

**DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration**

[Notice No. 2018–15]

**Hazardous Materials: Emergency Waiver No. 6**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of emergency waiver order.

**SUMMARY:** The Pipeline and Hazardous Materials Safety Administration is issuing an emergency waiver order to persons conducting operations under the direction of Environmental Protection Agency (EPA) Regions 3 or 4 or United States Coast Guard (USCG) Fifth or Seventh Districts within the Hurricane Florence emergency areas of South Carolina, North Carolina, and Virginia. The Waiver is granted to support the EPA and USCG in taking appropriate actions to prepare for, respond to, and recover from a threat to public health, welfare, or the environment caused by actual or potential oil and hazardous materials incidents resulting from Hurricane Florence. This Waiver Order is effective immediately and shall remain in effect for 30 days from the date of issuance.

**FOR FURTHER INFORMATION CONTACT:**

Adam Horsley, Deputy Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, telephone: (202) 366–4400.

**SUPPLEMENTARY INFORMATION:**

In accordance with the provisions of 49 U.S.C. 5103(c), the Administrator for the Pipeline and Hazardous Materials Safety Administration (PHMSA), hereby declares that an emergency exists that warrants issuance of a Waiver of the Hazardous Materials Regulations (HMR, 49 CFR parts 171–180) to persons conducting operations under the direction of Environmental Protection Agency (EPA) Regions 3 or 4 or United States Coast Guard (USCG) Fifth or Seventh Districts within the Hurricane Florence emergency areas of South Carolina, North Carolina, and Virginia. The Waiver is granted to support the EPA and USCG in taking appropriate actions to prepare for, respond to, and recover from a threat to public health, welfare, or the environment caused by actual or potential oil and hazardous materials incidents resulting from Hurricane Florence.

On September 10, 2018, the President issued an Emergency Declaration for

Hurricane Florence for all 46 South Carolina counties and the Catawba Indian Nation (EM 3400). On September 10, 2018, the President also issued an Emergency Declaration for Hurricane Florence for all 100 North Carolina counties and the Eastern Band of Cherokee Indians (EM 3401). On September 11, 2018, the President issued an Emergency Declaration for Hurricane Florence for the entire Commonwealth of Virginia (EM 3403).

This Waiver Order covers all areas identified in the three declarations, as amended. Pursuant to 49 U.S.C. 5103(c), PHMSA has authority delegated by the Secretary (49 CFR 1.97(b)(3)) to waive compliance with any part of the HMR provided that the grant of the waiver is: (1) In the public interest; (2) not inconsistent with the safety of transporting hazardous materials; and (3) necessary to facilitate the safe movement of hazardous materials into, from, and within an area of a major disaster or emergency that has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*).

Given the continuing impacts caused by Hurricane Florence, PHMSA's Administrator has determined that regulatory relief is in the public interest and necessary to ensure the safe transportation in commerce of hazardous materials while the EPA and USCG execute their recovery and cleanup efforts in South Carolina, North Carolina, and Virginia. Specifically, PHMSA's Administrator finds that issuing this Waiver Order will allow the EPA and USCG to conduct their Emergency Support Function #10 response activities under the National Response Framework to safely remove, transport, and dispose of hazardous materials. By execution of this Waiver Order, persons conducting operations under the direction of EPA Regions 3 or 4 or USCG Fifth or Seventh Districts within the Hurricane Florence emergency areas of South Carolina, North Carolina, and Virginia are authorized to offer and transport non-radioactive hazardous materials under alternative safety requirements imposed by EPA Regions 3 or 4 or USCG Fifth or Seventh Districts when compliance with the HMR is not practicable. Under this Waiver Order, non-radioactive hazardous materials may be transported to staging areas within 50 miles of the point of origin. Further transportation of the hazardous materials from staging areas must be in full compliance with the HMR.

This Waiver Order is effective immediately and shall remain in effect for 30 days from the date of issuance.

Issued in Washington, DC, on September 12, 2018.

**Howard R. Elliott,**

*Administrator, Pipeline and Hazardous Materials Safety Administration.*

[FR Doc. 2018–20188 Filed 9–17–18; 8:45 am]

**BILLING CODE 4910–60–P**

**DEPARTMENT OF THE TREASURY****Office of the Comptroller of the Currency**

**Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Guidance on Stress Testing for Banking Organizations With More than \$10 Billion in Total Consolidated Assets**

**AGENCY:** Office of the Comptroller of the Currency, Treasury (OCC).

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to take this opportunity to comment on a continuing information collection as required by the Paperwork Reduction Act of 1995 (PRA).

In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number.

The OCC is soliciting comment concerning renewal of its information collection titled, “Guidance on Stress Testing for Banking Organizations with more than \$10 Billion in Total Consolidated Assets.” The OCC also is giving notice that it has sent the collection to OMB for review.

**DATES:** Comments must be submitted on or before October 18, 2018.

**ADDRESSES:** Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email:* [prainfo@occ.treas.gov](mailto:prainfo@occ.treas.gov).
- *Mail:* Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557–0312, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 465–4326.

*Instructions:* You must include “OCC” as the agency name and “1557–0312” in your comment. In general, the OCC will publish your comment on

[www.reginfo.gov](http://www.reginfo.gov) without change, including any business or personal information that you provide, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Additionally, please send a copy of your comments by mail to: OCC Desk Officer, 1557-0312, U.S. Office of Management and Budget, 725 17th Street NW, #10235, Washington, DC 20503 or by email to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov).

You may review comments and other related materials that pertain to this information collection<sup>1</sup> following the close of the 30-Day comment period for this notice by any of the following methods:

- **Viewing Comments Electronically:** Go to [www.reginfo.gov](http://www.reginfo.gov). Click on the "Information Collection Review" tab. Underneath the "Currently under Review" section heading, from the drop-down menu, select "Department of Treasury" and then click "submit." This information collection can be located by searching by OMB control number "1557-0312" or "Guidance on Stress Testing for Banking Organizations with More than \$10 Billion in Total Consolidated Assets." Upon finding the appropriate information collection, click on the related "ICR Reference Number." On the next screen, select "View Supporting Statement and Other Documents" and then click on the link to any comment listed at the bottom of the screen.

- For assistance in navigating [www.reginfo.gov](http://www.reginfo.gov), please contact the Regulatory Information Service Center at (202) 482-7340.

- **Viewing Comments Personally:** You may personally inspect comments at the OCC, 400 7th Street SW, Washington, DC. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700 or, for persons who are deaf or hearing impaired, TTY, (202) 649-5597. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect comments.

**FOR FURTHER INFORMATION CONTACT:** OCC Clearance Officer, (202) 649-5490 or, for persons who are deaf or hearing

impaired, TTY, (202) 649-5597, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501-3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information that they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks that OMB extend its approval of the following information collection.

**Title:** Guidance on Stress Testing for Banking Organization with More than \$10 Billion in Total Consolidated Assets.

**OMB Control No.:** 1557-0312.

**Description:** Each banking organization should have the capacity to understand its risks and the potential impact of stressful events and circumstances on its financial condition.<sup>2</sup> On May 17, 2012, the OCC, along with the Federal Deposit Insurance Corporation (FDIC) and the Board of Governors of the Federal Reserve (FRB), published guidance on the use of stress testing as a means to better understand the range of a banking organization's potential risk exposures.<sup>3</sup> The OCC is now seeking to renew the information collection associated with that guidance.

The guidance provides an overview of how a banking organization should structure its stress testing activities to ensure those activities fit into the banking organization's overall risk management. The purpose of the guidance is to outline broad principles for a satisfactory stress testing framework and describe the manner in which stress testing should be used. While the guidance is not intended to provide detailed instructions for conducting stress testing for any particular risk or business area, it does describe several types of stress testing activities and how they may be most appropriately used by banking organizations. In addition, although the guidance does not at present explicitly address the stress testing requirements

<sup>2</sup> For purposes of this guidance, the term "banking organization" means national banks and federal branches and agencies supervised by the OCC; state member banks, bank holding companies, and all other institutions for which the FRB is the primary federal supervisor; and state nonmember insured banks and other institutions supervised by the FDIC.

<sup>3</sup> 77 FR 29458 (May 17, 2012).

imposed upon certain companies by section 165(i) of the Dodd-Frank Wall Street Reform and Consumer Protection Act,<sup>4</sup> the guidance will be revisited as part of the OCC's implementation of the Economic Growth, Regulatory Relief, and Consumer Protection Act (Pub. L. 115-174, May 24, 2018) (Economic Growth Act), which amended the Dodd-Frank Act to raise the threshold for national banks and FSAs subject to stress testing from \$10 billion to \$250 billion in total consolidated assets, reduce the number of stress test scenarios, and revise the annual stress test requirement to a periodic requirement. There was insufficient time to address changes needed to the guidance prior to completing this renewal.

**Type of Review:** Regular.

**Affected Public:** Businesses or other for-profit.

**Estimated Number of Respondents:** 62.

**Estimated annual burden:** 16,120 hours.

The OCC issued a notice for 60 days of comment regarding this collection, April 2, 2018, 83 FR 14103. No comments were received. Comments continue to be invited on:

(a) Whether the collections of information are necessary for the proper performance of the OCC's functions, including whether the information has practical utility;

(b) The accuracy of the OCC's estimates of the burden of the information collections, including the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of information collections on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: September 12, 2018.

**Theodore J. Dowd,**

*Deputy Chief Counsel.*

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<sup>4</sup> Public Law 111-203, 124 Stat. 1376. Section 165(i) of the Dodd-Frank Act is codified at 12 U.S.C. 5365(i)(2).

<sup>1</sup> On April 2, 2018, the OCC published a 60-Day notice for this information collection.