stated that the basis for eliminating records associated with reactor facility SSCs and activities is that these SSCs have been (or will be) removed from service per regulatory change processes, dismantled or demolished, and no longer have any function regulated by the NRC.

The licensee recognizes that some records related to the nuclear unit will continue to be under NRC regulation primarily due to residual radioactivity. The radiological and other necessary programmatic controls (such as security, quality assurance, etc.) for the facility and the implementation of controls for the defueled condition and the decommissioning activities are and will continue to be appropriately addressed through the license and current plant documents such as the updated final safety analysis report (UFSAR) and technical specifications (TSs). Except for future changes made through the applicable change process defined in the regulations (e.g., 10 CFR 50.48(f), 10 CFR 50.59, 10 CFR 50.90, 10 CFR 50.54(a), 10 CFR 50.54(p), 10 CFR 50.54(q), etc.), these programmatic elements and their associated records are unaffected by the requested exemption.

Records necessary for SFP SSCs and activities will continue to be retained through the period that the SFP is needed for safe storage of irradiated fuel. Analogous to other plant records, once the SFP is permanently emptied of fuel, there will be no need for retaining SFP related records.

Exelon's general justification for eliminating records associated with Oyster Creek SSCs that have been or will be removed from service under the NRC license, dismantled, or demolished, is that these SSCs will not in the future serve any Oyster Creek functions regulated by the NRC. The licensee's dismantlement plans involve evaluating SSCs with respect to the current facility safety analysis; progressively removing them from the licensing basis where necessary through appropriate change mechanisms (e.g., 10 CFR 50.59 or via NRC-approved TS changes, as applicable); revising the defueled safety analysis report and/or UFSAR as necessary; and then proceeding with an orderly dismantlement. Dismantlement of the plant structures will also include dismantling existing records storage facilities.

Exelon intends to retain the records required by its license as the facility's decommissioning transitions. However, equipment abandonment will obviate the regulatory and business needs for maintenance of most records. As the SSCs are removed from the licensing basis, Exelon asserts that the need for their records is, on a practical basis, eliminated. Therefore, Exelon is requesting to be exempted from the associated records retention requirements for SSCs and historical activities that are no longer relevant.

Approval of the exemption request would eliminate the associated burden of creating alternative record storage locations, and relocating records to, and retaining records in the alternative locations for those records relevant only to past power operations. Exelon is not requesting to be exempted from any recordkeeping requirements for storage of spent fuel at an ISFSI under 10 CFR part 50 or the general license requirements of 10 CFR part 72.

A. Authorized by Law.

As stated above, 10 CFR 50.12 allows the NRC to grant exemptions from 10 CFR part 50 requirements if it makes certain findings. As described here and in the sections below, the NRC staff has determined that special circumstances exist to grant the exemption. In addition, granting the licensee's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, other laws, or the Commission's regulations. Therefore, the granting of the exemption request from the recordkeeping requirements of 10 CFR 50.71(c); 10 CFR part 50, Appendix B, Criterion XVII; and 10 CFR 50.59(d)(3) is authorized by law.

B. No Undue Risk to Public Health and Safety.

As SSCs are prepared for SAFSTOR and eventual decommissioning and dismantlement, they will be removed from NRC licensing basis documents through appropriate change mechanisms, such as through the 10 CFR 50.59 process or through a license amendment request approved by the NRC. These change processes involve a determination by the licensee or an approval by the NRC that the affected SSC no longer serves any safety purpose regulated by the NRC. Therefore, the removal of the SSC would not present an undue risk to public health and safety. In turn, elimination of records associated with these removed SSCs would not cause any additional impact to public health and safety.

The granting of the exemption request from the recordkeeping requirements of 10 CFR 50.71(c); 10 CFR part 50, Appendix B, Criterion XVII; and 10 CFR 50.59(d)(3) for the records described is administrative in nature and will have no impact on any remaining decommissioning activities or on radiological effluents. The granting of the exemption request will only advance the schedule for disposition of the specified records. Because these records contain information about SSCs associated with reactor operation and contain no information needed to maintain the facility in a safe condition

when the facility is permanently defueled and the SSCs are dismantled, the elimination of these records on an advanced timetable will have no reasonable possibility of presenting any undue risk to the public health and safety.

C. Consistent with Common Defense and Security.

The elimination of the recordkeeping requirements does not involve information or activities that could potentially impact the common defense and security of the United States. Upon dismantlement of the affected SSCs, the records have no functional purpose relative to maintaining the safe operation of the SSCs, maintaining conditions that would affect the ongoing health and safety of workers or the public, or informing decisions related to nuclear security.

Rather, the exemptions requested are administrative in nature in that they would only advance the current schedule for disposition of the specified records. Therefore, the exemption request from the recordkeeping requirements of 10 CFR 50.71(c); 10 CFR part 50, Appendix B, Criterion XVII; and 10 CFR 50.59(d)(3) for the types of records described is consistent with the common defense and security.

D. Special Circumstances.

Paragraph 50.12(a)(2) states, in part: "The Commission will not consider granting an exemption unless special circumstances are present. Special circumstances are present whenever— . . . (ii) Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule; or (iii) Compliance would result in undue hardship or other costs that are significantly in excess of those contemplated when the regulation was adopted. . . ."

Criterion XVII of 10 CFR part 50, Appendix B, states, in part: "Sufficient records shall be maintained to furnish evidence of activities affecting quality."

Paragraph 50.59(d)(3) states, in part: "The records of changes in the facility must be maintained until the termination of an operating license issued under this part . . ."

Paragraph 50.71(c), states in part: "Records that are required by the regulations in this part or part 52 of this chapter, by license condition, or by technical specifications must be retained for the period specified by the appropriate regulation, license condition, or technical specification. If a retention period is not otherwise

specified, these records must be retained until the Commission terminates the facility license. . . ."

In the statement of considerations (SOC) for the final rulemaking, "Retention Periods for Records" (53 FR 19240; May 27, 1988), in response to public comments received during the rulemaking process, the NRC stated that records must be retained "for NRC to ensure compliance with the safety and health aspects of the nuclear environment and for the NRC to accomplish its mission to protect the public health and safety." In the SOC, the Commission also explained that requiring licensees to maintain adequate records assists the NRC "in judging compliance and noncompliance, to act on possible noncompliance, and to examine facts as necessary following any incident."

These regulations apply to licensees in decommissioning, during the decommissioning process, safety-related SSCs are retired or disabled and subsequently removed from NRC licensing basis documents by appropriate means. Appropriate removal of an SSC from the licensing basis requires either a determination by the licensee, or an approval from the NRC that concludes that the SSC no longer has the potential to cause an accident, event, or other problem which would adversely impact public health and safety.

The records that would be subject to removal, if the exemption request is granted, are associated with SSCs that had been important to safety during power operation or operation of the SFP but are no longer capable of causing an event, incident, or condition that would adversely impact public health and safety, as evidenced by their appropriate removal from the licensing basis documents. If the SSCs no longer have the potential to cause these scenarios, then it is reasonable to conclude that the records associated with these SSCs would not reasonably be necessary to assist the NRC in determining compliance and noncompliance, taking action on possible noncompliance, or examining facts following an incident. Therefore, their retention would not serve the underlying purpose of the rule.

In addition, once removed from the licensing basis documents (e.g., UFSAR or TSs), SSCs are no longer governed by the NRC's regulations, and therefore are not subject to compliance with the safety and health aspects of the nuclear environment. As such, retention of records associated with SSCs that are no longer part of the facility serves no safety or regulatory purpose, nor does it

serve the underlying purpose of the rule of maintaining compliance with the safety and health aspects of the nuclear environment in order to accomplish the NRC's mission. Therefore, special circumstances are present which the NRC may consider, pursuant to 10 CFR 50.12(a)(2)(ii), to grant the exemption request.

Records which continue to serve the underlying purpose of the rule, that is, to maintain compliance and to protect public health and safety in support of the NRC's mission, will continue to be retained pursuant to other regulations in 10 CFR part 50 and 10 CFR part 72. Retained records that are not subject to the proposed exemption include those associated with programmatic controls, such as those pertaining to residual radioactivity, security, and quality assurance, as well as records associated with the ISFSI and spent fuel assemblies.

The retention of records required by 10 CFR 50.71(c); 10 CFR part 50, Appendix B, Criterion XVII; and 10 CFR 50.59(d)(3) provides assurance that records associated with SSCs will be captured, indexed, and stored in an environmentally suitable and retrievable condition. Given the volume of records associated with the SSCs, compliance with the records retention rule results in a considerable cost to the licensee. Retention of the volume of records associated with the SSCs during the operational phase is appropriate to serve the underlying purpose of determining compliance and noncompliance, taking action on possible noncompliance, and examining facts following an incident, as discussed.

However, the cost effect of retaining operational phase records beyond the operations phase until the termination of the license was not fully considered or understood when the records retention rule was put in place. For example, existing records storage facilities are eliminated as decommissioning progresses. Retaining records associated with SSCs and activities that no longer serve a safety or regulatory purpose could therefore necessitate the needless creation of new facilities and retention of administrative support personnel. As such, compliance with the rule would result in an undue cost in excess of that contemplated when the rule was adopted. Therefore, special circumstances are also present which the NRC may consider, pursuant to 10 CFR 50.12(a)(2)(iii), to grant the exemption request.

E. Environmental Considerations.

Pursuant to 10 CFR 51.22(b) and (c)(25), the granting of an exemption

from the requirements of any regulation in Chapter I of 10 CFR meets the eligibility criteria for categorical exclusion provided that: (1) there is no significant hazards consideration; (2) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (3) there is no significant increase in individual or cumulative public or occupational radiation exposure; (4) there is no significant construction impact; (5) there is no significant increase in the potential for or consequences from radiological accidents; and (6) the requirements from which an exemption is sought are among those identified in 10 CFR 51.22(c)(25)(vi).

The exemption request is administrative in nature. The exemption request has no effect on SSCs and no effect on the capability of any plant SSC to perform its design function. The exemption request would not increase the likelihood of the malfunction of any plant SSC.

The probability of occurrence of previously evaluated accidents is not increased, since most previously analyzed accidents will no longer be able to occur and the probability and consequences of the remaining Fuel Handling Accident are unaffected by the Exemption request. Therefore, the exemption request does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The exemption request does not involve a physical alteration of the plant. No new or different type of equipment will be installed and there are no physical modifications to existing equipment associated with the exemption request. Similarly, the exemption request will not physically change any SSCs involved in the mitigation of any accidents. Thus, no new initiators or precursors of a new or different kind of accident are created. Furthermore, the exemption request does not create the possibility of a new accident as a result of new failure modes associated with any equipment or personnel failures. No changes are being made to parameters within which the plant is normally operated, or in the setpoints which initiate protective or mitigative actions, and no new failure modes are being introduced. Therefore, the exemption request does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The exemption request does not alter the design basis or any safety limits for the plant. The exemption request does not impact station operation or any

plant SSC that is relied upon for accident mitigation. Therefore, the exemption request does not involve a significant reduction in a margin of safety.

For these reasons, the NRC staff has determined that approval of the exemption request involves no significant hazards consideration because granting the licensee's exemption request from the recordkeeping requirements of 10 CFR 50.71(c); 10 CFR part 50, Appendix B, Criterion XVII; and 10 CFR 50.59(d)(3) at the decommissioning Oyster Creek does not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated; (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 (10 CFR 50.92(c)). Likewise, there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, and no significant increase in individual or cumulative public or occupational radiation exposure.

The exempted regulations are not associated with construction, so there is no significant construction impact. The exempted regulations do not concern the source term (i.e., potential amount of radiation involved an accident) or accident mitigation; therefore, there is no significant increase in the potential for, or consequences from, radiological accidents. Allowing the licensee partial exemption from the record retention requirements for which the exemption is sought involves recordkeeping requirements, as well as reporting requirements of an administrative, managerial, or organizational nature.

Therefore, pursuant to 10 CFR 51.22(b) and 10 CFR 51.22(c)(25), no environmental impact statement or environmental assessment need be prepared in connection with the approval of this exemption request.

IV. Conclusions.

The NRC staff has determined that the granting of the exemption request from the recordkeeping requirements of 10 CFR 50.71(c); 10 CFR part 50, Appendix B, Criterion XVII; and 10 CFR 50.59(d)(3) will not present an undue risk to the public health and safety. The destruction of the identified records will not impact remaining decommissioning activities; plant operations, configuration, and/or radiological effluents; operational and/or installed SSCs that are quality-related or important to safety; or nuclear security. The NRC staff has determined that the

destruction of the identified records is administrative in nature and does not involve information or activities that could potentially impact the common defense and security of the United States.

The purpose for the recordkeeping regulations is to assist the NRC in carrying out its mission to protect the public health and safety by ensuring that the licensing and design basis of the facility is understood, documented, preserved and retrievable in such a way that will aid the NRC in determining compliance and noncompliance, taking action on possible noncompliance, and examining facts following an incident. Since the Oyster Creek SSCs that were safety-related or important to safety have been or will be removed from the licensing basis and removed from the plant, the staff agrees that the records identified in the exemption request will no longer be required to achieve the underlying purpose of the records retention rule.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemptions are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants the Exelon, a partial exemption from the recordkeeping requirements of 10 CFR 50.71(c); 10 CFR part 50, Appendix B, Criterion XVII; and 10 CFR 50.59(d)(3) for Oyster Creek only to the extent necessary to allow the licensee to advance the schedule to remove records associated with SSCs that have been or will be removed from NRC licensing basis documents through appropriate change mechanism (e.g., 10 CFR 50.59 or via NRC-approved license amendment request, as applicable).

This exemption is effective upon submittal of the licensee's certification of permanent fuel removal, under § 50.82(a)(1).

Dated at Rockville, Maryland, this 26th day of June, 2018.

For the Nuclear Regulatory Commission.

Joseph G. Giitter, Director,
Division of Operating Reactor Licensing,
Office of Nuclear Reactor Regulation.

[FR Doc. 2018-14391 Filed 7-3-18; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2018-0137]

Dispositioning of Technical Specifications That Are Insufficient To Ensure Plant Safety

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft regulatory guide; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide (DG), DG-1351, "Dispositioning of Technical Specifications that are Insufficient to Ensure Plant Safety." This DG proposes new guidance that describes methods and procedures that are acceptable to the (NRC) staff for dispositioning of technical specifications (TS) that are insufficient to ensure power plant safety.

DATES: Submit comments by September 4, 2018. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

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-2018-0137. Address questions about NRC dockets to Jennifer Borges; telephone: 301-287-9127; email: Jennifer.Borges@nrc.gov. For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* May Ma, Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Blake Purnell, Office of Nuclear Reactor Regulation; telephone: 301-415-1380, email: Blake.Purnell@nrc.gov or Stephen Burton, Office of Nuclear Regulatory Research; telephone: 301-415-7000, email: Stephen.Burton@nrc.gov. Both are staff of the U.S.

Nuclear Regulatory Commission,
Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2018-0137 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-2018-0137.
- *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. DG-1351, "Dispositioning of Technical Specifications that are Insufficient to Ensure Plant Safety," is available in ADAMS under Accession ML18086A690.

- *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-2018-0137 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. Additional Information

The NRC is issuing for public comment a DG in the NRC's "Regulatory Guide" series. This series was developed to describe and make available to the public information regarding methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific issues or postulated events, and data that the staff needs in its review of applications for permits and licenses.

The DG, entitled "Dispositioning of Technical Specifications that are Insufficient to Ensure Plant Safety," is a proposed new guide temporarily identified by its task number, DG-1351. DG-1351 proposes new guidance that describes methods and procedures that are acceptable to the U.S. Nuclear Regulatory Commission (NRC) staff for dispositioning of technical specifications (TS) that are insufficient to ensure power plant safety.

This DG proposes guidance to licensees for compliance with the TS requirements in section 50.36 of title 10 of the *Code of Federal Regulations* (10 CFR), the reporting requirements in 10 CFR 50.72 and 50.73, and the quality assurance requirements in Criterion XVI of 10 CFR part 50, appendix B. This DG proposes to endorse NEI 15-03, Revision 2, with exceptions and clarifications.

III. Backfitting and Issue Finality

If finalized, this DG would endorse, with certain clarifications, NEI 15-03, Revision 2, which describes methods and procedures for dispositioning of TS that are insufficient to ensure power plant safety. Issuance of this DG, if finalized, would not constitute backfitting as defined in 10 CFR 50.109 (the Backfit Rule) and would not otherwise be inconsistent with the issue finality provisions in 10 CFR part 52. As discussed in the "Implementation" section of this DG, the NRC has no current intention to impose this guidance on holders of current operating licenses or combined licenses.

Dated at Rockville, Maryland, this 28th day of June 2018.

For the Nuclear Regulatory Commission.

Ruth Reyes-Maldonado,

Acting Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. 2018-14379 Filed 7-3-18; 8:45 am]

BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT

Submission for Review: CyberCorps®: Scholarship for Service (SFS) Registration website

AGENCY: Office of Personnel Management.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Office of Personnel Management (OPM), Human Resources Solutions Division, offers the general public and other Federal agencies the opportunity to comment on an existing information collection request (ICR) 3206-0246, SFS Registration. As required by the Paperwork Reduction Act of 1995, as amended by the Clinger-Cohen Act, OPM is soliciting comments for this collection. The information collection was previously published in the **Federal Register** on December 11, 2017, page 58227 allowing for a 60-day public comment period. No comments were received for this information collection. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until August 6, 2018. This process is conducted in accordance with 5 CFR 1320.1.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via email to oira_submission@omb.eop.gov or faxed to (202) 395-6974.

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Office of Information and Regulatory Affairs, Office of Management Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via email to oira_submission@omb.eop.gov or faxed to (202) 395-6974. Please contact Sara Kunkle at 202-553-1334 if you have any questions.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

The SFS Program was established by the National Science Foundation, in collaboration with the U.S. Office of Personnel Management and the Department of Homeland Security, in accordance with the Cybersecurity Enhancement Act of 2014 (Pub. L. No. 113-274). This initiative reflects the critical need for Information Technology (IT) professionals, industrial control system security professionals, and security managers in Federal, State, local and tribal governments. Students identified by their institutions for SFS Scholarships must meet selection criteria based on prior academic performance, likelihood of success in obtaining the degree, and suitability for government employment. Upon graduation, scholarship recipients are required to work a period equal to the length of their scholarship in Federal, State, Local or Tribal Government or in other approved organization as cybersecurity professionals. Approval of the web page is necessary to facilitate the timely registration, selection and placement of program-enrolled students in Government agencies.

Analysis

Agency: CyberCorps®: Scholarship for Service Program Staff Acquisition, Office of Personnel Management.

Title: Scholarship for Service (SFS) Program internet Site.

OMB Number: 3206-0246.

Affected Public: Individual or Households.

Number of Respondents: 900.

Estimated Time per Respondent: 1 hour.

Total Burden Hours: 900 hours.

U.S. Office of Personnel Management.

Jeff T.H. Pon,

Director.

[FR Doc. 2018-14447 Filed 7-3-18; 8:45 am]

BILLING CODE 6325-43-P

POSTAL SERVICE**Product Change—Priority Mail and First-Class Package Service Negotiated Service Agreement**

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 5, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on June 29, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & First-Class Package Service Contract 83 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2018–189, CP2018–263.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–14434 Filed 7–3–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE**Product Change—Priority Mail Express and Priority Mail Negotiated Service Agreement**

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 5, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on June 29, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express & Priority Mail Contract 69 to Competitive Product List*. Documents are available at

www.prc.gov, Docket Nos. MC2018–188, CP2018–262.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–14433 Filed 7–3–18; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION**Submission for OMB Review; Comment Request**

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Extension:

Regulation BTR, SEC File No. 270–521, OMB Control No. 3235–0579

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Regulation Blackout Trade Restriction (“Regulation BTR”) (17 CFR 245.100–245.104) clarifies the scope and application of Section 306(a) of the Sarbanes-Oxley Act of 2002 (“Act”) (15 U.S.C. 7244(a)). Section 306(a)(6) [15 U.S.C. 7244(a)(6)] of the Act requires an issuer to provide timely notice to its directors and executive officers and to the Commission of the imposition of a blackout period that would trigger the statutory trading prohibition of Section 306(a)(1) [15 U.S.C. 7244(a)(1)]. Section 306(a) of the Act prohibits any director or executive officer of an issuer of any equity security, directly or indirectly, from purchasing, selling or otherwise acquiring or transferring any equity security of that issuer during any blackout period with respect to such equity security, if the director or executive officer acquired the equity security in connection with his or her service or employment. Approximately 1,230 issuers file Regulation BTR notices approximately 5 times a year for a total of 6,150 responses. We estimate that it takes approximately 2 hours to prepare the blackout notice for a total annual burden of 2,460 hours. The issuer prepares 75% of the 2,460 annual burden hours for a total reporting burden of (1,230 × 2 × 0.75) 1,845 hours. In addition, we estimate that an issuer distributes a notice to five directors and executive officers at an estimated 5 minutes per notice (1,230 blackout

period × 5 notices × 5 minutes) for a total reporting burden of 512 hours. The combined annual reporting burden is (1,845 hours + 512 hours) 2,357 hours.

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 control number.

The public may view the background documentation for this information collection at the following website, www.reginfo.gov. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: Shagufta.Ahmed@omb.eop.gov; and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549 or send an email to: PRA_Mailbox@sec.gov. Comments must be submitted to OMB within 30 days of this notice.

Dated: June 28, 2018.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–14360 Filed 7–3–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83553; File No. SR–NYSEAMER–2018–34]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify the NYSE American Options Fee Schedule

June 28, 2018.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (the “Act”)² and Rule 19b–4 thereunder,³ notice is hereby given that, on June 27, 2018, NYSE American LLC (the “Exchange” or “NYSE American”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

¹ 15 U.S.C. 78s(b)(1).² 15 U.S.C. 78a.³ 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the NYSE American Options Fee Schedule ("Fee Schedule"). The Exchange proposes to implement the fee change effective June 27, 2018. The proposed rule change is available on the Exchange's website at www.nyse.com, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to modify the Fee Schedule, effective June 27, 2018, to introduce fees for the newly listed options on the NYSE FANG+ Index ("NYSE FANG+"), which will trade under the symbol FAANG. Section 1 of the Fee Schedule sets forth the rates for options transactions, both manual and electronic.⁴ The Exchange proposes to introduce fees related to transactions in NYSE FANG+ in new note 8 to Section I, Options Transaction Fees and Credits. As proposed, the Exchange would charge \$0.35 per contract, per side for non-Customer NYSE FANG+ transactions, whether executed manually or electronically. However, the Exchange would not charge a fee for any NYSE FANG+ options transactions (i) on behalf of Customers or (ii) by Market Makers with an appointment in NYSE FANG+.⁵ Further, the Exchange would not impose any Marketing Charges on NYSE FANG+ option

⁴ See e.g., Fee Schedule, I.A. (Rates for Standard Options transactions), available here, https://www.nyse.com/publicdocs/nyse/markets/american-options/NYSE_American_Options_Fee_Schedule.pdf.

⁵ The term Market Maker, as used herein, includes NYSE American Options Market Makers, Specialists, e-Specialists and Directed Order Market Makers.

transactions or any Rights Fees upon allocation in options on NYSE FANG+.⁶ Market Makers that do not have an appointment in NYSE FANG+ will be subject to the same fee of \$0.35 per contract, per side for non-Customer NYSE FANG+ transactions. However, volume in NYSE FANG+ would be included in the calculations to qualify for any volume-based incentives currently being offered on the Exchange (e.g., such monthly volume would be counted towards the Market Maker Sliding Scale program, per Section I.C., and the American Customer Engagement ("ACE") Program, per Section I.E. of the Fee Schedule, and the Firm Monthly Fee Cap, per Section I.J.).⁷

The Exchange believes the proposed fees for NYSE FANG+ would further the Exchange's goal of introducing new products to the marketplace by encouraging trading in this index, in particular by encouraging Market Makers to make a market in these products, which would in turn, benefit market participants.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act, in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act, in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes the proposal to implement fees for options on NYSE FANG+ is reasonable, equitable and not unfairly discriminatory for the following reasons. The Exchange believes the proposed fees, which apply equally to electronic and manual (open outcry) transactions on behalf of non-Customers, on the one hand, and Customers, on the other hand, to be reasonable and equitable because the proposed differentiation among market participants for NYSE FANG+ fees is consistent with the manner in which the

⁶ See Fee Schedule, Sections I.A., note 3 (for description of the collection, and distribution of, Marketing Fees); and Section III.C. (for description of the e-Specialist, DOMM and Specialist Monthly Rights Fees). See also proposed Fee Schedule, note 8 to Section I, Options Transaction Fees and Credits (providing, in part, that "Marketing Charges will not be applied to FAANG transactions").

⁷ See proposed Fee Schedule, note 8 to Section I, Options Transaction Fees and Credits (providing, in part, that "[a]ny volume in FAANG will be included in the calculations to qualify for any volume-based incentives currently being offered on the Exchange").

Exchange distinguishes among market participants for fee purposes in other contexts.⁸ The Exchange believes that not imposing fees for NYSE FANG+ transactions on behalf of Customers is likewise reasonable, equitable and not unfairly discriminatory because Customer order flow enhances liquidity on the Exchange for the benefit of all market participants. Specifically, Customer liquidity benefits all market participants by providing more trading opportunities, which attracts Market Makers. An increase in the activity of Market Makers in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants.

The Exchange believes that applying the same fee on all non-Customer NYSE FANG+ option transactions, other than those by Market Makers with an appointment in NYSE FANG+, is non-discriminatory because it applies to all similarly situated participants on an equal basis that opt to trade the product. Moreover, the decision to transact in NYSE FANG+ (or, for Market Makers, to seek an appointment) is voluntary. The Exchange believes that allowing Market Makers with an appointment in NYSE FANG+ to transact in the product free of charge (and without incurring Marketing Fees) is not unfairly discriminatory because Market Makers have heightened obligations that are not applicable to other non-Customer market participants.⁹ It is also non-discriminatory because all Market Makers may apply for an appointment in NYSE FANG+ options. Further, encouraging Market Makers to seek an appointment in, and thus provide continuous quotes in, NYSE FANG+ would add liquidity to the market and provide market participants—both Customer and non-Customer alike—increased opportunities to trade options on NYSE FANG+. The Exchange believes that exempting transactions in NYSE FANG+ from the monthly Rights Fees would likewise encourage trading in NYSE FANG+ options, which increase in the availability of such options would benefit all market participants.

Further, the proposal to include any volume in NYSE FANG+ in the calculations to qualify for any volume-based incentives offered on the Exchange would further the Exchange's

⁸ See *id.* (providing that non-Customers (i.e., NYSE American Options Market Makers, Firms and Broker Dealers and Professional Customers) are charged a total \$0.25 per contract for manual executions, while Customers are charged \$0.00 per contract for manual executions).

⁹ See, e.g., Rules 920NY, 925.1NY(b) and 927NY (setting forth heightened quoting obligations).

goal of introducing new products to the marketplace by encouraging trading in these products. To the extent that the proposed change incentivizes any market participants to direct their order flow to the Exchange, all market participants would benefit from increased liquidity and trading opportunities on the Exchange. Finally, the Exchange notes that offering market participants incentives to trade in certain newly offered products is not new or novel.¹⁰

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes the proposed transaction fees for NYSE FANG+ would not place an unfair burden on competition as it would apply to all similarly situated non-Customer/non-Market Maker participants. The Exchange also believes the proposed pricing for NYSE FANG+ is procompetitive as it would further the Exchange's goal of introducing new products to the marketplace and encouraging Market Makers to make a market in these products, which would in turn, benefit market participants. Market participants that do not wish to trade in or seek an appointment in NYSE FANG+ are not obliged to do so.

The Exchange does not believe that the proposed change will impair the ability of any market participants or competing order execution venues to maintain their competitive standing in the financial markets. Further, the fees would be applied to all similarly situated participants (*i.e.*, non-Customers), and, as such, the proposed change would not impose a disparate burden on competition either among or between classes of market participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

¹⁰ See, e.g., Securities Exchange Act Release No. 77293 (March 4, 2016), 81 FR 12762 (March 4, 2016) (SR-NYSEMKT-2016-34) (addressing the treatment of Binary Return Derivatives—or ByRDs—and exempting such transactions from all Exchange fees to encourage trading in the product).

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)¹¹ of the Act and subparagraph (f)(2) of Rule 19b-4¹² thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)¹³ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File No. SR-NYSEAMER-2018-34 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File No. SR-NYSEAMER-2018-34. 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

¹¹ 15 U.S.C. 78s(b)(3)(A).

¹² 17 CFR 240.19b-4(f)(2).

¹³ 15 U.S.C. 78s(b)(2)(B).

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 No. SR-NYSEAMER-2018-34, and should be submitted on or before July 26, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-14362 Filed 7-3-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270-347, OMB Control No. 3235-0393]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, Washington, DC 20549-2736

Extension:

Rule 15g-4

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 ("PRA") (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension of the existing collection of information provided for in Rule 15g-4—Disclosure of compensation to brokers or dealers (17 CFR 240.15g-4) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 15g-4 requires brokers and dealers effecting transactions in penny stocks for or with customers to disclose the amount of compensation received by the broker-dealer in connection with the transaction. The purpose of the rule is

¹⁴ 17 CFR 200.30-3(a)(12).

to increase the level of disclosure to investors concerning penny stocks generally and specific penny stock transactions.

The Commission estimates that approximately 195 broker-dealers will spend an average of 87 hours annually to comply with this rule. Thus, the total compliance burden is approximately 16,965 burden-hours per year.

Rule 15g-4 contains record retention requirements. Compliance with the rule is mandatory. The required records are available only to the examination staff of the Commission and the self regulatory organizations of which the broker-dealer is a member.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following website: www.reginfo.gov. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an email to: [Shagufta Ahmed@omb.eop.gov](mailto:Shagufta.Ahmed@omb.eop.gov); and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549 or by sending an email to PRA_Mailbox@sec.gov. Comments must be submitted to OMB within 30 days of this notice.

Dated: June 28, 2018.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-14358 Filed 7-3-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 33141; 812-14888]

Motley Fool Asset Management, LLC and The RBB Fund, Inc.

June 28, 2018.

AGENCY: Securities and Exchange Commission (“Commission”).

ACTION: Notice.

Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (the “Act”) for an exemption from sections 2(a)(32), 5(a)(1), 22(d), and 22(e) of the Act and rule 22c-1 under the Act, under sections 6(c) and 17(b) of the Act for an

exemption from sections 17(a)(1) and 17(a)(2) of the Act, and under section 12(d)(1)(J) of the Act for an exemption from sections 12(d)(1)(A) and 12(d)(1)(B) of the Act. The requested order would permit (a) actively-managed series of certain open-end management investment companies (“Funds”) to issue shares redeemable in large aggregations only (“Creation Units”); (b) secondary market transactions in Fund shares to occur at negotiated market prices rather than at net asset value (“NAV”); (c) certain Funds to pay redemption proceeds, under certain circumstances, more than seven days after the tender of shares for redemption; (d) certain affiliated persons of a Fund to deposit securities into, and receive securities from, the Fund in connection with the purchase and redemption of Creation Units; (e) certain registered management investment companies and unit investment trusts outside of the same group of investment companies as the Funds (“Funds of Funds”) to acquire shares of the Funds; (f) certain Funds (“Feeder Funds”) to create and redeem Creation Units in-kind in a master-feeder structure; and (g) the Funds to issue shares in less than Creation Unit size to investors participating in a distribution reinvestment program.

APPLICANTS: Motley Fool Asset Management, LLC (“MFAM”), a Delaware limited liability company registered as an investment adviser under the Investment Advisers Act of 1940, and The RBB Fund, Inc. (“Company”), a Maryland corporation registered under the Act as an open-end management investment company with multiple series.

FILING DATES: The application was filed on March 15, 2018 and amended on May 1, 2018, and June 11, 2018.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission’s Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on July 23, 2018, and should be accompanied by proof of service on applicants, in the form of an affidavit, or for lawyers, a certificate of service. Pursuant to rule 0-5 under the Act, hearing requests should state the nature of the writer’s interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a

hearing may request notification by writing to the Commission’s Secretary.

ADDRESSES: Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090; Applicants: Michael P. Malloy, Esq., Drinker Biddle & Reath LLP, One Logan Square, Suite 2000, Philadelphia, PA 19103 and Michael D. Barolsky, Esq., U.S. Bancorp Fund Services, LLC, 615 E Michigan Street, Milwaukee, WI 53202.

FOR FURTHER INFORMATION CONTACT: Courtney S. Thornton, Senior Counsel, at (202) 551-6812, or Andrea Ottomanelli Magovern, Branch Chief, at (202) 551-6821 (Division of Investment Management, Chief Counsel’s Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission’s website by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

Summary of the Application

1. Applicants request an order that would allow Funds to operate as actively-managed exchange traded funds (“ETFs”).¹ Fund shares will be purchased and redeemed at their NAV in Creation Units only (other than pursuant to a distribution reinvestment program described in the application). All orders to purchase Creation Units and all redemption requests will be placed by or through an “Authorized Participant” which will have signed a participant agreement with the Distributor. Shares will be listed and traded individually on a national securities exchange, where share prices will be based on the current bid/offer market. Certain Funds may operate as Feeder Funds in a master-feeder structure. Any order granting the requested relief would be subject to the terms and conditions stated in the application.

2. Each Fund will consist of a portfolio of securities and other assets

¹ Applicants request that the order apply to the new series of the Company described in the application, as well as to additional series of the Company and any other open-end management investment company or series thereof that currently exist or that maybe created in the future (each, included in the term “Fund”), each of which will operate as an actively-managed ETF. Any Fund will (a) be advised by MFAM or an entity controlling, controlled by, or under common control with MFAM (each such entity and any successor thereto is included in the term “Adviser”) and (b) comply with the terms and conditions of the application. For purposes of the requested Order, the term “successor” is limited to an entity that results from a reorganization into another jurisdiction or a change in the type of business organization.

and investment positions (“Portfolio Instruments”). Each Fund will disclose on its website the identities and quantities of the Portfolio Instruments that will form the basis for the Fund’s calculation of NAV at the end of the day.

3. Shares will be purchased and redeemed in Creation Units only and generally on an in-kind basis, or issued in less than Creation Unit size to investors participating in a distribution reinvestment program. Except where the purchase or redemption will include cash under the limited circumstances specified in the application, purchasers will be required to purchase Creation Units by depositing specified instruments (“Deposit Instruments”), and shareholders redeeming their shares will receive specified instruments (“Redemption Instruments”). The Deposit Instruments and the Redemption Instruments will each correspond pro rata to the positions in the Fund’s portfolio (including cash positions) except as specified in the application.

4. Because shares will not be individually redeemable, applicants request an exemption from section 5(a)(1) and section 2(a)(32) of the Act that would permit the Funds to register as open-end management investment companies and issue shares that are redeemable in Creation Units only.

5. Applicants also request an exemption from section 22(d) of the Act and rule 22c-1 under the Act as secondary market trading in shares will take place at negotiated prices, not at a current offering price described in a Fund’s prospectus, and not at a price based on NAV. Applicants state that (a) secondary market trading in shares does not involve a Fund as a party and will not result in dilution of an investment in shares, and (b) to the extent different prices exist during a given trading day, or from day to day, such variances occur as a result of third-party market forces, such as supply and demand. Therefore, applicants assert that secondary market transactions in shares will not lead to discrimination or preferential treatment among purchasers. Finally, applicants represent that share market prices will be disciplined by arbitrage opportunities, which should prevent shares from trading at a material discount or premium from NAV.

6. With respect to Funds that hold non-U.S. Portfolio Instruments and that effect creations and redemptions of Creation Units in kind, applicants request relief from the requirement imposed by section 22(e) in order to allow such Funds to pay redemption proceeds within fifteen calendar days

following the tender of Creation Units for redemption. Applicants assert that the requested relief would not be inconsistent with the spirit and intent of section 22(e) to prevent unreasonable, undisclosed or unforeseen delays in the actual payment of redemption proceeds.

7. Applicants request an exemption to permit Funds of Funds to acquire Fund shares beyond the limits of section 12(d)(1)(A) of the Act; and the Funds, and any principal underwriter for the Funds, and/or any broker or dealer registered under the Exchange Act, to sell shares to Funds of Funds beyond the limits of section 12(d)(1)(B) of the Act. The application’s terms and conditions are designed to, among other things, help prevent any potential (i) undue influence over a Fund through control or voting power, or in connection with certain services, transactions, and underwritings, (ii) excessive layering of fees, and (iii) overly complex fund structures, which are the concerns underlying the limits in sections 12(d)(1)(A) and (B) of the Act.

8. Applicants request an exemption from sections 17(a)(1) and (a)(2) of the Act to permit persons that are affiliated persons, or second-tier affiliates, of the Funds, solely by virtue of certain ownership interests, to effectuate purchases and redemptions in-kind. The deposit procedures for in-kind purchases of Creation Units and the redemption procedures for in-kind redemptions of Creation Units will be the same for all purchases and redemptions and Deposit Instruments and Redemption Instruments will be valued in the same manner as those Portfolio Instruments currently held by the Funds. Applicants also seek relief from the prohibitions on affiliated transactions in section 17(a) to permit a Fund to sell its shares to and redeem its shares from a Fund of Funds, and to engage in the accompanying in-kind transactions with the Fund of Funds.² The purchase of Creation Units by a Fund of Funds directly from a Fund will be accomplished in accordance with the policies of the Fund of Funds and will be based on the NAVs of the Funds.

9. Applicants also request relief to permit a Feeder Fund to acquire shares of another registered investment

² The requested relief would apply to direct sales of shares in Creation Units by a Fund to a Fund of Funds and redemptions of those shares. Applicants, moreover, are not seeking relief from section 17(a) for, and the requested relief will not apply to, transactions where a Fund could be deemed an Affiliated Person, or a Second-Tier Affiliate, of a Fund of Funds because an Adviser or an entity controlling, controlled by or under common control with an Adviser provides investment advisory services to that Fund of Funds.

company managed by the Adviser having substantially the same investment objectives as the Feeder Fund (“Master Fund”) beyond the limitations in section 12(d)(1)(A) and permit the Master Fund, and any principal underwriter for the Master Fund, to sell shares of the Master Fund to the Feeder Fund beyond the limitations in section 12(d)(1)(B).

10. Section 6(c) of the Act permits the Commission to exempt any persons or transactions from any provision of the Act if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Section 12(d)(1)(J) of the Act provides that the Commission may exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision of section 12(d)(1) if the exemption is consistent with the public interest and the protection of investors. Section 17(b) of the Act authorizes the Commission to grant an order permitting a transaction otherwise prohibited by section 17(a) if it finds that (a) the terms of the proposed transaction are fair and reasonable and do not involve overreaching on the part of any person concerned; (b) the proposed transaction is consistent with the policies of each registered investment company involved; and (c) the proposed transaction is consistent with the general purposes of the Act.

For the Commission, by the Division of Investment Management, under delegated authority.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-14364 Filed 7-3-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270-349, OMB Control No. 3235-0395]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Extension:

Rule 15g-6

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (“PRA”) (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) has submitted to the

Office of Management and Budget (“OMB”) a request for approval of extension of the previously approved collection of information provided for in Rule 15g–6—Account Statements for Penny Stock Customers—(17 CFR 240.15g–6) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 15g–6 requires brokers and dealers that sell penny stocks to provide their customers monthly account statements containing information with regard to the penny stocks held in customer accounts. The purpose of the rule is to increase the level of disclosure to investors concerning penny stocks generally and specific penny stock transactions.

The Commission estimates that approximately 195 broker-dealers will spend an average of 78 hours annually to comply with this rule. Thus, the total compliance burden is approximately 15,210 burden-hours per year.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following website: <http://www.reginfo.gov>. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an email to: Shagufta_Ahmed@omb.eop.gov; and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549 or by sending an email to PRA_Mailbox@sec.gov. Comments must be submitted within 30 days of this notice.

Dated: June 28, 2018.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018–14357 Filed 7–3–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83554; File No. SR–NYSEArca–2018–49]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify the NYSE Arca Options Fee Schedule

June 28, 2018.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (the “Act”)² and Rule 19b–4 thereunder,³ notice is hereby given that, on June 27, 2018, NYSE Arca, Inc. (the “Exchange” or “NYSE Arca”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the NYSE Arca Options Fee Schedule (“Fee Schedule”). The Exchange proposes to implement the fee change effective June 27, 2018. The proposed rule change is available on the Exchange’s website at www.nyse.com, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to modify the Fee Schedule, effective 27, 2018, to

introduce fees for the newly listed options on the NYSE FANG+ Index (“NYSE FANG+”), which will trade under the symbol FAANG.

The Exchange proposes that for fee purposes transactions in FAANG options would not be treated as adding or removing liquidity, but rather that all transactions, both manual and electronic, be charged by account status.

As proposed, the Exchange would charge \$0.35 per contract, per side for non-Customer and Professional Customer NYSE FANG+ transactions, whether executed manually or electronically.⁴ However, the Exchange would not charge a fee for any FAANG transactions (i) on behalf of Customers or (ii) by Market Makers with an appointment in NYSE FANG+.⁵ Market Makers that do not have an appointment in NYSE FANG+ will be subject to the same fee of \$0.35 per contract, per side for non-Customer and Professional Customer NYSE FANG+ transactions. Further, the Exchange would not impose the Lead Market Maker Rights Fees upon allocation in options on NYSE FANG+.⁶ The Exchange notes that volume in NYSE FANG+ would be included in calculations to qualify for any volume-based incentives currently being offered on the Exchange, including (but not limited to) the Non-Customer, Non-Penny Pilot Posting Tiers (as applicable) and the Firm and Broker Dealer Monthly Fee Cap.⁷

The Exchange believes the proposed fees for NYSE FANG+ would further the Exchange’s goal of introducing new products to the marketplace by encouraging trading in this index, in particular by encouraging Market Makers to make a market in these products, which would in turn, benefit market participants.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act, in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act, in particular, because it provides for the equitable allocation of reasonable dues, fees, and

⁴ See proposed Fee Schedule, NYSE FANG+ Index (FAANG) Transaction Fees.

⁵ See *id.* The term Market Maker, as used herein, includes NYSE Arca Options Market Makers and Lead Market Makers (or LMMs).

⁶ See proposed Fee Schedule, Endnote 2 (providing that “[t]he Lead Market Maker Rights Fee does not apply to options on the NYSE FANG+ Index (FAANG)”).

⁷ See proposed Fee Schedule, Endnote 8 (providing that “[a]ny volume in options on NYSE FANG+ (FAANG) would be included in calculations to qualify for any volume-based incentives currently being offered on the Exchange”).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b–4.

other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes the proposal to implement fees for options on NYSE FANG+ is reasonable, equitable and not unfairly discriminatory for the following reasons. The Exchange believes the proposed fees, which apply equally to electronic and manual (open outcry) transactions, on behalf of non-Customers and Professional Customers, on the one hand, and Customers, on the other hand, to be reasonable and equitable because the proposed differentiation among market participants for NYSE FANG+ fees is consistent with the manner in which the Exchange distinguishes among market participants for fee purposes in other contexts.⁸ The Exchange believes that not imposing fees for NYSE FANG+ transactions on behalf of Customers is likewise reasonable, equitable and not unfairly discriminatory because Customer order flow enhances liquidity on the Exchange for the benefit of all market participants. Specifically, Customer liquidity benefits all market participants by providing more trading opportunities, which attracts Market Makers. An increase in the activity of Market Makers in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants.

The Exchange believes that applying the same fee on all non-Customer and Professional Customer NYSE FANG+ option transactions, other than those by Market Makers with an appointment in NYSE FANG+, is non-discriminatory because it applies to all similarly situated participants on an equal basis that opt to trade the product. Moreover, the decision to transact in NYSE FANG+ (or, for Market Makers, to seek an appointment) is voluntary. The Exchange believes that allowing Market Makers with an appointment in NYSE FANG+ to transact in the product free of charge is not unfairly discriminatory because Market Makers have heightened obligations that are not applicable to other non-Customer and Professional Customer market participants.⁹ It is also non-discriminatory because all Market

Makers may apply for an appointment in NYSE FANG+ options. Further, encouraging Market Makers to seek an appointment in, and thus provide continuous quotes in, NYSE FANG+ would add liquidity to the market and provide market participants—both Customer and non-Customer alike—increased opportunities to trade options on NYSE FANG+. The Exchange believes that exempting transactions in NYSE FANG+ from the monthly Rights Fees would likewise encourage trading in NYSE FANG+ options, which increase in the availability of such options would benefit all market participants.

Further, the proposal to include any volume in NYSE FANG+ in the calculations to qualify for any volume-based incentives offered on the Exchange would further the Exchange's goal of introducing new products to the marketplace by encouraging trading in these products. To the extent that the proposed change incentivizes any market participants to direct their order flow to the Exchange, all market participants would benefit from increased liquidity and trading opportunities on the Exchange. Finally, the Exchange notes that offering market participants incentives to trade in certain newly offered products is not new or novel.¹⁰

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes the proposed transaction fees for NYSE FANG+ would not place an unfair burden on competition as it would apply to all similarly situated non-Customer/non-Market Maker participants. The Exchange also believes the proposed pricing for NYSE FANG+ is procompetitive as it would further the Exchange's goal of introducing new products to the marketplace and encouraging Market Makers to make a market in these products, which would in turn, benefit market participants. Market participants that do not wish to trade in or seek an appointment in NYSE FANG+ are not obliged to do so. The Exchange does not believe that the proposed change will impair the

ability of any market participants or competing order execution venues to maintain their competitive standing in the financial markets. Further, the fees would be applied to all similarly situated participants (*i.e.*, non-Customers and Professional Customers), and, as such, the proposed change would not impose a disparate burden on competition either among or between classes of market participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)¹¹ of the Act and subparagraph (f)(2) of Rule 19b-4¹² thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)¹³ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File No. SR-NYSEArca-2018-49 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange

⁸ See, e.g., Fee Schedule, TRANSACTION FEE FOR MANUAL EXECUTIONS—PER CONTRACT (providing that non-Customers (*i.e.*, NYSE Arca Options Market Makers, Firms and Broker Dealers) and Professional Customers are charged a total \$0.25 per contract for manual executions, while Customers are charged \$0.00 per contract for manual executions).

⁹ See, e.g., Rules 6.82-O, 6.37A-O, 6.37B-O (setting forth heightened quoting obligations).

¹⁰ See, e.g., Securities Exchange Act Release No. 77294 (March 4, 2016), 81 FR 12775 (March 10, 2016) (SR-NYSEArca-2016-40) (addressing the treatment of Binary Return Derivatives—or ByRDs—and exempting such transactions from all Exchange fees to encourage trading in the product).

¹¹ 15 U.S.C. 78s(b)(3)(A).

¹² 17 CFR 240.19b-4(f)(2).

¹³ 15 U.S.C. 78s(b)(2)(B).

Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File No. SR-NYSEArca-2018-49. 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 No. SR-NYSEArca-2018-49, and should be submitted on or before July 26, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-14363 Filed 7-3-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270-156, OMB Control No. 3235-0288]

Submission for OMB Review; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Extension:
Form 20-F

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Form 20-F (17 CFR 249.220f) is used to register securities of foreign private issuers pursuant to Section 12 of the Securities Exchange Act of 1934 ("Exchange Act") (15 U.S.C. 78l) or as annual and transitional reports pursuant to Sections 13 and 15(d) of the Exchange Act (15 U.S.C. 78m(a) and 78o(d)). The information required in the Form 20-F is used by investors in making investment decisions with respect to the securities of such foreign private issuers. We estimate that Form 20-F takes approximately 2,649.52 hours per response and is filed by approximately 725 respondents. We estimate that 25% of the 2,649.52 hours per response (662.3806 hours) is prepared by the issuer for a total reporting burden of 480,226 (662.3806 hours per response × 725 responses).

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 control number.

The public may view the background documentation for this information collection at the following website, www.reginfo.gov. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: Shagufta_Ahmed@omb.eop.gov; and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549 or send an email to: PRA_Mailbox@sec.gov. Comments must be submitted to OMB within 30 days of this notice.

Dated: June 28, 2018.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-14359 Filed 7-3-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request Copies Available From: Securities and Exchange

Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Extension:

Regulation G, SEC File No. 270-518, OMB Control No. 3235-0576

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Regulation G (17 CFR 244.100-244.102) under the Securities Exchange Act of 1934 (the "Exchange Act") (15 U.S.C. 78a *et seq.*) requires publicly reporting companies that disclose or releases financial information in a manner that is calculated or presented other than in accordance with generally accepted accounting principles ("GAAP") to provide a reconciliation of the non-GAAP financial information to the most directly comparable GAAP financial measure. Regulation G implemented the requirements of Section 401 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7261). We estimate that approximately 14,000 public companies must comply with Regulation G approximately six times a year for a total of 84,000 responses annually. We estimated that it takes approximately 0.5 hours per response (84,000 × 0.5 hours) for a total reporting burden of 42,000 hours annually.

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 control number.

The public may view the background documentation for this information collection at the following website, www.reginfo.gov. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: Shagufta_Ahmed@omb.eop.gov; and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549 or send an email to: PRA_Mailbox@sec.gov. Comments must be submitted to OMB within 30 days of this notice.

Dated: June 28, 2018.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-14361 Filed 7-3-18; 8:45 am]

BILLING CODE 8011-01-P

¹⁴ 17 CFR 200.30-3(a)(12).

SMALL BUSINESS ADMINISTRATION**Small Business Investment Company Program: Round Table Meeting With SBIC Limited Partners**

AGENCY: U.S. Small Business Administration.

ACTION: Notice of meeting.

SUMMARY: The Small Business Administration (SBA) Office of Investment and Innovation (OII) will hold a round table in Washington, DC with limited partners who currently participate in the Small Business Investment Company (SBIC) program. The purpose of the meeting is for SBA to seek input from SBIC limited partners on regulatory reform and best practices in SBIC selection and monitoring.

DATES: The round table will take place on August 7, 2018 from 1:00 p.m. to 4:00 p.m. Eastern Daylight Time. There will be no telephone call-in for the meeting.

ADDRESSES: The meeting will be held at the Hyatt Place Washington DC/ National Mall, 400 E Street SW, Washington, DC 20024. Please note the registration instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Steve Knott, SBA Office of Investment and Innovation, (202) 205-7731 or OII.FrontOffice@sba.gov.

SUPPLEMENTARY INFORMATION: SBA's OII, which administers the SBIC program, is working to implement the regulatory reform objectives presented in the President's Executive Orders 13771 and 13777. SBA is reviewing SBIC program regulations and policies in an effort to improve clarity and make the SBIC program more effective and efficient. To seek input and feedback regarding regulatory reform and to identify best practices, SBA will hold a round table with investors who are currently limited partners in SBICs.

One of the primary purposes of the round table will be for SBA to gain a better understanding of any concerns SBIC limited partners have with regards to SBIC program regulations and policies and to share best practices in SBIC selection and monitoring. SBA will primarily be in listening mode, but may ask general questions to help SBA understand SBIC limited partner concerns about specific SBIC regulations and policies. While SBA expects an engaging discussion, please be aware that SBA cannot discuss any specific regulatory or policy changes under consideration, or any general or specific issues related to one or more SBICs.

To receive input and feedback from a broad number of SBIC limited partners, SBA will restrict participation to one employed representative from each organization. Attendance will be limited to the first 20 representatives that register for the round table. SBIC limited partners interested in participating may register at SBA OII Regulatory Reform Round Table for SBIC Limited Partners.

If you have suggested regulatory topics you would like the SBA to consider for discussion at the round table, please email your suggestions to OII.FrontOffice@sba.gov.

Regardless of your round table participation, feedback about the SBIC program may be submitted by emailing SBA at OII.FrontOffice@sba.gov. If you wish to provide comments regarding SBA's regulatory reform effort, then please add "Regulatory Reform" to the subject line of the email.

Dated: June 27, 2018.

A. Joseph Shepard,

Associate Administrator, Office of Investment and Innovation.

[FR Doc. 2018-14449 Filed 7-3-18; 8:45 am]

BILLING CODE 8025-01-P

SUSQUEHANNA RIVER BASIN COMMISSION**Public Hearing**

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on August 2, 2018, in Harrisburg, Pennsylvania. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. Such projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for September 7, 2018, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is August 13, 2018.

DATES: The public hearing will convene on August 2, 2018, at 2:30 p.m. The public hearing will end at 5:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is August 13, 2018.

ADDRESSES: The public hearing will be conducted at the Pennsylvania State

Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, Pa.

FOR FURTHER INFORMATION CONTACT:

Gwyn Rowland, Manager, Governmental and Public Affairs, telephone: (717) 238-0423, ext. 1316; fax: (717) 238-2436.

Information concerning the applications for these projects is available at the Commission's Water Application and Approval Viewer at <https://mdw.srbic.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbic.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

SUPPLEMENTARY INFORMATION: The public hearing will cover the following projects:

Projects Scheduled for Action

1. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Beech Mountain System, Butler Township, Luzerne County, Pa. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Beech Mountain Well 1.

2. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Beech Mountain System, Butler Township, Luzerne County, Pa. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Beech Mountain Well 2.

3. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Beech Mountain System, Butler Township, Luzerne County, Pa. Application for groundwater withdrawal of up to 0.124 mgd (30-day average) from Beech Mountain Well 3.

4. Project Sponsor and Facility: ARD Operating, LLC (Pine Creek), McHenry Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20140902).

5. Project Sponsor and Facility: BKV Operating, LLC (East Branch Wyalusing Creek), Jessup Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20140904).

6. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Tunkhannock Creek), Nicholson Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20140903).

7. Project Sponsor and Facility: Columbia Water Company, Hellam Township, York County, Pa. Application for groundwater withdrawal of up to 0.015 mgd (30-day average) from Dugan Well 4.

8. Project Sponsor and Facility: Eclipse Resources-PA, LP (Cowanesque River), Deerfield Township, Tioga County, Pa. Application for surface water withdrawal of up to 3.000 mgd (peak day).

9. Project Sponsor and Facility: Eclipse Resources-PA, LP (Pine Creek), Gaines Township, Tioga County, Pa. Application for surface water withdrawal of up to 3.000 mgd (peak day).

10. Project Sponsor and Facility: Elizabethtown Area Water Authority, Elizabethtown Borough, Lancaster County, Pa. Application for renewal of groundwater withdrawal of up to 0.300 mgd (30-day average) from Well 5 (Docket No. 19880402).

11. Project Sponsor and Facility: Inflection Energy (PA) LLC (Loyalsock Creek), Upper Fairfield Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.700 mgd (peak day) (Docket No. 20140905).

12. Project Sponsor: Lancaster County Solid Waste Management Authority. Project Facility: Solid Waste Resource Recovery, Conoy Township, Lancaster County, Pa. Application for renewal of consumptive use of up to 0.950 mgd (peak day) (Docket No. 19880901).

13. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Susquehanna River), Terry Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20140909).

14. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Wappasening Creek), Windham Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20140910).

15. Project Sponsor and Facility: SWEPI LP (Cowanesque River), Deerfield Township, Tioga County, Pa. Modification to reduce surface water withdrawal from 2.000 mgd to 1.000 mgd (peak day) and reassess passby flow thresholds (Docket No. 20161218).

16. Project Sponsor and Facility: Togg Mountain LLC, Town of Fabius, Onondaga County, N.Y. Application for consumptive use of up to 0.485 mgd (peak day).

17. Project Sponsor and Facility: Togg Mountain LLC (West Branch of Tioughnioga Creek), Town of Fabius, Onondaga County, N.Y. Application for surface water withdrawal of up to 2.200 mgd (peak day).

18. Project Sponsor and Facility: Towanda Municipal Authority, North Towanda Township, Bradford County, Pa. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Church Production Well 1.

19. Project Sponsor and Facility: Towanda Municipal Authority, North Towanda Township, Bradford County, Pa. Application for groundwater withdrawal of up to 1.000 mgd (30-day average) from Roberts Production Well 1.

20. Project Sponsor and Facility: Towanda Municipal Authority, North Towanda Township, Bradford County, Pa. Application for groundwater withdrawal of up to 1.000 mgd (30-day average) from Roberts Production Well 2.

The Commission will also be considering a resolution to approve a consumptive use water storage and mitigation project proposed by the Commission pursuant to Articles 3, 4, 7, 12, 14 and 15 of the Susquehanna River Basin Compact, at the Billmeyer Quarry, a nonoperational quarry located on

property owned by the Lancaster County Solid Waste Management Authority in Conoy Township, Lancaster County, Pa. Information concerning the project (Pending Project Number 2018-054) is also available at the Commission's Water Application and Approval Viewer at <http://mdw.srbc.net/waav>.

Opportunity To Appear and Comment

Interested parties may appear at the hearing to offer comments to the Commission on any business listed above required to be subject of a public hearing. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Guidelines for the public hearing are posted on the Commission's website, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement such guidelines at the hearing. Written comments on any business listed above required to be subject of a public hearing may also be mailed to Ms. Gwyn Rowland, Manager, Governmental and Public Affairs, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through www.srbc.net/about/meetings-events/public-hearing.html. Comments mailed or electronically submitted must be received by the Commission on or before August 13, 2018, to be considered.

Authority: Pub. L. 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: June 28, 2018.

Stephanie L. Richardson,
Secretary to the Commission.

[FR Doc. 2018-14350 Filed 7-3-18; 8:45 am]

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Federal Register

Vol. 83, No. 129

Thursday, July 5, 2018

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FEDERAL REGISTER PAGES AND DATE, JULY

30831-31036..... 2
31037-31324..... 3
31325-31440..... 5

CFR PARTS AFFECTED DURING JULY

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

2 CFR	117.....31048
180.....31037	165.....30862, 30863, 30865, 30866, 30869, 30871, 30872, 30875, 30877, 31048, 31050, 31052, 31054, 31055, 31057, 31059, 31060, 31062
3 CFR	
Administrative Orders:	
Memorandums:	Proposed Rules:
Memorandum of June	165.....31344
4, 2018.....31321	
Presidential	34 CFR
Determinations:	300.....31306
No. 2018-1 of June 4,	600.....31296
2018.....31323	668.....31296
7 CFR	
4280.....30831	39 CFR
12 CFR	3001.....31258
611.....30833	3004.....31258
615.....30833	3007.....31258
14 CFR	Proposed Rules:
39.....31325	3050.....31344, 31346
71.....31327	40 CFR
97.....30833, 30836	52.....31064, 31068, 31072, 31328, 31330, 31332
16 CFR	63.....30879
1112.....30837	81.....31334
1237.....30837	Proposed Rules:
17 CFR	Ch. I.....31098
Proposed Rules:	52.....31087, 31348, 31350, 31352
1.....31078	80.....31098
20 CFR	745.....30889
404.....30849	44 CFR
416.....30849	59.....31337
24 CFR	61.....31337
200.....31038	64.....31075
330.....31042	47 CFR
29 CFR	54.....30883, 30884
1910.....31045	Proposed Rules:
Proposed Rules:	0.....30901
1910.....31086	1.....30901
30 CFR	5.....30901
Proposed Rules:	51.....31099
250.....31343	61.....31099
32 CFR	73.....30901
706.....31046	74.....30901
33 CFR	50 CFR
100.....30860, 31047	635.....30884
	648.....30887
	679.....31340
	Proposed Rules:
	648.....31354

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion

in today's **List of Public Laws**.

Last List June 27, 2018

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