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ENVIRONMENTAL PROTECTION AGENCY

2 CFR Part 1500

40 CFR Parts 30, 31, 33, 35, 40, 45, 46, and 47

[FRL–9926–01–OARM]

RIN 2030–AA99

Governmentwide Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) has adopted as final, with changes, the interim final rule outlining uniform administrative requirements, cost principles, and audit requirements for federal awards.

DATES: This final rule is effective on October 9, 2015.

FOR FURTHER INFORMATION CONTACT: Alexandra Raver, National Policy Training and Compliance Division in the Office of Grants and Debarment (3903R), Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number: 202–564–5296; fax number: 202–565–2470; email address: *raver.alexandra@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. General Information

Affected Entities

Entities affected by this action are those that apply for and/or receive Federal financial assistance (grants, cooperative agreements or fellowships) from EPA including but not limited to: State and local governments, Indian tribes, intertribal consortia, institutions of higher education, hospitals, and other non-profit organizations, and individuals.

II. Background

This final rule implements for the Environmental Protection Agency the final guidance *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* published by the Office of Management and Budget (OMB) on December 26, 2013 in 2 CFR part 200 (Uniform Guidance—available at 78 FR 78589) and amended in the joint interim final rule published on December 19, 2014 (Interim Final Rule—available at 79 FR 75867). The Uniform Guidance followed on a notice of proposed guidance issued February 1, 2013 (available at 78 FR 7282), and an advanced notice of proposed guidance issued February 28, 2012 (available at 77 FR 11778).

The final guidance incorporated feedback received from the public in response to those earlier issuances. Additional supporting resources are available from the Council on Financial Assistance Reform at *www.cfo.gov/COFAR*.

The Uniform Guidance delivered on two presidential directives; Executive Order 13520 on Reducing Improper Payments (74 FR 62201; November 15, 2009), and February 28, 2011 Presidential Memorandum on Administrative Flexibility, Lower Costs, and Better Results for State, Local, and Tribal Governments, (Daily Comp. Pres. Docs.; *http://www.gpo.gov/fdsys/pkg/DCPD-201100123/pdf/DCPD-201100123.pdf*). It reflected more than two years of work by the Council on Financial Assistance Reform to improve the efficiency and effectiveness of Federal financial assistance. For a detailed discussion of the reform and its impacts, please see the **Federal Register** notice for the issuance of the final guidance (78 FR 78589).

EPA's final rule incorporates minor changes to address a typographical error identifying the standard for quality management systems for environmental information and technology programs and to add 5 U.S.C. 301 to the authority citations in the regulation text.

Authority: 5 U.S.C. 301, 42 U.S.C. 241, 242b, 243, 246, 1857 *et seq.,* 33 U.S.C. 1251 *et seq.,* 42 U.S.C. 7401 *et seq.,* 42 U.S.C. 6901 *et seq.,* 42 U.S.C. 300f *et seq.,* 7 U.S.C. 136 *et seq.,* 15 U.S.C. 2601 *et seq.,* 42 U.S.C. 9601 *et seq.,* 20 U.S.C. 4011 *et seq.,* and 33 U.S.C. 1401 *et seq.;* 2 CFR 200.

III. Statutory and Executive Order Reviews

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

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

B. Paperwork Reduction Act

This action does not impose any new information collection burden under the PRA. OMB has previously approved the information collection activities contained in the existing regulations and has assigned OMB control number 2030–0020. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

C. Regulatory Flexibility Act

This action is not subject to the RFA. The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. This rule is not subject to notice and comment requirements under the APA or any other statute because this rule pertains to grants, which the APA expressly exempts from notice and comment rulemaking requirements. 5 U.S.C. 553(a)(2).

D. Unfunded Mandates Reform Act

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. UMRA does not apply to this action because it requires compliance with accounting and auditing procedures for grants, other money or property provided by the federal government.

E. Executive Order 13132 (Federalism)

This action does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

F. Executive Order 13175

This action does not have tribal implications as specified in Executive

Order 13175. This action affects all applicants and recipients of EPA financial federal assistance and therefore no one entity type will be impacted disproportionally. Thus, Executive Order 13175 does not apply to this action. Although Executive Order 13175 does not apply to this action, EPA has made a conscious effort to engage tribal entities on changes to federal financial assistance requirements. EPA published materials summarizing these changes which can be found at *http://www.epa.gov/ogd/grants/regulations.htm.* EPA intends to host informational sessions tailored to tribal entities.

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

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

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

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

This action does not involve technical standards.

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

The EPA believes that it is not feasible to determine whether the human health or environmental risk addressed by this action will have potential disproportionately high and adverse effects on minority, low-income or indigenous populations.

K. Congressional Review Act

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

List of Subjects

2 CFR Part 1500

Environmental protection, Accounting, Administrative practice and procedure, Colleges and universities, Grant programs, Hospitals, Indians, Intergovernmental relations, Loan programs, Nonprofit organizations, Reporting and recordkeeping requirements.

40 CFR Part 30

Environmental protection, Accounting, Colleges and universities, Grant programs, Hospitals, Nonprofit organizations, Reporting and recordkeeping requirements.

40 CFR Part 31

Environmental protection, Accounting, Administrative practice and procedure, Grant programs, Indians, Intergovernmental relations, Loan programs, Reporting and recordkeeping requirements.

40 CFR Part 33

Environmental protection, Grant programs, Minority businesses, Reporting and recordkeeping requirements.

40 CFR Part 35

Environmental protection, Air pollution control, Coastal zone, Grant programs, Hazardous waste, Indians, Intergovernmental relations, Pesticides and pests, Reporting and recordkeeping requirements, Technical assistance, Waste treatment and disposal, Water pollution control, Water supply.

40 CFR Part 40

Environmental protection, Grant programs, Reporting and recordkeeping requirements.

40 CFR Part 45

Environmental protection, Education, Grant programs, Reporting and recordkeeping requirements.

40 CFR Part 46

Environmental protection, Education, Grant programs, Reporting and recordkeeping requirements, Scholarships and fellowships.

40 CFR Part 47

Environmental protection, Education, Grant programs, Reporting and recordkeeping requirements.

Dated: September 30, 2015.

Gina McCarthy,

Administrator.

Accordingly, the interim rule amending 2 CFR part 1500 and 40 CFR parts 30, 31, 33, 35, 40, 45, 46, and 47 which was published in the **Federal Register** at 79 FR 75867 on December 19, 2014, is adopted as final with the following changes:

Title 2—Grants and Agreements

CHAPTER XV—ENVIRONMENTAL PROTECTION AGENCY

PART 1500—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS

■ 1. The authority citation for part 1500 is revised to read as follows:

Authority: 5 U.S.C. 301, 42 U.S.C. 241, 242b, 243, 246, 1857 *et seq.,* 33 U.S.C. 1251 *et seq.,* 42 U.S.C. 7401 *et seq.,* 42 U.S.C. 6901 *et seq.,* 42 U.S.C. 300f *et seq.,* 7 U.S.C. 136 *et seq.,* 15 U.S.C. 2601 *et seq.,* 42 U.S.C. 9601 *et seq.,* 20 U.S.C. 4011 *et seq.,* and 33 U.S.C. 1401 *et seq.;* 2 CFR part 200.

Subpart D—Post Federal Award Requirements

§ 1500.11 [Amended]

■ 2. In § 1500.11, paragraphs (c) and (f)(1)(i) are amended by removing ''ANSI/ASQ'' and adding ''ASQ/ANSI'' in its place.

[FR Doc. 2015–25833 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–0677; Directorate Identifier 2013–NM–244–AD; Amendment 39–18289; AD 2015–20–10]

RIN 2120–AA64

Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Gulfstream Aerospace Corporation Model GVI airplanes. This AD was prompted by reports of corrosion on in-service air non-return valves. This AD requires a revision to the Emergency Procedures section of the airplane flight manual (AFM). This AD also requires a revision to the maintenance or inspection program, as applicable, to incorporate airworthiness limitations for the high pressure (HP) Stage 5 air non-return valves. We are issuing this AD to ensure the flightcrew is provided with

procedures to mitigate the risks associated with failure of the HP Stage 5 air non-return valve. Failure of the HP Stage 5 air non-return valve in the open position could result in engine instability and uncommanded in-flight shutdown.

DATES: This AD is effective November 13, 2015.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 13, 2015.

ADDRESSES: For service information identified in this AD, contact Gulfstream Aerospace Corporation, Technical Publications Dept., P.O. Box 2206, Savannah, GA 31402–2206; telephone 800–810–4853; fax 912–965–3520; email *pubs@gulfstream.com;* Internet *http://www.gulfstream.com/product_support/technical_pubs/pubs/index.htm.* You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–0677.

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–2015–0677; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Docket Management Facility, 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: Darby Mirocha, Continued Operational Safety and Certificate Management, ACE–102A, FAA, Atlanta Aircraft Certification Office (ACO), 1701 Columbia Avenue, College Park, GA 30337; phone: 404–474–5573; fax: 404–474–5606; email: *Darby.Mirocha@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Gulfstream Aerospace Corporation Model GVI airplanes. The NPRM published in the **Federal Register** on March 31, 2015 (80 FR 17005). The NPRM was prompted by reports of corrosion on in-service air non-return valves. Failure of the HP Stage 5 air non-return valve in the open position could result in engine instability and uncommanded in-flight shutdown. The NPRM proposed to require a revision to the Emergency Procedures section of the AFM and a revision to the maintenance or inspection program, as applicable, to incorporate airworthiness limitations for the HP Stage 5 air non-return valves. We are issuing this AD to ensure the flightcrew is provided with procedures to mitigate the risks associated with failure of the HP Stage 5 air non-return valve.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (80 FR 17005, March 31, 2015) or on the determination of the cost to the public.

Conclusion

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

- Are consistent with the intent that was proposed in the NPRM (80 FR 17005, March 31, 2015) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the (NPRM 80 FR 17005, March 31, 2015).

Interim Action

We consider this AD interim action. The manufacturer is currently developing a modification that will positively address the unsafe condition identified in this AD. Once this modification is developed, approved, and available, we might consider additional rulemaking.

Related Service Information Under 1 CFR Part 51

We reviewed Section 04–08–20, Normal Airstart—Automatic; Section 04–08–30, Manual Airstart—Starter Assist; and Section 04–08–40, Manual Airstart—Windmilling; of Chapter 04, Emergency Procedures, of the Gulfstream GVI (G650) AFM, Document Number GAC–AC–G650–OPS–0001, Revision 5, dated August 12, 2013. This service information describes revised procedures for in-flight engine restart and operating procedures.

In addition, we reviewed Section 05–10–10, Airworthiness Limitations, of Chapter 05, Time Limits/Maintenance Checks, of the Gulfstream GVI (G650) Maintenance Manual (MM), Revision 4, dated September 30, 2013. This service information adds an airworthiness limitation for the HP Stage 5 air non-return valve.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this AD.

Costs of Compliance

We estimate that this AD affects 52 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
AFM revision	1 work-hour × $85 per hour = $85	$0	$85	$4,420
MM revision	1 work-hour × $85 per hour = $85	0	85	4,420

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with

promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2015–20–10 Gulfstream Aerospace Corporation: Amendment 39–18289; Docket No. FAA–2015–0677; Directorate Identifier 2013–NM–244–AD.

(a) Effective Date

This AD is effective November 13, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Gulfstream Aerospace Corporation Model GVI airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 36, Pneumatic.

(e) Unsafe Condition

This AD was prompted by reports of corrosion on in-service air non-return valves. We are issuing this AD to ensure the flightcrew is provided with procedures to mitigate the risks associated with failure of the high pressure (HP) Stage 5 air non-return valve. Failure of the HP Stage 5 air non-return valve in the open position could result in engine instability and uncommanded in-flight shutdown.

(f) Compliance

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

(g) Revision of the Airplane Flight Manual (AFM)

Within 30 days after the effective date of this AD: Revise the Emergency Procedures section of the AFM by inserting Section 04–08–20, Normal Airstart—Automatic; Section 04–08–30, Manual Airstart—Starter Assist; and Section 04–08–40, Manual Airstart—Windmilling; of Chapter 04, Emergency Procedures; of the Gulfstream GVI (G650) AFM, Document Number GAC–AC–G650–OPS–0001, Revision 5, dated August 12, 2013.

(h) Revision of Maintenance or Inspection Program

Within 30 days after the effective date of this AD: Revise the airplane maintenance manual or inspection program, as applicable, by incorporating the requirement for the HP Stage 5 air non-return valve from Section 05–10–10, Airworthiness Limitations, of Chapter 05, Time Limits/Maintenance Checks, of the Gulfstream GVI (G650) Maintenance Manual (MM), Revision 4, dated September 30, 2013. The initial compliance time for replacement of the HP Stage 5 air non-return valve is at the applicable time specified in Section 05–10–10, Airworthiness Limitations, of Chapter 05, Time Limits/Maintenance Checks, of the Gulfstream GVI (G650) MM, Revision 4, dated September 30, 2013, or within 30 days after the effective date of this AD, whichever occurs later.

(i) No Alternative Actions or Intervals

After the maintenance or inspection program has been revised, as required by paragraph (h) of this AD, no alternative actions (*e.g.,* inspections) or intervals may be used unless the actions or intervals are approved as an alternative method of compliance in accordance with the procedures specified in paragraph (j) of this AD.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Atlanta Aircraft Certification Office (ACO), 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 ACO, send it to the attention of the person identified in paragraph (k) of this AD.

(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

For more information about this AD, contact Darby Mirocha, Continued Operational Safety and Certificate Management, ACE–102A, FAA, Atlanta Aircraft Certification Office (ACO), 1701 Columbia Avenue, College Park, GA 30337; phone: 404–474–5573; fax: 404–474–5606; email: *Darby.Mirocha@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) Section 04–08–20, Normal Airstart—Automatic, of Chapter 04, Emergency Procedures, of the Gulfstream GVI (G650) Airplane Flight Manual, Document Number GAC–AC–G650–OPS–0001, Revision 5, dated August 12, 2013.

(ii) Section 04–08–30, Manual Airstart—Starter Assist, of Chapter 04, Emergency Procedures, of the Gulfstream GVI (G650) Airplane Flight Manual, Document Number GAC–AC–G650–OPS–0001, Revision 5, dated August 12, 2013.

(iii) Section 04–08–40, Manual Airstart—Windmilling, of Chapter 04, Emergency Procedures, of the Gulfstream GVI (G650) Airplane Flight Manual, Document Number GAC–AC–G650–OPS–0001, Revision 5, dated August 12, 2013.

(iv) Section 05–10–10, Airworthiness Limitations, of Chapter 05, Time Limits/Maintenance Checks, of the Gulfstream GVI (G650) Maintenance Manual, Revision 4, dated September 30, 2013.

(3) For service information identified in this AD, contact Gulfstream Aerospace Corporation, Technical Publications Dept., P.O. Box 2206, Savannah, GA 31402–2206; telephone 800–810–4853; fax 912–965–3520; email *pubs@gulfstream.com;* Internet *http://www.gulfstream.com/product_support/technical_pubs/pubs/index.htm.*

(4) You may view this service information at FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on September 30, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–25495 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–0913; Directorate Identifier 2012–NE–23–AD; Amendment 39–18261; AD 2015–18–03]

RIN 2120–AA64

Airworthiness Directives; Honeywell International Inc. Turboprop Engines (Type Certificate Previously Held by AlliedSignal Inc., Garrett Engine Division; Garrett Turbine Engine Company; and AiResearch Manufacturing Company of Arizona)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Honeywell International Inc. TPE331–5, –5A, –5AB, –5B, –10, –10R, –10U, –10UF, –10UG, –10UGR, and –10UR model turboprop engines. This AD was prompted by engine propeller shaft coupling failures, leading to unexpected propeller pitch changes causing increased aerodynamic and asymmetric drag on the airplanes using these engines. This AD requires removing certain part number (P/N) engine propeller shaft couplings from service. This AD also requires inserting a copy of certain airplane operating procedures into applicable flight manuals. We are issuing this AD to prevent loss of airplane control, leading to an accident.

DATES: This AD is effective November 13, 2015.

ADDRESSES: For service information identified in this AD, contact Honeywell International Inc., 111 S. 34th Street, Phoenix, AZ 85034–2802; phone: 800–601–3099; Internet: *http://portal.honeywell.com.* You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2012–0913.

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–2012–0913; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, 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: Joseph Costa, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Blvd., Lakewood, CA 90712–4137; phone: 562–627–5246; fax: 562–627–5210; email: *joseph.costa@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Honeywell International Inc. TPE331–5, –5A, –5AB, –5B, –10, –10R, –10U, –10UF, –10UG, –10UGR, and –10UR model turboprop engines. The NPRM published in the **Federal Register** on May 12, 2014 (79 FR 26906). The NPRM was prompted by numerous reports of engine propeller shaft coupling failures, leading to engine overspeed and unexpected propeller pitch changes. This condition causes high aerodynamic and asymmetric drag that has resulted in uncommanded airplane yaw and roll. The NPRM proposed to require removing certain P/N engine propeller shaft couplings from service within certain compliance times to address the flight safety risk. The NPRM also proposed to insert a copy of certain airplane operating procedures into the applicable flight manuals. These procedures describe an emergency procedure for pilot reaction to an engine overspeed event after an engine propeller shaft coupling failure. We are issuing this AD to prevent loss of airplane control, leading to an accident.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comment received on the NPRM (79 FR 26906, May 12, 2014) and the FAA's response to the comment.

Request To Change Compliance Time Basis

Honeywell International questioned whether compliance time should be stated in flight hours as opposed to flight cycles as used in the NPRM (79 FR 26906, May 12, 2014). Major periodic inspections are based on hours and not cycles.

We disagree. The FAA practice of stating compliance time is based on the component's mode of failure. In this case the failure mode was fatigue; therefore, a compliance time in flight cycles is appropriate. We did not change this AD.

Clarified Requirement

Since we issued the NPRM (79 FR 26906, May 12, 2014), we discovered that paragraph (e)(4) of the Compliance section required clarification. We clarified that paragraph in this AD by deleting the requirement to insert a copy of Honeywell International Inc. Operating Information Letter (OIL) and requiring that Figure 1 to Paragraph (e)—Airplane Operating Procedures be inserted. Reference to the OIL was added as related information. The replacement procedure provides simplified, more concise text, for increased clarity.

Conclusion

We reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting this AD with clarification.

Costs of Compliance

We estimate that this AD will affect 485 engines installed on airplanes of U.S. registry. We also estimate that it will take about one hour per engine to perform the actions required by this AD, if done at the next scheduled turbine hot section inspection (HSI), and 40 hours per engine if done during an unscheduled access of the engine propeller shaft coupling. We also estimate that 400 engines will have the replacement actions done at a scheduled time of next turbine HSI, and 85 engines will have the replacement actions done at an unscheduled access of the engine propeller shaft coupling. The average labor rate is $85 per hour. Required parts will cost about $12,000 per engine. Based on these figures, we estimate the total cost of this AD to U.S. operators to be $6,143,000.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

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 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2015–18–03 Honeywell International Inc. (Type Certificate previously held by AlliedSignal Inc., Garrett Engine Division; Garrett Turbine Engine Company; and AiResearch Manufacturing Company of Arizona): Docket No. FAA–2012–0913; Directorate Identifier 2012–NE–23–AD.

(a) Effective Date

This AD is effective November 13, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Honeywell International Inc. TPE331–5, –5A, –5AB, –5B, –10, –10R, –10U, –10UF, –10UG, –10UGR, and –10UR model turboprop engines, with an engine propeller shaft coupling, part number (P/N) 3107065–1, 865888–3, 865888–6, or 865888–8, installed.

(d) Unsafe Condition

This AD was prompted by engine propeller shaft coupling failures, leading to unexpected propeller pitch changes causing increased aerodynamic and asymmetric drag on the airplanes using these engines. We are issuing this AD to prevent loss of airplane control, leading to an accident.

(e) Compliance

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

(1) Engines Installed in Mitsubishi MU–2B Series (MU–2 Series) Airplanes:

(i) Remove from service the affected engine propeller shaft coupling at the earliest of the following:

(A) Next piece-part exposure; or

(B) Next turbine (hot) section inspection (HSI); or

(C) Before accumulating an additional 1,200 cycles after the effective date of this AD.

(2) Engines Installed in Construcciones Aeronauticas, S.A. (CASA) C–212 Series, and Twin Commander 690 and 695 Series (Jetprop Commander) Airplanes:

(i) Remove from service the affected engine propeller shaft coupling at the earliest of the following:

(A) Next piece-part exposure; or

(B) Next turbine HSI; or

(C) Before accumulating an additional 2,400 cycles after the effective date of this AD.

(3) Engines Installed in British Aerospace Jetstream 3101 Series, Dornier Luftfahrt Dornier 228 Series, and M7 (formerly Fairchild, Swearingen) SA226 and SA227 Series Airplanes, and all other airplanes not listed in this AD using affected engines:

(i) Remove from service the affected engine propeller shaft coupling at the earliest of the following:

(A) Next piece-part exposure; or

(B) Next turbine HSI; or

(C) Before accumulating an additional 3,600 cycles after the effective date of this AD.

(4) Within 60 days after the effective date of this AD, for all airplanes that use the affected engines, insert a copy of Figure 1 to paragraph (e) of this AD, into the Emergency Procedures Section of the Airplane Flight Manual (AFM), Pilot Operating Handbook (POH), and the Manufacturer's Operating Manual (MOM).

Figure 2 to Paragraph (e) – Airplane Operating Procedures

NOTE

Procedures in dotted line boxes are immediate actions to be performed by the pilot / flight crew.

PROPELLER BLADES ARE FEATHERED, ENGINE SPEED APPROXIMATELY 104%, AND ENGINE TORQUE APPROXIMATELY 0%

- Shut Down Affected Engine in accordance with Emergency Procedures.

(f) Definition

For the purpose of this AD, next piece-part exposure is when the nose cone assembly is removed from the engine.

(g) Installation Prohibition

After the effective date of this AD, do not install any engine propeller shaft coupling, P/N 3107065–1, 865888–3, 865888–6, or 865888–8, into any engine.

(h) Alternative Methods of Compliance (AMOCs)

The Manager, Los Angeles Aircraft Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(i) Related Information

(1) For more information about this AD, contact Joseph Costa, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Blvd., Lakewood, CA 90712–4137; phone: 562–627–5246; fax: 562–627–5210; email: *joseph.costa@faa.gov.*

(2) Allied-Signal Aerospace Company Service Bulletin No. TPE331–72–0873, Revision 1, dated May 20, 1993 and Honeywell International Inc. Operating Information Letter OI331–26, dated March 2, 2010, which are not incorporated by reference in this AD, can be obtained from Honeywell International, using the contact information in paragraph (i)(3) of this AD.

(3) For service information identified in this AD, contact Honeywell International Inc., 111 S. 34th Street, Phoenix, AZ 85034–2802; phone: 800–601–3099; Internet: *http://portal.honeywell.com.*

(4) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

(j) Material Incorporated by Reference

None.

Issued in Burlington, Massachusetts, on: October 2, 2015.

Colleen M. D'Alessandro,

Directorate Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2015–25606 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–0108; Directorate Identifier 2011–NM–049–AD; Amendment 39–18215; AD 2015–15–06]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2003–13–01 for certain The Boeing Company Model 767 airplanes. AD 2003–13–01 required an inspection to detect cracks and fractures of the outboard hinge fitting assemblies on the trailing edge of the inboard main flap, and follow-on and corrective actions if necessary. For certain airplanes, AD 2003–13–01 required an inspection to determine if a tool runout option has been performed in the area. This new AD reduces certain compliance times, adds airplanes to the applicability, and provides optional terminating action for certain inspections. This AD was prompted by reports of hinge assembly fractures found before certain required compliance times in AD 2003–13–01. We are issuing this AD to prevent the inboard aft flap from separating from the wing and potentially striking the airplane, which could result in damage to the surrounding structure and potential personal injury.

DATES: This AD is effective November 13, 2015.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 13, 2015.

The Director of the Federal Register approved the incorporation by reference of certain other publications listed in this AD as of July 29, 2003 (68 FR 37402, June 24, 2003).

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2012–0108.

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–2012–0108; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday,

except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Docket Management Facility, 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: Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6447; fax: 425–917–6590; email: *wayne.lockett@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 to supersede AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003). AD 2003–13–01 applied to certain The Boeing Company Model 767 airplanes. The SNPRM published in the **Federal Register** on September 29, 2014 (79 FR 58294). We preceded the SNPRM with a notice of proposed rulemaking (NPRM) that published in the **Federal Register** on February 9, 2012 (77 FR 6685). The NPRM proposed to continue to require an inspection to detect cracks and fractures of the outboard hinge fitting assemblies on the trailing edge of the inboard main flap, and follow-on and corrective actions if necessary. For certain airplanes, the NPRM proposed to continue to require inspecting to determine if a tool runout option has been performed in the area. The NPRM also proposed to reduce a certain compliance time and add airplanes to the applicability. The NPRM provided optional terminating action for certain inspections. The NPRM was prompted by reports of hinge assembly fractures found before certain required compliance times in AD 2003–13–01. The SNPRM revised the NPRM by reducing repetitive inspection intervals for certain airplanes and limiting the inspection area. We are issuing this AD to prevent the inboard aft flap from separating from the wing and potentially striking the airplane, which could result in damage to the surrounding structure and potential personal injury.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the SNPRM (79 FR 58294, September 29, 2014) and the FAA's response to each comment.

Support for the SNPRM (79 FR 58294, September 29, 2014)

Boeing concurred with the contents of the SNPRM (79 FR 58294, September 29, 2014).

Requests To Remove Certain Provisions for Spare Parts

American Airlines and UPS requested that we revise the SNPRM (79 FR 58294, September 29, 2014) by removing paragraph (q), because its provisions are redundant with the requirements of paragraph (k) of the SNPRM.

We agree with the requests, for the reason provided by the commenters. We have removed the referenced paragraph and redesignated subsequent paragraphs accordingly.

Request To Clarify Replacement Requirements

American Airlines requested that we revise the SNPRM (79 FR 58294, September 29, 2014) to identify the part numbers for fittings that are acceptable for terminating action, but to not require specific removal and reinstallation procedures. The commenter added that the design change of the fitting—not the installation method—corrects the unsafe condition.

We partially agree with the request. Although we did not identify the part numbers, we revised paragraph (o) in this AD to specify only the specific step that provides the replacement instructions and identifies the part number of the new fittings. Other removal and reinstallation actions related to the fitting replacement may be done using accepted methods in accordance with the operator's maintenance or inspection program.

We disagree with American Airlines' assertion that only the fitting design ''corrects the unsafe condition.'' ADs contain requirements that are related to addressing the unsafe condition, as determined by the FAA and the design approval holder that developed the service information. Therefore, many provisions of ADs address aspects of accomplishing the required maintenance that are necessary to prevent operators from inadvertently aggravating the unsafe condition or introducing new unsafe conditions. As in this case, the replacement instructions provided in the referenced service information are reasonably related to addressing the unsafe condition.

As always, operators preferring to use a method other than that specified in the referenced service information may request approval for an alternative method of compliance and, if approved, may use it instead of the procedures specified in the service information.

We further clarified this action throughout this AD by revising the description of the replacement part by specifying ''the inboard main flap outboard hinge fittings.''

Effect of Winglets on AD

Aviation Partners Boeing, United Airlines, Delta Air Lines, and UPS requested that the SNPRM (79 FR 58294, September 29, 2014) specify that accomplishment of supplemental type certificate (STC) ST01920SE (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/59027f43b9a7486e86257b1d006591ee/$FILE/ST01920SE.pdf*) does not affect the actions in the SNPRM.

We concur with the request. We have redesignated the introductory text of paragraph (c) of the SNPRM (79 FR 58294, September 29, 2014) as paragraph (c)(1), and subparagraphs (c)(1) and (c)(2) as (c)(1)(i) and (c)(1)(ii), and added new paragraph (c)(2) to this AD to state that installation of STC ST01920SE (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/59027f43b9a7486e86257b1d006591ee/$FILE/ST01920SE.pdf*) does not affect the ability to accomplish the actions required by this final rule. Therefore, for airplanes on which STC ST01920SE is installed, a ''change in product'' alternative method of compliance (AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

Change of Location for Certain Credit Service Information

We have removed Boeing Alert Service Bulletin 767–57A0079, Revision 1, dated May 6, 2010, which is referred to for credit for certain actions, from paragraph (g)(2) of the proposed AD. Instead, we have revised paragraph (p)(1) of this AD to specifically provide credit for actions required by paragraph (g)(2) of this AD, if those actions were performed before the effective date of this AD using Boeing Alert Service Bulletin 767–57A0079, Revision 1, dated May 6, 2010. We have redesignated subsequent paragraphs (including the addition of new paragraph (p)(3)) accordingly. This change does not affect the intent of paragraph (g)(2) of this AD.

Change to Retained Credit for Previous Actions Language

We have revised the wording in paragraph (l) of this AD; this change has not changed the intent of that paragraph.

Change to Previous AMOCs Paragraph

We have added a reference to paragraph (j) of this AD in paragraph (q)(4) of this AD to account for any AMOCs that might have been approved for the optional action specified in paragraph (j) of this AD.

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 and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the SNPRM (79 FR 58294, September 29, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the SNPRM (79 FR 58294, September 29, 2014).

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 Under 1 CFR Part 51

We reviewed Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012; and Boeing Alert Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012. The service information describes procedures for repetitive eddy current inspections for cracks or fractures of the outboard hinge fitting assemblies on the trailing edge of the inboard main flap. The service information also describes procedures for replacing the fittings, which would eliminate the need for the repetitive inspections. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this final rule.

Costs of Compliance

We estimate that this AD affects 440 airplanes of U.S. registry. We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained detailed inspections.	10 work-hours × $85 per hour = $850 per inspection cycle.	$0	$850 per inspection cycle.	$374,000 per inspection cycle.
Retained detailed and eddy current inspections.	13 work-hours × $85 per hour = $1,105 per inspection cycle.	0	$1,105 per inspection cycle.	$486,200 per inspection cycle.

We estimate the following costs to do any necessary replacements that would be required based on the results of the inspection. We have no way of determining the number of airplanes that might need these replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement	32 work-hours × $85 per hour = $2,720	$45,400	$48,120

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

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

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003), and adding the following new AD:

2015–15–06 The Boeing Company: Amendment 39–18215; Docket No. FAA–2012–0108; Directorate Identifier 2011–NM–049–AD.

(a) Effective Date

This AD is effective November 13, 2015.

(b) Affected ADs

This AD replaces AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003).

(c) Applicability

(1) This AD applies to The Boeing Company airplanes, certificated in any category, identified in paragraphs (c)(1)(i) and (c)(1)(ii) of this AD.

(i) Model 767–200, –300, and –300F series airplanes, as specified in Boeing Alert Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012.

(ii) Model 767–400ER series airplanes, as specified in Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012.

(2) Installation of Supplemental Type Certificate (STC) ST01920SE (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/59027f43b9a7486e86257b1d006591ee/$FILE/ST01920SE.pdf*) does not affect the ability to accomplish the actions required by this AD. Therefore, for airplanes on which STC ST01920SE is installed, a ''change in product'' alternative method of compliance (AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

(d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

(e) Unsafe Condition

This AD was prompted by reports of hinge assembly fractures found before certain required compliance times on airplanes subject to AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003). We are issuing this AD to prevent the inboard aft flap from separating from the wing and potentially striking the airplane, which could result in damage to the surrounding structure and potential personal injury.

(f) Compliance

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

(g) Retained Inspection, With Revised Service Information

This paragraph restates the requirements of paragraph (a) of AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003), with revised service information. Perform either a detailed inspection, or a detailed inspection plus an eddy current inspection, of the outboard hinge fitting assemblies on the trailing edge of the inboard main flap to detect cracks and fractures and evidence of a tool runout option, as applicable. For the purposes of this AD, a detailed inspection is defined as an intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.

(1) For Model 767–200, –300, and –300F series airplanes identified in Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001: Inspect before the airplane accumulates 2,700 total flight cycles, or within 90 days after July 29, 2003 (the effective date of AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003)), whichever occurs later, in accordance with Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001; or the Accomplishment Instructions of Boeing Alert Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012. As of the effective date of this AD, only Boeing Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012, may be used for the inspection.

(2) For Model 767–400ER series airplanes identified in Boeing Alert Service Bulletin 767–57A0079, dated June 20, 2002: Inspect before the airplane accumulates 12,000 total flight cycles, except as required by paragraph (m) of this AD, in accordance with Boeing Alert Service Bulletin 767–57A0079, dated June 20, 2002; or the Accomplishment Instructions of Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012. As of the effective date of this AD, only Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012, may be used for the inspection.

(h) Retained Follow-On/Corrective Actions, With Revised Service Information

This paragraph restates the requirements of paragraph (b) of AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003), with revised service information. Following the initial inspections required by paragraph (g) of this AD, perform applicable follow-on and corrective actions at the times specified in Figure 1 of Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001 (for Model 767–200, –300, and –300F series airplanes); or Boeing Alert Service Bulletin 767–57A0079, dated June 20, 2002 (for Model 767–400ER series airplanes); until the initial inspection required by paragraph (n) of this AD is accomplished, and repeat thereafter at the applicable times specified in paragraph (n) of this AD. Do the follow-on and corrective actions (including repetitive inspections and replacement of the fittings with new fittings) in accordance with Part 1 or Part 2 of Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001; or Boeing Alert Service Bulletin 767–57A0079, dated June 20, 2002; or in accordance with the Accomplishment Instructions of the service information identified in paragraph (h)(1) or (h)(2) of this AD; except as required by paragraph (i)(2) of this AD. For Model 767–200, –300, and –300F series airplanes: If the fitting has the tool runout, and no cracking or fracture is found during the inspection, this AD requires no further action for that hinge fitting. As of the effective date of this AD, for the actions required by this paragraph, only the service information identified in paragraph (h)(1) or (h)(2) of this AD, as applicable, may be used.

(1) Boeing Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012 (for Model 767–200, –300, and –300F series airplanes).

(2) Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012 (for Model 767–400ER series airplanes).

(i) Retained Exceptions to Service Bulletin Procedures, Without the Reporting Requirement and With Revised Service Information

This paragraph restates the requirements of paragraphs (c) and (d) of AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003), without the reporting requirement and with revised service information. The following exceptions specified in paragraphs (i)(1) and (i)(2) of this AD apply.

(1) Where the terminating action in Part 3 of Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001, and Revision 3, dated April 4, 2012; and Boeing Alert Service Bulletin 767–57A0079, dated June 20, 2002, and Revision 2, dated March 23, 2012; as applicable; is specified as corrective action, this AD requires that the terminating action, if required, be accomplished before further flight.

(2) Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001; and Boeing Alert Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012; specify to contact Boeing before the terminating action is done as corrective action for any cracking or fracture found on a Model 767–200, –300, or –300F series airplane with the tool runout. However, this AD requires that any such crack or fracture on those airplanes be repaired in accordance with Part 3 of Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001; or the Accomplishment Instructions of Boeing Alert Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012. This AD does not require a report.

(j) Retained Optional Terminating Action

This paragraph restates the provisions of paragraph (f) of AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003). Unless required to do so by paragraph (h) of this AD, operators may choose to accomplish the terminating action (including replacement of the fittings with new fittings, and reinstallation of existing upper skin access panels and fairing midsections on the trailing edge of the main flap) in accordance with Part 3 of the Work Instructions of Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001; or Boeing Alert Service Bulletin 767–57A0079, dated June 20, 2002; as applicable; or do the terminating actions specified in paragraph (o) of this AD. As of the effective date of this AD, use only the terminating action specified in paragraph (o) of this AD. Accomplishment of the terminating action terminates the repetitive inspection requirements of paragraph (h) of this AD.

(k) Parts Installation Limitations

As of the effective date of this AD, no person may install on any airplane identified

in paragraph (c) of this AD, a hinge fitting assembly that has part number (P/N) 113T2271–13, 113T2271–14, 113T2271–23, 113T2271–24, 113T2271–29, 113T2271–30, 113T2271–33, 113T2271–34, 113T2271–401, or 113T2271–402, unless the applicable requirements of this AD have been accomplished for that fitting.

(l) Retained Credit for Previous Actions, With Revised Credit Provisions

This paragraph restates the provisions of paragraph (g) of AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003), with revised credit provisions. This paragraph provides credit for actions required by paragraphs (g)(1), (h), and (j) of this AD, if those actions were performed before July 29, 2003 (the effective date of AD 2003–13–01), using Boeing Alert Service Bulletin 767–57A0076, dated October 26, 2000, which is not incorporated by reference in this AD.

(m) New Initial Inspection

For Model 767–400ER airplanes identified in Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012, on which the inspection required in paragraph (g) of this AD has not been done as of the effective date of this AD: Before the accumulation of 6,000 total flight cycles, or within 750 flight cycles after the effective date of this AD, whichever occurs later, perform either a detailed inspection or a detailed inspection plus an eddy current inspection to detect cracks or fractures of the outboard hinge fitting assemblies on the trailing edge of the inboard main flap, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012. Accomplishment of this inspection terminates the inspection requirement of paragraph (g)(2) of this AD. If any cracking or fracture is found, before further flight, replace the fittings in accordance with Part 3 of the Work Instructions of the Accomplishment Instructions of Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012.

(n) New Repetitive Inspections

Repeat the inspection specified in paragraph (h) or (m) of this AD, as applicable, at intervals not to exceed the time specified in paragraph (n)(1) or (n)(2) of this AD, as applicable, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012 (for Model 767–200, –300, and –300F series airplanes); or Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012 (for Model 767–400ER series airplanes); until the actions specified in paragraph (o) of this AD are done.

(1) If the most recent inspection was a detailed inspection: Do the next inspection within 300 flight cycles after doing the detailed inspection, and continue to repeat the inspection(s) thereafter at the time specified in paragraph (n) of this AD.

(2) If the most recent inspections were a detailed inspection and an eddy current inspection: Do the next inspections at the applicable time specified in paragraph (n)(2)(i) or (n)(2)(ii) of this AD, and continue to repeat the inspection(s) thereafter at the time specified in paragraph (n) of this AD.

(i) For Model 767–200, –300, and –300F series airplanes: Do the next inspection at the applicable time specified in paragraph (n)(2)(i)(A) or (n)(2)(i)(B) of this AD.

(A) If the detailed inspection and eddy current inspection were done before the effective date of this AD: Do the next inspection within 1,500 flight cycles after doing the detailed and eddy current inspections.

(B) If the detailed inspection and eddy current inspection were done on or after the effective date of this AD: Do the next inspection within 750 flight cycles after doing the detailed and eddy current inspection.

(ii) For Model 767–400ER series airplanes: Do the next inspection within 750 flight cycles after doing the detailed inspection and eddy current inspection.

(o) New Optional Terminating Action

Replacement of the inboard main flap outboard hinge fittings in accordance with step 4 of Part 3 of the Work Instructions of the Accomplishment Instructions of Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012 (for Model 767–400ER series airplanes); or step 4 of Part 3 of the Work Instructions of the Accomplishment Instructions of Boeing Alert Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012 (for Model 767–200, –300, and –300F series airplanes); terminates the repetitive inspections required by paragraphs (h) and (n) of this AD.

(p) Credit for Previous Actions

(1) This paragraph provides credit for actions required by paragraph (g)(2) of this AD, if those actions were performed before the effective date of this AD using Boeing Alert Service Bulletin 767–57A0079, Revision 1, dated May 6, 2010, which is not incorporated by reference in this AD.

(2) This paragraph provides credit for actions required by paragraphs (h), (n), and (o) of this AD, if those actions were performed before the effective date of this AD using the service information identified in paragraph (p)(2)(i), (p)(2)(ii), (p)(2)(iii), or (p)(2)(iv) of this AD.

(i) Boeing Alert Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001, which was incorporated by reference in AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003), and continues to be incorporated by reference in this AD.

(ii) Boeing Alert Service Bulletin 767–57A0076, Revision 2, dated November 22, 2006, which is not incorporated by reference in this AD.

(iii) Boeing Alert Service Bulletin 767–57A0079, dated June 20, 2002, which was incorporated by reference in AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003), and continues to be incorporated by reference in this AD.

(iv) Boeing Alert Service Bulletin 767–57A0079, Revision 1, dated May 6, 2010, which is not incorporated by reference in this AD.

(3) This paragraph provides credit for actions required by paragraph (j) of this AD, if those actions were performed before the effective date of this AD using the service information identified in paragraph (p)(3)(i) or (p)(3)(ii) of this AD.

(i) Boeing Alert Service Bulletin 767–57A0076, Revision 2, dated November 22, 2006, which is not incorporated by reference in this AD.

(ii) Boeing Alert Service Bulletin 767–57A0079, Revision 1, dated May 6, 2010, which is not incorporated by reference in this AD.

(q) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), 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 ACO, send it to the attention of the person identified in paragraph (r)(1) of this AD. Information may be emailed to *9-ANM-Seattle-ACO-AMOC-Requests@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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) AMOCs approved previously in accordance with AD 2003–13–01, Amendment 39–13201 (68 FR 37402, June 24, 2003), are approved as AMOCs for the corresponding provisions of paragraphs (g), (h), (i), and (j) of this AD.

(r) Related Information

(1) For more information about this AD, contact Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office ACO, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6447; fax: 425–917–6590; email: *wayne.lockett@faa.gov.*

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (s)(5) and (s)(6) of this AD.

(s) Material Incorporated by Reference

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

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

(3) The following service information was approved for IBR on November 13, 2015.

(i) Boeing Alert Service Bulletin 767–57A0079, Revision 2, dated March 23, 2012.

(ii) Boeing Alert Service Bulletin 767–57A0076, Revision 3, dated April 4, 2012.

(4) The following service information was approved for IBR on July 29, 2003 (68 FR 37402, June 24, 2003).

(i) Boeing Alert Service Bulletin 767–57A0079, dated June 20, 2002.

(ii) Boeing Service Bulletin 767–57A0076, Revision 1, dated March 29, 2001.

(5) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.*

(6) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(7) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on September 30, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–25490 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–1419; Directorate Identifier 2014–NM–183–AD; Amendment 39–18279; AD 2015–20–01]

RIN 2120–AA64

Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 188 series airplanes. This AD was prompted by an evaluation by the design approval holder (DAH) indicating the left and right lower surface panels of the wings are subject to widespread fatigue damage (WFD). This AD requires repetitive inspections for cracking at these panels, and repair if necessary. The AD also requires a one-time bolt-hole eddy current inspection of all open holes for cracking, repair if necessary, and modification. We are issuing this AD to prevent fatigue cracking of the left and right lower surface panels of the wings, which could result in reduced structural integrity of the airplane.

DATES: This AD is effective November 13, 2015.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 13, 2015.

ADDRESSES: For service information identified in this AD, contact Lockheed Martin Corporation/Lockheed Martin Aeronautics Company, Airworthiness Office, Dept. 6A0M, Zone 0252, Column P–58, 86 S. Cobb Drive, Marietta, GA 30063; telephone 770–494–5444; fax 770–494–5445; email *ams.portal@lmco.com*; Internet *http://www.lockheedmartin.com/ams/tools/TechPubs.html.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–1419.

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–2015–1419; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Docket Management Facility, 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: Carl Gray, Aerospace Engineer, Airframe Branch, ACE–117A, FAA, Atlanta Aircraft Certification Office (ACO), 1701 Columbia Avenue, College Park, GA 30337; phone: 404–474–5554; fax: 404–474–5605; email: *carl.w.gray@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 188 series airplanes. The NPRM published in the **Federal Register** on June 5, 2015 (80 FR 32069). The NPRM was prompted by an evaluation by the DAH indicating the left and right lower surface panels of the wings are subject to WFD. The NPRM proposed to require repetitive inspections for cracking at these panels, and repair if necessary. The NPRM also proposed to require a one-time bolt-hole eddy current inspection of all open holes for cracking, repair if necessary, and modification. We are issuing this AD to prevent fatigue cracking of the left and right lower surface panels of the wings, which could result in reduced structural integrity of the airplane.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (80 FR 32069, June 5, 2015) or on the determination of the cost to the public.

Conclusion

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

- Are consistent with the intent that was proposed in the NPRM (80 FR 32069, June 5, 2015) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM 80 FR 32069, June 5, 2015).

Related Service Information Under 1 CFR Part 51

We reviewed Lockheed Martin Electra Service Bulletin 88/SB–707C, Revision C, dated April 30, 2014. The service information describes procedures for repetitive inspections for cracking of the left and right lower surface panels of the wings on the inboard and outboard sides of the buttock line (BL) 65 splice joint, and repair. This service information also describes procedures for a one-time bolt-hole eddy current inspection of all open holes for cracking, repair, and modification of the BL 65 wing root joint. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this AD.

Costs of Compliance

We estimate that this AD affects 4 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
X-ray or ultrasonic inspections.	Up to 40 work-hours × $85 per hour = up to $3,400	$0	Up to $3,400	Up to $13,600.
Bolt hole inspections	60 work-hours × $85 per hour = $5,100	0	$5,100	$20,400.
Modification	400 work-hours × $85 per hour = $ 34,000	5,000	$39,000	$156,000.

We estimate the following costs to do any necessary repairs that would be required based on the results of the inspections. We have no way of determining the number of aircraft that might need these repairs.

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Repair	500 work-hours × $85 per hour = $42,500	0	$42,500

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2015–20–01 Lockheed Martin Corporation/ Lockheed Martin Aeronautics Company: Amendment 39–18279; Docket No. FAA–2015–1419; Directorate Identifier 2014–NM–183–AD.

(a) Effective Date

This AD is effective November 13, 2015.

(b) Affected ADs

This AD affects AD 81–03–53R1, Amendment 39–4301 (Docket No. 81–NW–97–AD) (47 FR 3347, January 25, 1982).

(c) Applicability

This AD applies to Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 188A and 188C airplanes, certificated in any category, serial numbers 1001 and subsequent.

(d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

(e) Unsafe Condition

This AD was prompted by an evaluation by the design approval holder indicating the left and right lower surface panels of the wings are subject to widespread fatigue damage. We are issuing this AD to prevent fatigue cracking of the left and right lower surface panels of the wings on the inboard and outboard sides of the buttock line (BL) 65 splice joint, which could result in reduced structural integrity of the airplane.

(f) Compliance

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

(g) Inspections and Repair

At the later of the times specified in paragraphs (g)(1) and (g)(2) of this AD: Inspect for cracking of the inboard and outboard sides of the lower splice joint at BL 65, using X-ray, ultrasonic, and bolt-hole eddy current inspection techniques, as applicable, and repair any cracking found, in accordance with the Accomplishment Instructions of Lockheed Martin Electra Service Bulletin 88/SB–707C, Revision C, dated April 30, 2014. All applicable repairs must be done before further flight. Repeat the inspections at intervals not to exceed 2,000 flight hours, until the modification required by paragraph (h) of this AD has been done. Accomplishing the inspections required by this paragraph terminates the inspections required by paragraphs A. and B. of AD 81–03–53R1, Amendment 39–4301 (Docket No. 81–NW–97–AD) (47 FR 3347, January 25, 1982).

(1) Before the accumulation of 19,000 total flight hours.

(2) Within 600 flight hours or 365 days after the effective date of this AD, whichever occurs first.

(h) Modification

At the later of the times specified in paragraphs (h)(1) and (h)(2) of this AD: Do a bolt-hole eddy current inspection of all open holes for cracking, repair any cracking found before further flight, and modify the BL 65 wing root lower joint, in accordance with the Accomplishment Instructions of Lockheed

Martin Electra Service Bulletin 88/SB–707C, Revision C, dated April 30, 2014. Accomplishing this modification terminates the inspections required by paragraph (g) of this AD.

(1) Before the accumulation of 29,000 total flight hours.

(2) Within 600 flight hours or 365 days after the effective date of this AD, whichever occurs first.

(i) No Reporting Required

Although Lockheed Martin Electra Service Bulletin 88/SB–707C, Revision C, dated April 30, 2014, specifies to submit a report of crack findings, this AD does not include that requirement.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Atlanta Aircraft Certification Office (ACO), 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 ACO, send it to the attention of the person identified in paragraph (k) of this AD.

(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

For more information about this AD, contact Carl Gray, Aerospace Engineer, Airframe Branch, ACE–117A, FAA, Atlanta ACO, 1701 Columbia Avenue, College Park, GA 30337; phone: 404–474–5554; fax: 404–474–5605; email: *carl.w.gray@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) Lockheed Martin Electra Service Bulletin 88/SB–707C, Revision C, dated April 30, 2014.

(ii) Reserved.

(3) For service information identified in this AD, contact Lockheed Martin Corporation/Lockheed Martin Aeronautics Company, Airworthiness Office, Dept. 6A0M, Zone 0252, Column P–58, 86 S. Cobb Drive, Marietta, GA 30063; telephone 770–494–5444; fax 770–494–5445; email *ams.portal@lmco.com;* Internet *http://www.lockheedmartin.com/ams/tools/TechPubs.html.*

(4) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on September 17, 2015.

John P. Piccola, Jr.,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–24465 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 730 and 744

[Docket No. 150928889–5889–01]

RIN 0694–AG75

Updated Statements of Legal Authority for the Export Administration Regulations To Include Continuation of Emergency Declared in Executive Order 13224

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: This rule updates the Code of Federal Regulations (CFR) legal authority paragraphs in the Export Administration Regulations (EAR) to cite the most recent Presidential notice continuing an emergency declared pursuant to the International Emergency Economic Powers Act. This is a non-substantive rule that only updates authority paragraphs of the EAR. It does not alter any right, obligation or prohibition that applies to any person under the EAR.

DATES: The rule is effective October 9, 2015.

FOR FURTHER INFORMATION CONTACT: William Arvin, Regulatory Policy Division, Bureau of Industry and Security, telephone: (202) 482–2440.

SUPPLEMENTARY INFORMATION:

Background

The authority for parts 730 and 744 of the EAR rests, in part, on Executive Order 13224 of September 23, 2001—National Emergency With Respect to Persons Who Commit, Threaten To Commit, Or Support Terrorism, 66 FR 49079, 3 CFR, 2001 Comp., p. 786 and on annual notices continuing the emergency declared in that executive order. This rule revises the authority paragraphs for the affected parts to cite the most recent such notice, which the President signed on September 18, 2015.

This rule is purely non-substantive, and makes no changes other than to revise CFR authority paragraphs for the purpose of making the authority citations current. It does not change the text of any section of the EAR, nor does it alter any right, obligation or prohibition that applies to any person under the EAR.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all 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). This rule does not impose any regulatory burden on the public and is consistent with the goals of Executive Order 13563. This rule has been determined to be not significant for purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This rule does not involve any collection of information.

3. This rule does not contain policies with Federalism implications as that term is defined under Executive Order 13132.

4. The Department finds that there is good cause under 5 U.S.C. 553(b)(B) to waive the provisions of the Administrative Procedure Act requiring prior notice and the opportunity for public comment because they are unnecessary. This rule only updates legal authority citations. It clarifies information and is non-discretionary. This rule does not alter any right, obligation or prohibition that applies to any person under the EAR. Because these revisions are not substantive changes, it is unnecessary to provide notice and opportunity for public comment. In addition, the 30-day delay in effectiveness otherwise required by 5 U.S.C. 553(d) is not applicable because this rule is not a substantive rule. Because neither the Administrative Procedure Act nor any other law requires that notice of proposed rulemaking and an opportunity for public comment be given for this rule, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly,

no Regulatory Flexibility Analysis is required and none has been prepared.

List of Subjects

15 CFR Part 730

Administrative practice and procedure, Advisory committees, Exports, Reporting and recordkeeping requirements, Strategic and critical materials.

15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

Accordingly, parts 730 and 744 of the EAR (15 CFR parts 730–774) are amended as follows:

PART 730—[AMENDED]

■ 1. The authority citation for 15 CFR part 730 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.;* 50 U.S.C. 1701 *et seq.;* 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c; 22 U.S.C. 2151 note; 22 U.S.C. 3201 *et seq.;* 22 U.S.C. 6004; 30 U.S.C. 185(s), 185(u); 42 U.S.C. 2139a; 42 U.S.C. 6212; 43 U.S.C. 1354; 15 U.S.C. 1824a; 50 U.S.C. app. 5; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 11912, 41 FR 15825, 3 CFR, 1976 Comp., p. 114; E.O. 12002, 42 FR 35623, 3 CFR, 1977 Comp., p. 133; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12214, 45 FR 29783, 3 CFR, 1980 Comp., p. 256; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 179; E.O. 12918, 59 FR 28205, 3 CFR, 1994 Comp., p. 899; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 12981, 60 FR 62981, 3 CFR, 1995 Comp., p. 419; E.O. 13020, 61 FR 54079, 3 CFR, 1996 Comp., p. 219; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; E.O. 13338, 69 FR 26751, 3 CFR, 2004 Comp., p 168; E.O. 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013); Notice of November 7, 2014, 79 FR 67035 (November 12, 2014); Notice of January 21, 2015, 80 FR 3461 (January 22, 2015); Notice of May 6, 2015, 80 FR 26815 (May 8, 2015); Notice of August 7, 2015, 80 FR 48233 (August 11, 2015); Notice of September 18, 2015, 80 FR 57281 (September 22, 2015).

PART 744—[AMENDED]

■ 2. The authority citation for 15 CFR part 744 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of November 7, 2014, 79 FR 67035 (November 12, 2014); Notice of January 21, 2015, 80 FR 3461 (January 22, 2015); Notice of August 7, 2015, 80 FR 48233 (August 11, 2015); Notice of September 18, 2015, 80 FR 57281 (September 22, 2015).

Dated: October 2, 2015.

Matthew S. Borman,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 2015–25756 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–33–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2014–0631; A–1–FRL–9932–12–Region 1]

Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Approval of Regulations Limiting Emissions of Volatile Organic Compounds and Nitrogen Oxides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving State Implementation Plan (SIP) revisions submitted by the Commonwealth of Massachusetts. These revisions establish emission limitations for certain activities that cause emissions of volatile organic compounds (VOCs) and nitrogen oxides (NO_X). Approval of these state requirements into the Massachusetts SIP will make them federally enforceable. This action is being taken in accordance with the Clean Air Act.

DATES: This direct final rule will be effective December 8, 2015, unless EPA receives adverse comments by November 9, 2015. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R01–OAR–2014–0631 by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *Email: arnold.anne@epa.gov.*

3. *Fax:* (617) 918–0047.

4. *Mail:* ''Docket Identification Number EPA–R01–OAR–2014–0631,'' Anne Arnold, U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, Air Quality Planning Unit, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912.

5. *Hand Delivery or Courier.* Deliver your comments to: Anne Arnold, Manager, Air Quality Planning Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R01–OAR–2014–0631. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through *www.regulations.gov,* or email, information that you consider to be CBI or otherwise protected. The *www.regulations.gov* Web site 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.

Docket: All documents in the electronic docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, *i.e.,* 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 either electronically in *www.regulations.gov* or in hard copy at U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

In addition, copies of the state submittal are also available for public inspection during normal business hours, by appointment at the following State Air Agency: Air and Climate Division, Department of Environmental Protection, One Winter Street, 8th Floor, Boston, MA 02108.

FOR FURTHER INFORMATION CONTACT: Bob McConnell, Air Quality Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912, telephone number (617) 918–1668, fax number (617) 918–0046, email *mcconnell.robert@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. The phrase ''the Commonwealth'' refers to the Commonwealth of Massachusetts.

Organization of this document. The following outline is provided to aid in locating information in this preamble.

I. Background and Purpose

On June 1, 2010, and July 10, 2014, the Commonwealth of Massachusetts submitted formal revisions to its State Implementation Plan (SIP). The Commonwealth held public hearings on February 28, 2007, March 2, 2007, and November 25, 2008 for the items within the June 1, 2010 submittal, and on November 17, 2011 for the July 10, 2014 submittal. The June 1, 2010 SIP revision request contains air pollution control requirements that will reduce volatile organic compound (VOC) emissions from architectural and industrial maintenance (AIM) coatings and from consumer products, and also contains a minor regulatory revision pertaining to the definition of VOC. We approved other portions of the Commonwealth's June 1, 2010 submittal pertaining to solvent metal degreasing, motor vehicle fuel dispensing, and several definitions on September 9, 2013. See 78 FR 54960. The Commonwealth's July 10, 2014 submittal contains a regulation limiting VOC emissions from adhesives and sealants, and several minor revisions to existing regulations.

II. Summary of the Commonwealth's Submittals

1. June 1, 2010 submittal

a. AIM Coatings and Consumer Products Rule

The Commonwealth's June 1, 2010 submittal includes an amended version of Chapter 310 of the Code of Massachusetts Regulations (CMR), section 7.25, Best Available Controls for Consumer and Commercial Products. This regulation includes emission limits for AIM coatings. EPA approved Massachusetts' initial regulation for these sectors on December 19, 1995 (60 FR 65240), with a minor update approved on April 11, 2000 (65 FR 19323).

The amended regulation achieves further emission reductions of VOCs from these sectors. This was accomplished by lowering many of the existing VOC emission limits, and by expanding the universe of products covered by these regulations. Massachusetts adopted these requirements to assist with efforts to attain EPA's 1997 8-hour ozone standard. In 2004, EPA designated Massachusetts as nonattainment for this standard, and established two moderate ozone nonattainment areas which together encompass the entire state. See 69 FR 23858.

Subsequent to Massachusetts' initial adoption of these rules, EPA promulgated within 40 CFR part 59 emission standards for consumer products which became effective December 10, 1998, and for AIM coatings, which became effective on September 13, 1999. EPA has determined that the Commonwealth's rules are no less stringent than EPA requirements found at 40 CFR part 59.

Massachusetts based the current revisions on control measures in place in California and on model rules adopted by the Ozone Transport Commission (OTC) in 2001 for AIM coatings, and in 2006 for consumer products. The Commonwealth updated these existing requirements in two phases. The first phase occurred in 2007 and involved the majority of the changes to the regulation, consisting of the tightening of emission limits and addition of product categories described further in section III of this document. The second phased occurred in 2008 and was undertaken to add alternative compliance plan (ACP) provisions to the regulation.

b. Amendment to the Definition of VOC

Definitions relied upon within the Commonwealth's air pollution control regulations are codified within 310 CMR 7.00. On January 18, 2007 (72 FR 2193), EPA amended its definition of VOC that is contained within 40 CFR 51.100(s) by adding the chemical compound HFE–7300 to the list of compounds that are not considered VOCs due to their negligible photochemical reactivity. Therefore, the Commonwealth also added this compound to its list of compounds which are exempt from the definition of VOC pursuant to 310 CMR 7.00.

2. July 10, 2014 Submittal

a. Adhesives and Sealants Regulation

On July 10, 2014, Massachusetts submitted a newly adopted VOC control regulation, 310 CMR 7.18(30), Adhesives and Sealants, to EPA as a revision to its SIP. The regulation establishes VOC content limits for industrial adhesives and sealants and associated cleaning and surface preparation operations. The Commonwealth's submittal also makes minor revisions to other sections of 310 CMR 7.18 to make these sections consistent with the new adhesives and sealants regulation.

b. Minor Revisions to Existing Regulations

i. Changes to 310 CMR 7.18, VOC RACT

Massachusetts amended its existing VOC control regulation that ensures reasonably available control technology (RACT) is applied to certain industrial sources to clarify the relationship between RACT and Best Available Control Technology (BACT) and Lowest Achievable Emission Rates (LAER), and further amended it to clarify the requirements for emission control plan (ECP) submittals. In addition, Massachusetts' submittal initially included revisions to 310 CMR 7.18(1)(b). This provision, which deals with halogenated organic compounds (HOC), is not, however, part of the SIP. Therefore, Massachusetts subsequently withdrew the revised 310 CMR 7.18(1)(b) from the SIP submittal in a letter dated July 15, 2015.

ii. Changes to 310 CMR 7.19, NO_X RACT

The Commonwealth's NO_X RACT regulation was amended similarly to the above mentioned amendment made to the VOC RACT requirements with regard to the relationship between RACT, BACT, and LAER, and also to ECPs. Additionally, the July 10, 2014 submittal included a rewording of 310 CMR 7.19(1)(c)(9) to clarify the intent of the paragraph.

iii. Changes to Appendix B: Emissions Banking, Trading, and Averaging

The July 10, 2014 submittal included an edit to the paragraph located at 310 CMR 7.00 Appendix B(4)(b)(7) pertaining to bubbles approved prior to May 25, 1988. A bubble is a mechanism that allows the emission limits for two or more units to be analyzed collectively for regulatory purposes.

III. Analysis of the Commonwealth's Submittals

1. June 1, 2010 Submittal

a. AIM Coatings and Consumer Products Rule

Massachusetts updated 310 CMR 7.25, Best Available Controls for Consumer Products, based on model rules adopted by the OTC in 2001 for AIM coatings, and in 2006 for consumer products. These OTC rules were, in turn, based on requirements adopted and implemented by the California Air Resources Board (CARB).

i. AIM Coating Requirements

The technical support document (TSD) prepared for this action, which is available in the docket, contains tables that provide a comparison of the Commonwealth's newly adopted VOC content limits versus the existing EPA requirements. In conducting this comparison, we noted that a minor difference exists in how recycled coatings are treated within the Commonwealth's AIM coating rule and the federal rule. The Commonwealth's rule establishes a VOC content limit of 250 grams per liter (g/l) for recycled coatings. The federal AIM rule uses a formula based on the percent of the coating that is from recycled materials, and then determines an adjusted VOC content that is compared to the normative standard for that product category. Therefore, it is conceivable that the Commonwealth's regulation could provide a less stringent standard than the federal AIM rule would provide for a product containing recycled materials. If this situation occurs, we note that the limits within the federal AIM rule would need to be met. In all other cases, the Commonwealth's VOC content limits are either more stringent than, or equivalent to, those within the federal AIM rule.

Additionally, there are a number of product categories in the federal AIM rule that are not similarly named within the Commonwealth's rule. Table 2 within the TSD prepared for this action identifies these product categories, and links them to the product category with the Massachusetts AIM rule that applies to them. In all cases, the Commonwealth's VOC content limits are either more stringent than, or equivalent to, those within the federal AIM rule.

Massachusetts' revised requirements for AIM coatings contains a ''sell through'' provision which enabled coating manufacturers to sell coatings manufactured before the effective date of these requirements to be sold for up to three years from the rule's January 1, 2009 compliance date. The rule also includes labeling and recordkeeping requirements that are consistent with EPA's requirements. Coating manufacturers must maintain coating production records for a minimum of 5 years, and make these records available upon request.

Additional updates to the Commonwealth's previously SIP-approved requirements for AIM coatings include the following items:

1. The requirement at 7.25(4) regarding a prohibition against specifying non-compliant AIM products for work to be done within Massachusetts was moved to 7.25(11) because it pertains to AIM coatings, and does not apply to consumer and commercial products.

2. A provision explaining that possible future emission standards promulgated by EPA would override existing Massachusetts standards was removed. We note, however, that any future EPA standards that are more stringent than the comparable Massachusetts standard would indeed need to be complied with.

3. Requirements for products registered pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) were moved from 7.25(6) to 7.25(11) and (12).

4. The existing innovative products exemption was moved from 7.25(7) to 7.25(12);

5. The requirement at 7.25(8) that compliance certifications be submitted to the Massachusetts Department of Environmental Protection (MassDEP) was removed, but the obligation for sources to prepare and maintain this information on site, and submit it to MassDEP upon request, was retained.

The updates Massachusetts has made to its existing AIM coatings regulation strengthen the rule and are consistent with the Clean Air Act, and we are therefore approving them as revisions to the Commonwealth's SIP.

ii. Consumer Products Requirements

The Commonwealth's updated consumer product requirements became effective January 1, 2009, by which time other OTC states, and California, had adopted similar limits. This enables manufacturers to achieve compliance by using product reformulations that are similar to the available compliant products in other jurisdictions. Table 3 within the TSD prepared for this action compares the VOC content limits within Massachusetts' updated regulation and the federal requirements. The VOC content limits within Table 3 indicate that in all instances the Commonwealth's limits are equal to, or more stringent than, the comparable EPA limit.

The consumer products provisions of 310 CMR 7.25 contain a number of flexibility provisions, including the three year sell through provision mentioned earlier with regard to the AIM coating requirements. The rule also allows an entity to apply for a variance that would postpone compliance upon a successful showing of an economic hardship due to the tightened limits within the rule. A manufacturer may apply directly to the MassDEP for such an exemption, or alternatively, may request that an exemption awarded by CARB be used for compliance in Massachusetts. In the latter case, the CARB issued exemption must be shown to be based on data that is valid in the

Commonwealth. In order for a variance to be granted, a source must meet a number of requirements including a demonstration that compliance would result in extraordinary economic hardship, and submittal of a compliance report indicating that the source will meet the rule's requirements as expeditiously as possible. Additionally, the rule requires that any such request for a variance be subject to a public hearing, and must also be approved by EPA before becoming effective.

The Commonwealth initially chose to not allow alternative compliance plans (ACPs) within its regulation, but changed course and adopted provisions allowing for them within amendments made on March 6, 2009, in part due to comments from industry requesting this flexibility. The provision allows manufacturers to average VOC emissions among products to meet overall VOC emission limits, and is used by other OTC states and by CARB within their consumer products rules. After consulting with other states on their experience offering this flexibility, the Commonwealth determined that it was appropriate to allow this with its consumer products regulation. EPA commented that any such ACP would need to be approved into the Massachusetts SIP, and within its response to comments, the Commonwealth committed to submit any such ACP it receives to EPA for approval into the Massachusetts SIP.

Our review of these amendments to Massachusetts' consumer products regulation finds that they act to strengthen them, meet federal requirements, and will help to further reduce VOC emissions, and we are therefore approving them into the Commonwealth's SIP.

b. Amendment to the Definition of VOC

The Commonwealth modified its existing definition of VOC contained within 310 CMR 7.00 by adding the compound HFE–7300 to the list of exempt compounds. This was done to be consistent with a similar action taken by EPA on January 18, 2007. See 72 FR 2193. EPA added HFE–7300 to the list of compounds that are exempt from the definition of VOC due to its negligible photochemical reactivity. This change is consistent with EPA's definition of VOC at 40 CFR 51.100(s), and we are approving it into the Massachusetts SIP.

2. July 10, 2014 Submittal

a. Adhesives and Sealants Regulation

The Commonwealth's adhesives and sealants regulation imposes VOC content limits, or other controls, on a number of products, and is based on similar control measures that many California air districts, and other states in the Northeast, have adopted. In particular, Massachusetts based its regulation on a 2006 OTC model rule, which in turn was based on earlier requirements adopted in California, and on EPA's 2008 document, ''Control Techniques Guidelines for Miscellaneous Adhesives.'' EPA develops Control Technique Guidelines (CTGs) to assist states with determining the appropriate level of control for sources subject to RACT. Due to its inclusion within the Ozone Transport Region, the Commonwealth is required to ensure that RACT is applied to industrial sources in the Massachusetts pursuant to section 184(b)(1)(B) of the CAA. In 2006, 2007, and 2008, EPA published final CTGs for a number of VOC emitting activities, and Massachusetts' adoption of this regulation satisfies the Commonwealth's obligation to adopt regulations for this particular CTG.

Although Massachusetts' existing Consumer Products regulation at 310 CMR 7.25(12) regulates ''household'' adhesives and sealants, it exempts such products sold in containers and volumes more than 16 fluid ounces or weighing more than 1 pound. Many of these exempted items would be covered by the Commonwealth's adhesives and sealants rule. The compliance date within the Commonwealth's adhesives and sealants rule is January 1, 2015 with regard to a manufacturer of products sold in Massachusetts. Additionally, the compliance date is September 1, 2015, for any person who sells, supplies, or offers for sale any covered product in Massachusetts, and May 1, 2016 for any person who uses, applies, or solicits the use of covered products in Massachusetts.

Table 4 of the TSD prepared for this action provides the VOC content limits contained within the rule for the covered product categories, which are adhesives, sealants, adhesive primers, and sealant primers, and Table 5 of the TSD contains the VOC content limits for adhesives applied to particular substrates. The Massachusetts rule contains VOC content limits that are equal to, or more stringent than, the comparable limits within EPA's CTG. EPA's CTG contains VOC content limits for ''motor vehicle adhesives'' and ''motor vehicle weather-strip adhesives,'' two product categories not directly addressed in the Commonwealth's rule. In its response to comments document prepared for the adhesives and sealants rulemaking, Massachusetts notes this difference and indicates that adhesives that fall under these two categories will be regulated under the applicable category limits for adhesives applied to particular substrates. These limits have a maximum VOC content of 250 grams/liter and are at least as stringent as the limits for motor vehicle adhesives and motor vehicle weather-strip adhesives within EPA's CTG.

The Commonwealth's adhesives and sealants rule also contains testing, labeling, and recordkeeping requirements for entities subject to the rule. We are approving the Commonwealth's adhesives and sealants regulation as meeting the requirements of RACT as outlined within EPA's 2008 CTG for this category of VOC emitting products.

b. Minor Revisions to Existing Regulations

i. Changes to 310 CMR 7.18, VOC RACT

Massachusetts amended its existing VOC RACT regulation to clarify the relationship between RACT, BACT, and LAER. Specifically, the Commonwealth clarified that an emission unit subject to a BACT or LAER plan approval is not subject to RACT unless and until such time as a RACT standard becomes more stringent than the existing BACT or LAER standard to which the unit is subject. Regarding emission control plans (ECPs), Massachusetts made changes to 310 CMR 7.18(20)(a) and (b) to clarify which sources need such plans, and which sources are exempt.

ii. Changes to 310 CMR 7.19, NO_X RACT

The Commonwealth's NOx RACT regulation was amended similarly to the above mentioned amendment made to the VOC RACT requirements with regard to the relationship between RACT, BACT, and LAER. The revised language appears within the paragraph located at section 310 CMR 7.19(1)(c)(9).

iii. Changes to Appendix B: Emissions Banking, Trading, and Averaging

The July 10, 2014 submittal included an edit to 310 CMR 7.00 Appendix B, which EPA previously approved into the Commonwealth's SIP on August 8, 1996. See 61 FR 41335. The amendment concerns paragraph (4)(b)(7) of Appendix B pertaining to bubbles approved prior to May 25, 1988. A bubble is a mechanism that allows the emission limits for two or more units to be analyzed collectively for regulatory purposes. The revision applies to facilities that were issued bubbles prior to May 25, 1988, that seek to modify the requirements of the bubble solely to incorporate a more stringent RACT

requirement. The revised language clarifies the original intent of the regulation that such facilities are not subject to the requirements of 310 CMR 7.00: Appendix B(4).

We have reviewed the Commonwealth's SIP submittals made on July 10, 2014, and find that they are consistent with the requirements of the Clean Air Act. We are, therefore, approving them as revisions to the Commonwealth's SIP.

IV. Final Action

We are approving revisions to the Massachusetts SIP submitted on June 1, 2010, consisting of updates to an existing regulation limiting VOC emissions from AIM coatings and consumer products, and also a revised definition of VOC. We are also approving SIP revisions submitted on July 10, 2014, consisting of a new regulation that limits VOC emissions from adhesives and sealants, several minor updates to the Commonwealth's existing VOC and NO_X RACT regulations, and a minor change to Appendix B, Emissions Banking, Trading, and Averaging.

The EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should relevant adverse comments be filed. This rule will be effective December 8, 2015 without further notice unless the Agency receives relevant adverse comments by November 9, 2015.

If the EPA receives such comments, then EPA will publish a notice withdrawing the final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on the proposed rule. All parties interested in commenting on the proposed rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on December 8, 2015 and no further action will be taken on the proposed rule. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

V. 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 Massachusetts' regulations described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents generally available electronically through *www.regulations.gov* and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

VI. 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, 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).
- 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 Clean Air Act; 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 December 8, 2015. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: July 22, 2015.

H. Curtis Spalding,

Regional Administrator, EPA New England.

Part 52 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

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

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

Subpart W—Massachusetts

■ 2. Section 52.1120 is amended by adding paragraph (c)(142) to read as follows:

§ 52.1120 Identification of plan.

* * * * *

(c) * * *

(142) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection.

(i) Incorporation by reference.

(A) Massachusetts Regulation 310 CMR 7.00, ''Statutory Authority; Legend; Preamble; Definitions,'' the definition for volatile organic compound, effective on March 6, 2009.

(B) Massachusetts Regulation 310 CMR 7.00, Appendix B, ''U Emissions Banking, Trading, and Averaging,'' section (4), ''Emissions Averaging (Bubble),'' paragraph (b)7, effective August 30, 2013.

(C) Massachusetts Regulation 310 CMR 7.18, ''U Volatile and Halogenated Organic Compounds,'' section (1), ''U Applicability and Handling Requirements,'' paragraphs (d) and (f); section (2), ''U Compliance with Emission Limitations,'' paragraphs (b), (e), and (f); section (20), ''Emission Control Plans for Implementation of Reasonably Available Control Technology,'' paragraph (a); and section (30), ''Adhesives and Sealants;'' effective August 30, 2013.

(D) Massachusetts Regulation 310 CMR 7.19, ''U Reasonably Available Control Technology (RACT) for Sources of Oxides of Nitrogen (NO_X),'' section (1), ''Applicability,'' paragraph (c)9, effective August 30, 2013.

(E) Massachusetts Regulation 310 CMR 7.25, ''U Best Available Controls for Consumer and Commercial Products,'' effective October 19, 2007.

■ 3. In § 52.1167, Table 52.1167 is amended by:

■ a. Adding a new entry to the existing state citations for 310 CMR 7.00;

■ b. Adding a new entry for 310 CMR 7.00 Appendix B in alphanumerical order;

■ c. Adding a new entry for 310 CMR 7.18(1)(d) and (f) in alphanumerical order;

■ d. Adding a new entry for 310 CMR 7.18(2)(b), (e), and (f) in alphanumerical order;

■ e. Adding a new entry for 310 CMR 7.18(20)(a) and (b) in alphanumerical order;

■ f. Adding a new entry for 310 CMR 7.18(30) in alphanumerical order;

■ g. Adding a new entry for 310 CMR 7.19(1)(c)(9) in alphanumerical order; and

■ h. Adding a new entry to the existing state citations for 310 CMR 7.25.

§ 52.1167 EPA-approved Massachusetts State regulations.

* * * * *

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS

[See Notes at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	**Federal Register** citation	52.1120(c)	Comments/unapproved sections
*	*	*	*	*	*	*
310 CMR 7.00	Definitions	6/1/10	10/9/15	[Insert **Federal Register** page number where the document begins].	142	Approved update to definition for volatile organic compound.
*	*	*	*	*	*	*
310 CMR 7.00 Appendix B.	U Emissions Banking, Trading, and Averaging..	7/10/14	10/9/15	[Insert **Federal Register** page number where the document begins].	142	Approved amended language regarding emissions averaging bubbles.
*	*	*	*	*	*	*
310 CMR 7.18(1)(d) and (f)..	U Applicability and Handling Requirements.	7/10/14	10/9/15	[Insert **Federal Register** page number where the document begins].	142	Revisions made to clarify applicability requirements.
*	*	*	*	*	*	*
310 CMR 7.18(2)(b), (e), (f)..	U Compliance with Emission Limitations.	7/10/14	10/9/15	[Insert **Federal Register** page number where the document begins].	142	Revisions made clarifying eligibility for bubbling coating lines together for compliance purposes.
*	*	*	*	*	*	*
310 CMR 7.18(20)(a), (b).	Emission Control Plans for Implementation of RACT.	7/10/14	10/9/15	[Insert **Federal Register** page number where the document begins].	142	Clarification of entities required to submit emission control plans.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued

[See Notes at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
*	*	*	*	*	*	*
310 CMR 7.18(30).	Adhesives and Sealants.	7/10/14	10/9/15	[Insert **Federal Register** page number where the document begins].	142	Regulation limiting emissions from adhesives and sealants.
*	*	*	*	*	*	*
310 CMR 7.19(1)(c)(9).	NOx RACT	7/10/14	10/9/15	[Insert **Federal Register** page number where the document begins].	142	Update made to section 1, applicability.
*	*	*	*	*	*	*
310 CMR 7.25	Best Available Controls for Consumer and Commercial Products.	6/1/10	10/9/15	[Insert **Federal Register** page number where the document begins].	142	Amended existing consumer products related requirements, added provisions concerning AIM coatings.
*	*	*	*	*	*	*

Notes:
1. This table lists regulations adopted as of 1972. It does not depict regulatory requirements which may have been part of the Federal SIP before this date.
2. The regulations are effective statewide unless otherwise stated in comments or title section.

[FR Doc. 2015–25320 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2014–0443 FRL–9935–19–Region 4]

Approval and Promulgation of Implementation Plans; Kentucky Infrastructure Requirements for the 2008 Lead NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve portions of the July 17, 2012, State Implementation Plan (SIP) submission, provided by the Commonwealth of Kentucky, Energy and Environment Cabinet, Department for Environmental Protection, through the Kentucky Division for Air Quality (KY DAQ) for inclusion into the Kentucky SIP. This final submission pertains to the Clean Air Act (CAA or the Act) infrastructure requirements for the 2008 Lead national ambient air quality standards (NAAQS). The CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA, which is commonly referred to as an ''infrastructure'' SIP. KY DAQ certified that the Kentucky SIP contains provisions that ensure the 2008 Lead NAAQS is implemented, enforced, and maintained in Kentucky. With the exception of provisions pertaining to prevention of significant deterioration (PSD) permitting which EPA has already approved, EPA is taking final action to approve Kentucky's infrastructure submission, provided to EPA on July 17, 2012, as satisfying the required infrastructure elements for the 2008 Lead NAAQS.

DATES: This rule is effective November 9, 2015.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2014–0443. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.,* 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 *www.regulations.gov* or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Zuri Farngalo, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Mr. Farngalo can be reached by phone at (404) 562–9152 or via electronic mail at *farngalo.zuri@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon promulgation of a new or revised NAAQS, sections 110(a)(1) and (2) of the CAA require states to address basic SIP requirements, including emissions inventories, monitoring, and modeling to assure attainment and maintenance for that new NAAQS. Section 110(a) of the CAA generally requires states to make a SIP submission to meet applicable requirements in order to provide for the implementation,

maintenance, and enforcement of a new or revised NAAQS within three years following the promulgation of such NAAQS, or within such shorter period as EPA may prescribe. For additional information on the infrastructure SIP requirements, see the proposed rulemaking published on July 30, 2015 (80 FR 45469).

On July 30, 2015, EPA proposed to approve portions of Kentucky's July 17, 2012, 2008 Lead NAAQS infrastructure SIP submission with the exception of provisions pertaining to PSD permitting in sections 110(a)(2)(C), prong 3 of D(i) and (J). EPA did not receive any comments, adverse or otherwise, on the July 30, 2015, proposed rule. EPA took final action to approve the PSD permitting requirements in sections 110(a)(2)(C), prong 3 of D(i) and (J) on March 18, 2015 (80 FR 14019).

II. Final Action

With the exception of provisions pertaining to PSD permitting requirements, EPA is taking final action to approve Kentucky's July 17, 2012, infrastructure submission because it addresses the required infrastructure elements of the CAA 110(a)(1) and (2) to ensure that the 2008 Lead NAAQS is implemented, enforced, and maintained in Kentucky.

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. *See* 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 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);
- 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 Clean Air Act; 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 8, 2015. 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 Lead, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: September 24, 2015.

Heather McTeer Toney,

Regional Administrator, Region 4.

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 S—Kentucky

■ 2. Section 52.920(e), is amended by adding an entry for ''110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards'' at the end of the table to read as follows:

§ 52.920 Identification of plan.

* * * * *

(e) * * *

EPA—APPROVED KENTUCKY NON-REGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approval date	Explanations
* *	*	*	*	* *
110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards.	Commonwealth of Kentucky.	July 17, 2012	10/9/2015 [Insert **Federal Register** citation].	With the exception of provisions pertaining to PSD permitting requirements in sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) only.

[FR Doc. 2015–25576 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2012–0696; FRL–9935–24–Region 4]

Approval and Promulgation of Implementation Plans; Georgia Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve portions the May 14, 2012, State Implementation Plan (SIP) submission, provided by the Georgia Department of Natural Resources, Environmental Protection Division (hereafter referred to as GA EPD) for inclusion into the Georgia SIP. This final action pertains to the Clean Air Act (CAA or the Act) infrastructure requirements for the 2008 8-hour ozone national ambient air quality standards (NAAQS). The CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA, which is commonly referred to as an ''infrastructure'' SIP. GA EPD certified that the Georgia SIP contains provisions that ensure the 2008 8-hour ozone NAAQS is implemented, enforced, and maintained in Georgia. With the exception of provisions pertaining to prevention of significant deterioration (PSD) permitting and interstate transport requirements, EPA is taking final action to approve Georgia's infrastructure SIP submission provided to EPA on May 14, 2012, as satisfying the required infrastructure elements for the 2008 8-hour ozone NAAQS.

DATES: This rule will be effective November 9, 2015.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2012–0696. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.,* 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 *www.regulations.gov* or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nacosta C. Ward, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Ms. Ward can be reached by phone at (404) 562–9140 and via electronic mail at *ward.nacosta@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

Upon promulgation of a new or revised NAAQS, sections 110(a)(1) and (2) of the CAA require states to address basic SIP requirements, including emissions inventories, monitoring, and modeling to assure attainment and maintenance for that new NAAQS. Section 110(a) of the CAA generally requires states to make a SIP submission to meet applicable requirements in order to provide for the implementation, maintenance, and enforcement of a new or revised NAAQS within three years following the promulgation of such NAAQS, or within such shorter period as EPA may prescribe. For additional information on the infrastructure SIP requirements, see the proposed rulemaking published on July 20, 2015. *See* 80 FR 42777.

On July 20, 2015, EPA proposed to approve portions of Georgia's May 14, 2012, 2008 8-hour ozone NAAQS infrastructure SIP submission with the exception of the PSD permitting requirements for major sources of sections 110(a)(2)(C), (D)(i)(II) prong 3 and (J); and the interstate transport requirements of section 110(a)(2)(D)(i)(I) and (II) (prongs 1, 2, and 4). *See* 80 FR 42777. EPA did not receive any comments, adverse or otherwise, on the July 20, 2015, proposed rule. On March 18, 2015, EPA took final action to approve the PSD permitting requirements listed above (80 FR 14019), and is not taking any action on the interstate transport requirements listed above. EPA is taking final action to approve the portions of Georgia's infrastructure SIP submission proposed on July 20, 2015, as demonstrating that the State meets the applicable requirements of sections 110(a)(1) and (2) of the CAA for the 2008 8-hour ozone NAAQS.

II. Final Action

With the exception of the PSD permitting provisions in sections 110(a)(2)(C), (D)(i)(II) prong 3 and (J); and the interstate transport requirements of section 110(a)(2)(D)(i)(I) and (II) (prongs 1, 2, and 4), EPA is taking final action to approve Georgia's May 14, 2012, infrastructure SIP submission because it addresses the section 110(a)(1) and (2) requirements of the CAA to ensure that the 2008 8-hour

ozone NAAQS is implemented, enforced, and maintained in Georgia.

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. *See* 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 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);
- 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).

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 as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 8, 2015. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register,** rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: September 24, 2015.

Heather McTeer Toney,

Regional Administrator, Region 4.

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 L—Georgia

■ 2. Section 52.570(e), is amended by adding an entry for ''110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards'' at the end of the table to read as follows:

§ 52.570 Identification of plan.

* * * * *

(e) * * *

EPA-APPROVED GEORGIA NON-REGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approval date	Explanation
*	*	*	*	*
110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards.	Georgia	5/14/2012	10/9/2015 [Insert citation of publication].	With the exception of sections: 110(a)(2)(C), (D)(i)(II) prong 3 and (J) concerning PSD permitting requirements and 110(a)(2)(D)(i)(I) and (II) (prongs 1, 2, and 4) concerning interstate transport requirements.

[FR Doc. 2015–25587 Filed 10–8–15; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2013–0185; FRL–9935–21–Region 4]

Approval and Promulgation of Implementation Plans; Alabama; Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve in part, and disapprove in part, the November 4, 2011, State Implementation Plan (SIP) submission, provided by the Alabama Department of Environmental Management (ADEM) for inclusion into the Alabama SIP. This final action pertains to the Clean Air Act (CAA or the Act) infrastructure requirements for the 2008 Lead national ambient air quality standards (NAAQS). The CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA, which is commonly referred to as an ''infrastructure'' SIP. ADEM certified that the Alabama SIP contains provisions that ensure the 2008 Lead NAAQS is implemented, enforced, and maintained in Alabama. With the exception of provisions pertaining to prevention of significant deterioration (PSD) permitting, which EPA is taking no action through this notice, and the provisions respecting state boards, for which EPA is taking final action to disapprove, EPA is taking final action to approve Alabama's infrastructure SIP submission provided to EPA on November 4, 2011, as satisfying the required infrastructure elements for the 2008 Lead NAAQS.

DATES: This rule will be effective November 9, 2015.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2013–0185. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.,* 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 *www.regulations.gov* or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Zuri Farngalo, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Mr. Farngalo can be reached by phone at (404) 562–9152 and via electronic mail at *farngalo.zuri@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon promulgation of a new or revised NAAQS, sections 110(a)(1) and (2) of the CAA require states to address basic SIP requirements, including emissions inventories, monitoring, and modeling to assure attainment and maintenance for that new NAAQS. Section 110(a) of the CAA generally requires states to make a SIP submission to meet applicable requirements in order to provide for the implementation, maintenance, and enforcement of a new or revised NAAQS within three years following the promulgation of such NAAQS, or within such shorter period as EPA may prescribe. For additional information on the infrastructure SIP requirements, see the proposed rulemaking published on July 20, 2015 (80 FR 42765).

On July 20, 2015, EPA proposed to approve in part, and disapprove in part, Alabama's November 4, 2011, 2008 Lead NAAQS infrastructure SIP submission. EPA did not receive any comments, adverse or otherwise, on the July 20, 2015, proposed rule. EPA is not taking any action today pertaining to the PSD permitting requirements for major sources of sections 110(a)(2)(C), prong 3 of D(i), and (J) for the 2008 Lead NAAQS. EPA took final action on these elements in a separate action on March 18, 2015 (80 FR 14019). With respect to Alabama's infrastructure SIP submissions related to section 110(a)(2)(E)(ii) respecting the section 128 state board requirements, EPA is taking final action to disapprove this element of Alabama's submissions.

II. Final Action

With the exception of the PSD permitting requirements for major sources of sections 110(a)(2)(C), prong 3 of (D)(i) and (J), and the state board requirements of section 110(a)(2)(E)(ii), EPA is taking final action to approve that ADEM's infrastructure SIP submission, submitted November 4, 2011, for the 2008 Lead NAAQS meets the above described infrastructure SIP requirements. EPA is taking final action to disapprove Alabama's infrastructure submission for section 110(a)(2)(E)(ii) because the State's implementation plan does not contain provisions to comply with section 128 of the Act.

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, 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);
- 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 Clean Air Act; 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 as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 8, 2015. 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, Lead, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: September 24, 2015.

Heather McTeer Toney,

Regional Administrator, Region 4.

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 B—Alabama

■ 2. Section 52.50(e), is amended by adding entry ''110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards'' at the end of the table to read as follows:

§ 52.50 Identification of plan.

* * * * *

(e) * * *

EPA-APPROVED ALABAMA NON-REGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approval date	Explanation
* *	*	*	*	* *
110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards.	Alabama	11/4/2011	10/9/2015 [Insert citation of publication].	With the exception of provisions pertaining to PSD permitting requirements in sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3), 110(a)(2)(J); and section 110(a)(2)(E)(ii).

■ 3. Section 52.53 is amended by adding paragraph (b) to read as follows:

§ 52.53 Approval status.

* * * * *

(b) *Disapproval.* Submittal from the State of Alabama, through the Alabama Department of Environmental Management (ADEM) on November 4, 2011, to address the Clean Air Act (CAA) section 110(a)(2)(E)(ii) for the 2008 Lead National Ambient Air Quality Standards concerning state board requirements. EPA is disapproving section 110(a)(2)(E)(ii) of ADEM's submittal because the Alabama SIP lacks provisions respecting state boards per section 128 of the CAA for the 2008 Lead National Ambient Air Quality Standards.

[FR Doc. 2015–25673 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2015–0527; A–1–FRL-9935–33–Region1]

Air Plan Approval; Maine; General Permit Regulations for Nonmetallic Mineral Processing Plants and Concrete Batch Plants

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the State of Maine. This

revision establishes and requires general permit regulations for nonmetallic mineral processing plants and concrete batch plants. The regulations provide an option for minor new sources of air emissions to comply with the State's minor new source review (NSR) rules in lieu of obtaining an individual permit. The intended effect of this action is to approve Maine's general permit regulations for minor source nonmetallic mineral processing plants and concrete batch plants. This action is being taken in accordance with section 110 the Clean Air Act.

DATES: This direct final rule will be effective December 8, 2015, unless EPA receives adverse comments by November 9, 2015. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R01–OAR–2015–0527 by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *Email: mcdonnell.ida@epa.gov*.
3. *Fax:* (617) 918–0653.
4. *Mail:* ''Docket Identification Number EPA–R01–OAR–2015–0527'', Ida E. McDonnell, U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, Air Permits, Toxics, and Indoor Programs Unit, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912.
5. *Hand Delivery or Courier:* Deliver your comments to: Ida E. McDonnell, Manager, Air Permits, Toxics and Indoor Programs Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R01–OAR–2015–0527. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through *www.regulations.gov,* or email, information that you consider to be CBI or otherwise protected. The *www.regulations.gov* Web site 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.

Docket: All documents in the electronic docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, *i.e.,* 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 in *www.regulations.gov* or in hard copy at U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

In addition, copies of the state submittal are also available for public inspection during normal business hours, by appointment at the State Air Agency; the Bureau of Air Quality Control, Department of Environmental Protection, First Floor of the Tyson Building, Augusta Mental Health Institute Complex, Augusta, ME 04333–0017.

FOR FURTHER INFORMATION CONTACT: Susan Lancey, Office of Ecosystem Protection, 5 Post Office Square, Suite 100 (OEP05–2), telephone number (617) 918–1656, fax number (617) 918–0656, email *lancey.susan@epa.gov*.

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

Organization of this document. The following outline is provided to aid in locating information in this preamble.

I. Background and Purpose

On July 24, 2014, supplemented with a technical support document (TSD) on August 20, 2015, the State of Maine submitted two formal revisions to its State Implementation Plan (SIP). The SIP revisions consist of Maine's 06–096 Code of Maine Regulations (CMR) Chapter 149, ''General Permit Regulation for Nonmetallic Mineral Processing Plants'' [1] (Chapter 149) and Maine's 06–096 CMR Chapter 164, ''General Permit Regulation for Concrete Batch Plants'' [2] (Chapter 164), accompanied by a TSD. Maine originally adopted Chapter 149 ''General Permit Regulation for Nonmetallic Mineral Processing Plants'' on July 17, 2008 and adopted amendments on April 4, 2014, with an effective date of April 27, 2014. Maine adopted Chapter 164 ''General Permit Regulation for Concrete Batch Plants'' on April 4, 2014, with an effective date of April 27, 2014.

Maine's Chapter 115 includes the State's new source review (NSR) requirements for new major and minor sources and modifications of air emissions. Among other requirements, Chapter 115 includes requirements for such sources to apply Best Available Control Technology (BACT). Maine's July 24, 2014 SIP submittal provides an option for minor new nonmetallic mineral processing plants and concrete

[1] In a letter dated August 20, 2015, Maine formally withdrew the ''director discretion'' provisions in sections 5(A)(8), 5(A)(9)(a), and 5(A)(9)(b), and the opacity provisions in sections 5(A)(15), 5(C)(7), and 5(E), in Chapter 149 from consideration as part of its July 24, 2014 SIP revision.

[2] In a letter dated August 20, 2015, Maine formally withdrew the ''director discretion'' provisions in sections 5(C)(2), 5(C)(3)(a), and 5(C)(3)(b), and the opacity provision in sections 5(A)(10), 5(B)(3), 5(B)(4), 5(E), 5(F)(5) and 5(G)(4), in Chapter 164 from consideration as part of its July 24, 2014 SIP revision.

batch plants to satisfy the state's minor NSR permitting requirements under Chapter 115 in lieu of obtaining an individual permit. The two general permit regulations include monitoring, record keeping and reporting requirements, as is required for an individual minor NSR permit under Chapter 115, and includes pollution control requirements and emission limitations that satisfy Chapter 115's BACT requirements for nonmetallic mineral processing plants and concrete batch plants. See section II of this notice for details about the requirements in Maine's general permit regulations and see section III for a summary of EPA's evaluation of the State's general permit regulations. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of either or both of Maine's regulations as part of this action and if that provision or provisions may be severed from the remainder of the State's regulations and this action, EPA may adopt as final those provisions of this action that are not the subject of an adverse comment.

II. Maine's General Permit Regulations

A. What does Maine's General Permit Regulation for Nonmetallic Mineral Processing Plants require?

Chapter 149, ''General Permit Regulation for Nonmetallic Mineral Processing Plants'' regulates stationary and portable nonmetallic mineral processing plants which are not major sources. Owners and operators may obtain specific regulatory coverage under Chapter 149 in lieu of an individual air emissions license. Sources do so by obtaining a Crusher Identification Number (CIN) for each individual rock crusher and submitting a Notification of Intent to Comply (NOITC), attesting to their formal agreement to abide by all applicable conditions of Chapter 149. Power plant engines, located at the plant in question, including generator sets and diesel drives, do not require a CIN, but are subject to the provisions of the general permit regulation when associated with the rock crushing activities. In addition, power plant engines located at the plant also have size limits and must be portable, non-stationary engines in order for the plant to be eligible for coverage under the general permit regulation. Maine's general permit regulation also limits facility-wide fuel use to no more than 65,000 gallons of fuel oil, or the combined equivalent of natural gas and propane, in a calendar year. This fuel use limit was chosen to ensure that emissions of all criteria pollutants remain under the reporting thresholds for Maine's Emissions Statements rule. The Emissions Statement reporting thresholds are well below Chapter 115 thresholds which require facilities to perform an air quality impact analysis. Finally, if the construction, modification, or operation of the nonmetallic mineral processing plant would not comply with all of the conditions of the general permit regulation, the owner must apply for an individual air emission license under Chapter 115 prior to beginning the actual construction, modification or operation of the source.

Chapter 149 requires operators to establish and maintain best management practices for suppression of fugitive particulate matter during any construction, reconstruction, or operation which may result in fugitive dust, and to maintain and operate all air pollution systems in a manner consistent with good air pollution control practices for minimizing emissions. Chapter 149 requires spray nozzles or other control equipment for particulate control on the rock crusher. Plants using a control method other than water sprays or carry over from up-stream water sprays are excluded from applicability of Chapter 149 and must obtain an individual air emission license under Chapter 115. Chapter 149 requires monthly inspections of water sprays and a log detailing the maintenance and corrective actions on particulate matter control equipment. For eligible power plant engines associated with the rock crushing activities, Chapter 149 sets facility-wide fuel usage limits, fuel sulfur content limits, particulate matter emission limits if the engine is greater than 3.0 MMBtu/hr, and prohibitions against using any engine as a dispatched load generator. See sections 5(B) and 5(C) of Chapter 149.

B. What does Maine's General Permit Regulation for Concrete Batch Plants require?

Chapter 164 ''General Permit Regulation for Concrete Batch Plants'' regulates concrete batch plants which are not major sources. Owners and operators may obtain specific regulatory coverage under Chapter 164 in lieu of obtaining an individual air emissions license. Sources do so by obtaining a General Permit Number (GPN) for each unit and submitting a Notification of Intent to Comply (NOITC), attesting to their formal agreement to abide by all applicable conditions of Chapter 164. Generator sets, small boilers and hot water heaters, located at the concrete batch plant, do not require a GPN but are subject to the provisions of the general permit regulation when associated with the operations of the plant. Engines, boilers, and hot water heaters eligible for coverage under the general permit regulation must meet specified size limits. In addition, engines must be portable, non-stationary engines in order for the plant to be eligible for coverage under the general permit regulation. Maine's general permit regulation also limits facility-wide fuel use to no more than 65,000 gallons of fuel oil, or the combined equivalent of natural gas and propane, in a calendar year. This fuel use limit was chosen to ensure that emissions of all criteria pollutants remain under the reporting thresholds for Maine's Emissions Statements rule. The Emissions Statement reporting thresholds are well below Chapter 115 thresholds which require facilities to perform an air quality impact analysis. Finally, if the construction, modification, or operation of a concrete batch plant would not comply with all of the conditions of the general permit regulation, the owner must apply for an individual air emission license under Chapter 115 prior to beginning the actual construction, modification or operation of the source.

Chapter 164 requires operators to establish and maintain best management practices for suppression of fugitive particulate matter during any construction, reconstruction, or operation which may result in fugitive dust, and to maintain and operate all air pollution systems in a manner consistent with good air pollution control practices for minimizing emissions. Operators are required to maintain particulate control on the concrete batch plant, and associated material handling systems, bag house filtration systems and cement silos. Chapter 164 requires monthly inspections of control equipment and a log detailing the maintenance and corrective actions on particulate matter control equipment, as well as testing, monitoring and recordkeeping requirements. In addition, for engines, boilers and hot water heaters, Chapter 164 sets sulfur content in fuel limits, facility fuel usage limits, and particulate matter limits if the engines, boilers, and hot water heaters are greater than 3.0 MMBtu/hr. See section 5(B) in Chapter 164.

III. EPA's Evaluation

Maine's July 24, 2014 SIP submittals establish and require general permit regulations meant to satisfy the Chapter 115 minor NSR requirements for nonmetallic mineral processing plants and concrete batch plants. The general

permit regulations include control requirements and emission limits that satisfy the state's minor NSR BACT requirement. The regulations also include monitoring, recordkeeping and reporting requirements as required by the state's Chapter 115 minor NSR permitting requirements. The regulations provide an option for minor new and modified nonmetallic mineral processing plants and concrete batch plants to comply with the requirements of the general permit regulation in lieu of applying for and receiving a minor NSR permit under Chapter 115.

Section 110(a)(2)(C) of the Act requires, in part, that state SIPs include permit programs that regulate the construction and modification of stationary sources adequate to ensure the national ambient air quality standards (NAAQS) are achieved. A minor stationary source is a source whose potential to emit is lower than the major source applicability threshold for particular pollutants defined by the applicable major NSR program. Because Maine's SIP submittals are only meant to satisfy the requirements of minor NSR, we evaluated Maine's Chapter 149 and Chapter 164 general permit regulations under EPA's implementing regulations for minor NSR SIP revisions found at 40 CFR 51.160 through 51.164. EPA requires that a minor NSR program include legally enforceable procedures, public availability of information, identification of the responsible agency, administrative procedures, and stack height procedures (see 40 CFR 51.160–51.164). The following describes how Maine's SIP submittals meet these requirements.

The regulation at 40 CFR 51.160(a) requires that each plan must set forth legally enforceable procedures that enable the State or local agency to determine whether the construction or modification of a facility, building, structure or installation or combination of these will result in: (1) A violation of applicable portions of the control strategy; or (2) interference with attainment or maintenance of a national standard in the state in which the proposed source or modification is located or in a neighboring state. The regulation at 40 CFR 50.160(b) provides that such procedures must include means by which the State or local agency responsible for final decision-making on the application for approval to construct or modify will prevent such construction or modification if: (1) It will result in a violation of applicable portions of the control strategy; or (2) it will interfere with the attainment or maintenance of a national standard.

Maine's Chapter 115 Major and Minor Source Air Emission License Regulations require all applicants for new construction and modifications to existing sources to provide an assessment of the ambient air quality impact of the source, including the NAAQS, if the new source or modification exceeds certain thresholds. The source or modification must demonstrate that the maximum emission rates of all regulated and hazardous air pollutants will not violate any applicable requirements or interfere with attainment or maintenance of a NAAQS in Maine or a neighboring state.

To comply with this requirement, Maine's general permit regulations are not applicable to larger sources that exceed the regulations' emission threshold levels or other program requirements. These larger sources must obtain an individual air emissions license under Chapter 115. In addition, both general permit regulations give Maine the authority to prohibit a source from using the general permit rules if Maine has reasonable cause to believe that emissions from the proposed, modified, or relocated source will violate the control strategy or interfere with attainment or maintenance of a national standard in Maine or in a neighboring state. See section 1(F)(9) of Chapters 149 and 164.

Maine also conducted a technical analysis to determine the impact of the smaller nonmetallic mineral processing plants and concrete batch plants that would be eligible for coverage under the general permit regulations. Maine analyzed its 2011 emissions inventory data to assess the relative contribution of nonmetallic mineral processing plants and concrete batch plants to the statewide particulate matter (PM) inventory. Annual emissions from these source categories were significantly lower than total emissions of PM in the State. There is a total of 334 nonmetallic mineral processing plants licensed in Maine, of which 238 plants hold an individual license under Chapter 115. The remaining 96 facilities have been licensed under the Chapter 149 general permit rule and Maine estimates the emissions from these plants combined to be only 8.64 tons per year. There is a total of 73 licensed concrete batch plants in Maine, of which 59 hold an individual license under Chapter 115. The remaining 14 facilities are licensed under the Chapter 164 general permit rule and their combined emissions are estimated at 5.6 tons per year. Statewide PM emissions in 2011 totaled 69,370.64 tons per year.

Thus, Maine's TSD demonstrates that PM emissions from all nonmetallic mineral processing plants account for a maximum of 0.0433% of the statewide PM emissions inventory, with plants obtaining coverage under Maine's general permit regulations accounting for only 0.01% of the total PM emissions statewide. PM emissions from all concrete batch plants account for a maximum of 0.0421% of total statewide PM emissions, with plants obtaining coverage under Maine's general permit regulations accounting for only 0.008% of total PM emissions statewide. Therefore, Maine's TSD demonstrates to EPA's satisfaction that the air quality impacts from the nonmetallic mineral processing plants and concrete batch plants eligible for coverage under Maine's general permit regulations to be extremely small.

Maine does not expect there will be a significant change in the number of sources that are using the general permit programs, since many owners and operators of eligible units have other permitted equipment (*e.g.,* an asphalt batch plant) that must be permitted through the standard licensing process under Chapter 115. Maine also does not expect significant growth in either of these source sectors. Sources applying for a license under these general permit rules will be required to meet all applicable control requirements, as described above in section II. Prior to the adoption of Chapters 149 and 164, Maine did not have specific regulations or control requirements for rock crushers and concrete batch plants *per se.* Instead, control requirements for new and modified sources were established utilizing a case-by-case best available control technology (BACT) determination through the Maine's Chapter 115 Major and Minor Source Air Emission License Regulations. With the adoption of the general permit rules, these control technology requirements are now explicitly codified for these specific sources in Maine's regulations. Although Maine does not anticipate control technology improvements for these minor sources, Maine retains the authority to amend these rules in the event federal standards or requirements change.

The regulation at 40 CFR 51.160(c) specifies that the plan's procedures must provide for the submission, by the owner or operator of the building, facility, structure, or installation to be constructed or modified, of such information on: (1) The nature and amounts of emissions to be emitted by it or emitted by associated mobile sources; (2) the location, design, construction, and operation of such facility, building, structure, or installation as may be necessary to

permit the State or local agency to make the determination whether the propose construction would result in any unacceptable air quality impacts. See 40 CFR 51.160(a) and (b). Maine's Chapter 149 and 164 rules both establish application information required to be submitted for a general permit, including, but not limited to the following: (1) Identifying information, including contact information for the owner; (2) The age, type, and maximum processing rate; (3) A unique identifier, such as a serial number, etc. associated with the source; (4) Any other information that may be necessary to implement and enforce any requirements applicable to the source pursuant to federal or state air emission control regulations; and (5) If required by the Department, proposed monitoring, testing, record keeping and reporting protocols and results of previously performed performance tests. See section 3(B) of Chapter 149 and 164. Moreover, Maine's application forms for coverage under the general permit regulations require an applicant to submit other information, such as the location of the facility, which would assist the State in determining whether the proposed construction would result in any unacceptable air quality impacts. EPA's approval of Maine's general permit regulations is appropriate in light of this and the other information required of applicants, and EPA believes that Maine must continue to require such information in its applications in order to meet the requirements of the CAA and its implementing regulations.

The regulation at 40 CFR 51.160(d) specifies that the plan's procedures must provide that approval of any construction or modification must not affect the responsibility of the owner or operator to comply with applicable portions of the State's pollution control strategy. Maine's general permit rules explicitly state that the regulations do not release a person from the obligation to comply with any other applicable state or federal requirements. See section 1(E) of Chapter 149 and section 1(D) of Chapter 164.

The regulation at 40 CFR 51.160(e) provides that the plan's procedures must identify types and sizes of facilities, buildings, structures, or installations which will be subject to review under this section. The plan must discuss the basis for determining which facilities will be subject to review. Maine's Chapters 149 and 164 both contain applicability provisions that identify the types and size of facilities, buildings, structures, or installations that are covered under the respective rules. See section 1 of Chapters 149 and 164.

The regulation at 40 CFR 51.160(f) provides that the plan's procedures must discuss the air quality data and the dispersion or other air quality modeling used to meet the requirements of subpart I, Review of New Sources and Modifications. See the earlier discussion about Maine's technical analysis of the air quality impacts from the sources subject to these general permit rules in its TSD. In addition, Maine's Chapter 115 Major and Minor Source Air Emission License Regulations require every applicant to provide an affirmative demonstration that its emissions, in conjunction with all other sources, will not violate applicable ambient air quality standards, except that sources in nonattainment areas, or sources which significantly impact a nonattainment area, shall be required to demonstrate that the source's emissions are consistent with reasonable further progress provisions of the SIP. An applicant may use ambient air monitoring, modeling, or other assessment techniques as approved by Maine. NSR modeling required pursuant to Chapter 115 must be consistent with EPA regulations and guidelines or other requirements under the CAA. See sections 7(C) and (D) of Chapter 115. In the event Maine determines that it has reasonable cause to believe that emissions from the proposed, modified, or relocated source will violate the control strategy or interfere with attainment or maintenance of a national standard in Maine or in a neighboring state, Maine has the ability to require an operator to apply for and obtain an individual air emission license under Chapter 115 (and perform an ambient air quality analysis) before beginning the actual construction, modification, or operation of the source. See section 1(F)(9) of Chapter 149 and section 1(E)(9) of Chapter 164. If modeling is deemed necessary, Chapter 115 requires modeling to be based on the relevant air quality models, databases, and other requirements specified in the current Guideline on Air Quality Models found in Appendix W to 40 CFR part 51. See section 7(A) of Chapter 115.

The regulation at 40 CFR 51.161 requires that the legally enforceable procedures in 40 CFR 51.160 must also require the State or local agency to provide opportunity for public comment on information submitted by owners and operators. The public information must include the agency's analysis of the effect of construction or modification on ambient air quality, including the agency's proposed approval or disapproval. Chapter 149 and Chapter 164 rules were posted to a 30-day public comment period with opportunity to request a public hearing in accordance with state and federal administrative requirements. Public notice of the comment period was published on the Secretary of State's rulemaking Web site and in newspapers statewide on January 15, 2014.

The regulation at 40 CFR 51.162 specifies that each plan must identify the State or local agency which will be responsible for meeting the requirements of this subpart in each area of the State. Where such responsibility rests with an agency other than an air pollution control agency, such agency will consult with the appropriate State or local air pollution control agency in carrying out the provisions of this subpart. The Maine Department of Environmental Protection is the only CAA permitting authority in the State of Maine and Maine is not proposing to delegate this authority.

The regulation at 40 CFR 51.163 provides that the plan must include the administrative procedures which will be followed in making the determination specified in paragraph (a) of 40 CFR 51.160. Maine's Chapter 149 and Chapter 164 rules both contain the administrative procedures and application requirements pursuant to which the State will act upon an application for a general permit. The rules specify the terms and conditions for the general permit application, including the application form and any other additional information required by Maine. See section 3 of Chapters 149 and 164.

The regulation at 40 CFR 51.164 sets requirements for good engineering stack practice height. Maine's Chapter 115 Major and Minor Source Air Emission License Regulations provide that Maine may require an air quality impact analysis for a minor source that has the potential to emit certain pollutants exceeding the thresholds. See section 7(B)(3)of Chapter 115. Air quality impact analysis and air quality monitoring requirements will be determined by Maine on a case-by-case basis considering a number of factors, including good engineering stack height. See Section 7(C) of Chapter 115. As previously noted, both Chapter 149 and Chapter 164 provide authority for Maine to require an operator to obtain an individual Chapter 115 air emission license, if appropriate.

Our evaluation of Maine's July 24, 2014 SIP submittals and supporting TSD demonstrates that the SIP submittals meet compliance requirements for SIP minor NSR programs under section 110(a)(2)(C) of the Clean Air Act.

IV. Final Action

EPA is approving the revisions to the Maine SIP submitted on July 24, 2014 and August 20, 2015. Specifically, EPA is approving the incorporation of the Maine 06–096 CMR Chapter 149 ''General Permit Regulation for Nonmetallic Mineral Processing Plants'' (except the ''director discretion'' provisions in sections 5(A)(8), 5(A)(9)(a), and 5(A)(9)(b), and the opacity provisions in sections 5(A)(15), 5(C)(7), and 5(E), which were formally withdrawn from consideration as part of the SIP), and the Maine 06–096 CMR Chapter 164 ''General Permit Regulation for Concrete Batch Plants'' (except the ''director discretion'' provisions in sections 5(C)(2), 5(C)(3)(a), and 5(C)(3)(b), and the opacity provisions in sections 5(A)(10), 5(B)(3), 5(B)(4), 5(E), 5(F)(5) and 5(G)(4), which were formally withdrawn from consideration as part of the SIP).

The EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should relevant adverse comments be filed. This rule will be effective December 8, 2015 without further notice unless the Agency receives relevant adverse comments by November 9, 2015.

If the EPA receives such comments, then EPA will publish a notice withdrawing the final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on the proposed rule. All parties interested in commenting on the proposed rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on December 8, 2015 and no further action will be taken on the proposed rule. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

V. 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 Maine 06–096 CMR Chapter 149 ''General Permit Regulation for Nonmetallic Mineral Processing Plants'' (except the ''director discretion'' provisions in sections 5(A)(8), 5(A)(9)(a), and 5(A)(9)(b), and the opacity provisions in sections 5(A)(15), 5(C)(7), and 5(E), which were formally withdrawn from consideration as part of the SIP) and the Maine 06–096 CMR Chapter 164 ''General Permit Regulation for Concrete Batch Plants'' (except the ''director discretion'' provisions in sections 5(C)(2), 5(C)(3)(a), and 5(C)(3)(b), and the opacity provisions in sections 5(A)(10), 5(B)(3), 5(B)(4), 5(E), 5(F)(5) and 5(G)(4), which were formally withdrawn from consideration as part of the SIP) described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents generally available through *www.regulations.gov* and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

VI. 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, 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);
- 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 Clean Air Act; 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 December 8, 2015. 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. Parties with objections to this direct final rule are encouraged to file a

comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register,** rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 21, 2015.

H. Curtis Spalding,

Regional Administrator, EPA New England.

Part 52 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

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

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

Subpart U—Maine

■ 2. In § 52.1020(c), the table is amended by adding new state citations for Chapter 149 and Chapter 164 in numerical order and revising footnote 1 to read as follows:

§ 52.1020 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED MAINE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date EPA approval date and citation [1]	Explanations
*	* *	*	* *	* *
Chapter 149	General Permit Regulation for Nonmetallic Mineral Processing Plants.	04/27/2014	10/9/2015, [Insert **Federal Register** citation].	All of Chapter 149 is approved with the exception of the ''director discretion'' provisions in sections 5(A)(8), 5(A)(9)(a), and 5(A)(9)(b), and the opacity provisions in sections 5(A)(15), 5(C)(7), and 5(E), which were formally withdrawn from consideration as part of the SIP.
*	* *	*	* *	* *
Chapter 164	General Permit Regulation for Concrete Batch Plants.	04/27/2014	10/9/2015, [Insert **Federal Register** citation].	All of Chapter 164 is approved with the exception of the ''director discretion'' provisions in sections 5(C)(2), 5(C)(3)(a), and 5(C)(3)(b), and the opacity provisions in sections 5(A)(10), 5(B)(3), 5(B)(4), 5(E), 5(F)(5) and 5(G)(4), which were formally withdrawn from consideration as part of the SIP.
*	* *	*	* *	* *

[1] In order to determine the EPA effective date for a specific provision listed in this table, consult the **Federal Register** notice cited in this column for the particular provision.

[FR Doc. 2015–25446 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2012–0043; FRL–9934–74]

Trans-1,3,3,3-tetrafluoroprop-1-ene; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of trans-1,3,3,3-tetrafluoroprop-1-ene (CAS Reg. No. 29118–24–9) when used as an inert ingredient (propellant) in pesticide formulations applied to growing crops, raw agricultural commodities after harvest, and animals, and when used as an inert ingredient in antimicrobial pesticide formulations for food-contact surface sanitizing solutions. The Acta Group, L.L.C. on behalf of Honeywell International, Inc. submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting establishment of an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of trans-1,3,3,3-tetrafluoroprop-1-ene.

DATES: This regulation is effective October 9, 2015. Objections and requests for hearings must be received on or before December 8, 2015, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2012–0043, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m.,

Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Printing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2012–0043 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before December 8, 2015. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2012–0043, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

II. Petition for Exemption

In the **Federal Register** of April 4, 2012 (77 FR 20334) (FRL–9340–4), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the filing of a pesticide petition (PP 1E7938) by The Acta Group, L.L.C. (2200 Pennsylvania Avenue NW., Suite 100W, Washington, DC 20037) on behalf of Honeywell International, Inc., 101 Columbia Road, Morristown, NJ 07962. The petition requested that 40 CFR 180.910, 180.930 and 180.940(a) be amended by establishing an exemption from the requirement of a tolerance for residues of trans-1,3,3,3-tetrafluoroprop-1-ene (CAS Reg. No. 29118–24–9) when used as an inert ingredient (propellant) in pesticide formulations applied to growing crops, raw agricultural commodities after harvest, and animals, and when used as an inert ingredient in antimicrobial pesticide formulations for food-contact surface sanitizing solutions, respectively. That document referenced a summary of the petition prepared by The Acta Group, L.L.C. on behalf of Honeywell International, Inc., the petitioner, which is available in the docket, *http://www.regulations.gov.* There were no comments received in response to the notice of filing.

III. Inert Ingredient Definition

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125 and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): Solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term ''inert'' is not intended to imply nontoxicity; the ingredient may or may not be chemically active. Generally, EPA has exempted inert ingredients from the requirement of a tolerance based on the low toxicity of the individual inert ingredients.

IV. Aggregate Risk Assessment and Determination of Safety

Section 408(c)(2)(A)(i) of FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .''

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be clearly demonstrated that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the

inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

Consistent with FFDCA section 408(c)(2)(A), and the factors specified in FFDCA section 408(c)(2)(B), EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for trans-1,3,3,3-tetrafluoroprop-1-ene including exposure resulting from the exemption established by this action. EPA's assessment of exposures and risks associated with trans-1,3,3,3-tetrafluoroprop-1-ene follows.

A. Toxicological Profile

EPA has evaluated the available toxicity data and considered their validity, completeness, and reliability as well as the relationship of the results of the studies to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. Specific information on the studies received and the nature of the adverse effects caused by trans-1,3,3,3-tetrafluoroprop-1-ene as well as the no-observed-adverse-effect-level (NOAEL) and the lowest-observed-adverse-effect-level (LOAEL) from the toxicity studies are discussed in this unit.

Acute inhalation toxicity is low for trans-1,3,3,3-tetrafluoroprop-1-ene. Acute inhalation LD_{50}s are >101,850 parts per million (ppm); approximately 713 milligram/kilogram (mg/kg) in rats and mice. Trans-1,3,3,3-tetrafluoroprop-1-ene is not a dermal irritant in rabbits or a sensitizer in humans.

Two subchronic toxicity studies via the inhalation route of exposure are available for trans-1,3,3,3-tetrafluoroprop-1-ene in rodents. Toxicity is not observed in rats or mice at doses as high as 5,000 ppm (approximately equivalent to 7,800 milligram/kilogram/day (mg/kg/day) human equivalent dose) following 13 weeks and 90 days of exposure, respectively. The 90-day inhalation toxicity study in mice also evaluated the carcinogenic potential of trans-1,3,3,3-tetrafluoroprop-1-ene by conducting a toxicogenomic assessment. Trans-1,3,3,3-tetrafluoroprop-1-ene is classified as non-carcinogenic by the toxicogenomic assessment at 10,000 ppm (approximately equivalent to 15,600 mg/kg/day human equivalent dose), the highest dose tested (HDT).

Developmental toxicity studies via the inhalation route are available in rats and rabbits. Neither maternal nor developmental toxicity is observed in either study up to 15,000 ppm (approximately equivalent to 23,400 mg/kg/day human equivalent dose), the HDT.

Two Ames Tests via gas exposure are available for review with trans-1,3,3,3-tetrafluoroprop-1-ene. The mouse micronucleus assay was performed via inhalation exposure. These tests are negative.

A chronic study with trans-1,3,3,3-tetrafluoroprop-1-ene is not available for review. Although a chronic toxicity study is not available, there is no concern for the lack of it because toxicity is not seen following up to 13 weeks of exposure to trans-1,3,3,3-tetrafluoroprop-1-ene at excessive doses (7,800 and 15,600 mg/kg/day). Also, toxicity is not seen in the developmental study at an excessive dose of 23,400 mg/kg/day. Therefore, the likelihood that chronic exposure to doses below the limit dose will result in toxic effects is highly unlikely.

Neurotoxicity studies are not available for review. However, evidence of neurotoxicity is not observed in the submitted inhalation studies.

Immunotoxicity studies are not available for review. However, very slight mononuclear cell infiltrates in the heart are observed in only females (3/5) at the LOAEL of ≥5,000 ppm (approximately 7,800 mg/kg/day human equivalent dose lowest dose tested) following 10 days of exposure via inhalation in Sprague Dawley rats. This effect is not dose dependent with regard to either incidence or severity. Similar effects along with increased monocyte count are observed in the heart at 15,000 ppm (approximately 23,400 mg/kg/day human equivalent dose; HDT) in a 13-week study via inhalation in Sprague Dawley rats. The NOAEL is 5,000 ppm (equivalent to 7,800 mg/kg/day human equivalent dose). This study included more rats, is conducted in the same species of rats that underwent the same route of exposure and was of longer duration (13 weeks vs 10 days). Mononuclear cell infiltrates in the heart are not observed at 5,000 ppm (equivalent to 7,800 mg/kg/day human equivalent dose) in either the male or female rat as was observed in the 10-day study. Therefore, since the incidence and severity of these effects are not dose-dependent in the 10-day study, the 13-week study is considered more reflective of toxicity resulting from exposure to trans-1,3,3,3-tetrafluoroprop-1-ene. However, the Agency is not concerned about these effects since they occur well above the limit dose and exposure above that is highly unlikely and unrealistic.

Two studies are available for trans-1,3,3,3-tetrafluoroprop-1-ene on male rats and mice metabolism and pharmacokinetics. In rats and mice, trans-1,3,3,3-tetrafluoroprop-1-ene via the inhalation route of exposure is rapidly absorbed, metabolized and excreted. The urine is the major route of excretion. In rats, the major metabolite is S-(3,3,3-trifluoro-trans-propenyl)-mercaptolactic acid. In mice, the major metabolite is a presumed amino acid conjugate of 3, 3, 3-trifluoropropionic acid. Other identified metabolites are S-(3, 3, 3-trifluoro-transpropenyl)-L-cysteine, N-acetyl-S-(3,3,3-trifluoro-trans-propenyl)-L-cysteine and 3,3,3-trifluoropropionic acid.

Specific information on the studies received on trans-1,3,3,3-tetrafluoroprop-1-ene as well as the no-observed-adverse-effect level (NOAEL) and the lowest- observed- adverse-effect level (LOAEL) from the toxicity studies can be found at *http://www.regulations.gov* in the document, ''Trans-1,3,3,3-tetrafluoroprop-1-ene; Human Health Risk Assessment and Ecological Effects Assessment to Support Proposed Exemption from the Requirement of a Tolerance When Used as Inert Ingredients in Pesticide Formulations'' in docket ID number EPA–HQ–OPP–2012–0043.

B. Toxicological Points of Departure/Levels of Concern

The available toxicity studies indicate that trans-1,3,3,3-tetrafluoroprop-1-ene has very low overall toxicity. The lowest NOAEL in the database was 5,000 ppm (approximately 7,800 mg/kg/day human equivalent dose) observed in a 13 week toxicity study in rats via the inhalation route of exposure. Since signs of toxicity were not observed at well above the limit dose an endpoint of concern for risk assessment purposes was not identified.

C. Exposure Assessment

1. *Dietary exposure from food and feed uses.* In evaluating dietary exposure to trans-1,3,3,3-tetrafluoroprop-1-ene, EPA considered exposure under the proposed exemption from the requirement of a tolerance. EPA assessed dietary exposures from trans-1,3,3,3-tetrafluoroprop-1-ene in food as follows:

The general population may be exposed via the diet to trans-1,3,3,3-tetrafluoroprop-1-ene as a result of eating foods containing residues of trans-1,3,3,3-tetrafluoroprop-1-ene. However, since a hazard endpoint of concern was not identified for the acute and chronic dietary assessment (food and drinking water), a dietary exposure risk assessment was not conducted.

2. *From non-dietary exposure.* The term ''residential exposure'' is used in this document to refer to non-occupational, non-dietary exposure (*e.g.,* textiles (clothing and diapers), carpets, swimming pools, and hard surface disinfection on walls, floors, tables).

The term ''residential exposure'' is used in this document to refer to non-occupational, non-dietary exposure (*e.g.,* textiles (clothing and diapers), carpets, swimming pools, and hard surface disinfection on walls, floors, tables). Trans-1,3,3,3-tetrafluoroprop-1-ene may be used as an inert ingredient in pesticide products that could result in short- and intermediate-term residential exposure. However, based on the lack of toxicity, a quantitative exposure assessment from residential exposures was not performed.

3. *Cumulative effects from substances with a common mechanism of toxicity.* Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity.''

EPA has not found trans-1,3,3,3-tetrafluoroprop-1-ene to share a common mechanism of toxicity with any other substances, and trans-1,3,3,3-tetrafluoroprop-1-ene does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, EPA has assumed that trans-1,3,3,3-tetrafluoroprop-1-ene does not have a common mechanism of toxicity with other substances. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see EPA's Web site at *http://www.epa.gov/pesticides/cumulative.*

D. Safety Factor for Infants and Children

Section 408(b)(2)(C) of FFDCA provides that EPA shall apply an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of safety is commonly referred to as the Food Quality Protection Act Safety Factor (FQPA SF). In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor.

As part of its qualitative assessment, the Agency did not use safety factors for assessing risk, and no additional safety factor is needed for assessing risk to infants and children. Based on the lack of effects in subchronic and developmental toxicity studies, and an assessment of trans-1,3,3,3-tetrafluoroprop-1-ene, EPA has concluded that there are no toxicological endpoints of concern for the U.S. population, including infants and children.

E. Aggregate Risks and Determination of Safety

Because no toxicological endpoints of concern were identified, EPA concludes that aggregate exposure to residues of trans-1,3,3,3-tetrafluoroprop-1-ene will not pose a risk to the U.S. population, including infants and children, and that there is a reasonable certainty that no harm will result to the general population, or to infants and children from aggregate exposure to trans-1,3,3,3-tetrafluoroprop-1-ene residues.

V. Other Considerations

A. Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes since the Agency is establishing an exemption from the requirement of a tolerance without any numerical limitation.

VI. Conclusions

Therefore, an exemption from the requirement of a tolerance is established under 40 CFR 180.910, 180.930 and 180.940(a) for trans-1,3,3,3-tetrafluoroprop-1-ene (CAS Reg. No. 29118–24–9) when used as an inert ingredient (propellant) in pesticide formulations applied to formulations applied to growing crops, raw agricultural commodities after harvest, and animals, and when used as an inert ingredient in antimicrobial pesticide formulations for food-contact surface sanitizing solutions, respectively.

VII. Statutory and Executive Order Reviews

This action establishes exemptions from the requirement of a tolerance under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the exemptions in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or

contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VIII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 1, 2015.

Susan Lewis,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.910, add alphabetically the inert ingredient to the table to read as follows:

§ 180.910 Inert ingredients used pre- and post-harvest; exemptions from the requirement of a tolerance.

Inert ingredients	Limits	Uses
* * * * * * *		
Trans-1,3,3,3-tetrafluoroprop-1-ene (CAS Reg. No. 29118–24–9)		Propellant.
* * * * * * *		

■ 3. In § 180.930 add alphabetically the inert ingredient to the table to read as follows:

§ 180.930 Inert ingredients applied to animals; exemptions from the requirement of a tolerance.

Inert ingredients	Limits	Uses
* * * * * * *		
Trans-1,3,3,3-tetrafluoroprop-1-ene (CAS Reg. No. 29118–24–9)		Propellant.
* * * * * * *		

■ 4. In § 180.940(a), add alphabetically the inert ingredient to the table to read as follows:

§ 180.940 Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (Food-contact surface sanitizing solution).

(a) * * *

Pesticide chemical	CAS Reg. No.	Limits
* * * * * * *		
Trans-1,3,3,3-tetrafluoroprop-1-ene	29118–24–9	None.
* * * * * * *		

* * * * *

[FR Doc. 2015–25690 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2015–0482; FRL–9934–45]

Cellulose Carboxymethyl Ether, Potassium Salt; Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of cellulose carboxymethyl ether, potassium salt; when used as an inert ingredient in a pesticide chemical formulation. Spring Trading Company on behalf of Lamberti USA, Incorporated submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum

permissible level for residues of cellulose carboxymethyl ether, potassium salt on food or feed commodities.

DATES: This regulation is effective October 9, 2015. Objections and requests for hearings must be received on or before December 8, 2015, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2015–0482, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Printing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. Can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2015–0482 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before December 8, 2015. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2015–0482, by one of the following methods.

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.* Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

II. Background and Statutory Findings

In the **Federal Register** of August 26, 2015 (80 FR 51759) (FRL–9931–74), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the receipt of a pesticide petition (PP IN–10821) filed by Spring Trading Company (203 Dogwood Trail Magnolia, Texas 77354) on behalf of Lamberti USA, Incorporated, 161 Washington Street Eight Tower Bridge, Suite 1000 Conshohocken, PA 19428. The petition requested that 40 CFR 180.960 be amended by establishing an exemption from the requirement of a tolerance for residues of cellulose carboxymethyl ether, potassium salt; CAS Reg. No. 54848–04–3. That document included a summary of the petition prepared by the petitioner and solicited comments on the petitioner's request. The Agency did not receive any comments.

Section 408(c)(2)(A)(i) of FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the exemption is ''safe.'' Section 408(c)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and use in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing an exemption from the requirement of a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . .'' and specifies factors EPA is to consider in establishing an exemption.

III. Risk Assessment and Statutory Findings

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be shown that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate

exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

Consistent with FFDCA section 408(b)(2)(D), EPA has reviewed the available scientific data and other relevant information in support of this action and considered its validity, completeness and reliability and the relationship of this information to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. In the case of certain chemical substances that are defined as polymers, the Agency has established a set of criteria to identify categories of polymers expected to present minimal or no risk. The definition of a polymer is given in 40 CFR 723.250(b) and the exclusion criteria for identifying these low-risk polymers are described in 40 CFR 723.250(d). cellulose carboxymethyl ether, potassium salt conforms to the definition of a polymer given in 40 CFR 723.250(b) and meets the following criteria that are used to identify low-risk polymers.

1. The polymer is not a cationic polymer nor is it reasonably anticipated to become a cationic polymer in a natural aquatic environment.

2. The polymer does contain as an integral part of its composition the atomic elements carbon, hydrogen, and oxygen.

3. The polymer does not contain as an integral part of its composition, except as impurities, any element other than those listed in 40 CFR 723.250(d)(2)(ii).

4. The polymer is neither designed nor can it be reasonably anticipated to substantially degrade, decompose, or depolymerize.

5. The polymer is manufactured or imported from monomers and/or reactants that are already included on the TSCA Chemical Substance Inventory or manufactured under an applicable TSCA section 5 exemption.

6. The polymer is not a water absorbing polymer with a number average molecular weight (MW) greater than or equal to 10,000 daltons.

Additionally, the polymer also meets as required the following exemption criteria specified in 40 CFR 723.250(e).

7. The polymer's number average MW of 9587 is greater than 1,000 and less than 10,000 daltons. The polymer contains less than 10% oligomeric material below MW 500 and less than 25% oligomeric material below MW 1,000, and the polymer does not contain any reactive functional groups.

Thus, cellulose carboxymethyl ether, potassium salt meets the criteria for a polymer to be considered low risk under 40 CFR 723.250. Based on its conformance to the criteria in this unit, no mammalian toxicity is anticipated from dietary, inhalation, or dermal exposure to cellulose carboxymethyl ether, potassium salt.

IV. Aggregate Exposures

For the purposes of assessing potential exposure under this exemption, EPA considered that cellulose carboxymethyl ether, potassium salt could be present in all raw and processed agricultural commodities and drinking water, and that non-occupational non-dietary exposure was possible. The number average MW of cellulose carboxymethyl ether, potassium salt is 9587 daltons. Generally, a polymer of this size would be poorly absorbed through the intact gastrointestinal tract or through intact human skin. Since cellulose carboxymethyl ether, potassium salt conform to the criteria that identify a low-risk polymer, there are no concerns for risks associated with any potential exposure scenarios that are reasonably foreseeable. The Agency has determined that a tolerance is not necessary to protect the public health.

V. Cumulative Effects From Substances With a Common Mechanism of Toxicity

Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity.''

EPA has not found cellulose carboxymethyl ether, potassium salt to share a common mechanism of toxicity with any other substances, and cellulose carboxymethyl ether, potassium salt does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, EPA has assumed that cellulose carboxymethyl ether, potassium salt does not have a common mechanism of toxicity with other substances. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see EPA's Web site at *http://www.epa.gov/pesticides/cumulative.*

VI. Additional Safety Factor for the Protection of Infants and Children

Section 408(b)(2)(C) of FFDCA provides that EPA shall apply an additional tenfold margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the data base unless EPA concludes that a different margin of safety will be safe for infants and children. Due to the expected low toxicity of cellulose carboxymethyl ether, potassium salt, EPA has not used a safety factor analysis to assess the risk. For the same reasons the additional tenfold safety factor is unnecessary.

VII. Determination of Safety

Based on the conformance to the criteria used to identify a low-risk polymer, EPA concludes that there is a reasonable certainty of no harm to the U.S. population, including infants and children, from aggregate exposure to residues of cellulose carboxymethyl ether, potassium salt.

VIII. Other Considerations

A. Existing Exemptions From a Tolerance

There are no existing exemptions from a tolerance for cellulose carboxymethyl ether, potassium salt polymers.

B. Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes since the Agency is establishing an exemption from the requirement of a tolerance without any numerical limitation.

IX. Conclusion

Accordingly, EPA finds that exempting residues of cellulose carboxymethyl ether, potassium salt from the requirement of a tolerance will be safe.

X. Statutory and Executive Order Reviews

This action establishes a tolerance exemption under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB

approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

XI. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 1, 2015.

Susan Lewis,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.960, add alphabetically the following polymer to the table to read as follows:

§ 180.960 Polymers; exemptions from the requirement of a tolerance.

* * * * *

Polymer	CAS No.
* * * * *	
Cellulose carboxymethyl ether, potassium salt, minimum number average molecular weight 9587 Daltons	54848–04–3
* * * * *	

[FR Doc. 2015–25689 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2014–0630; FRL–9934–17]

Dimethyl Sulfoxide; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation amends the exemption from the requirement of a tolerance for residues of dimethyl sulfoxide (CAS Reg. No. 67–68–5) when used as an inert ingredient (solvent, co-solvent) in pesticide formulations applied to growing crops (pre-emergent use only) to include use after the crop emerges from the soil but before harvest provided that the potential for increased residues of the formulation's active ingredient(s) in or on food commodities has been assessed. ISK BioSciences submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting an amendment to an existing exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of dimethyl sulfoxide.

DATES: This regulation is effective October 9, 2015. Objections and requests for hearings must be received on or before December 8, 2015, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2014–0630, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Printing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2014–0630 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before December 8, 2015. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2014–0630, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

II. Petition for Exemption

In the **Federal Register** of March 4, 2015 (80 FR 11611) (FRL–9922–68), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the filing of a pesticide petition (IN–10713) by ISK BioSciences, 7470 Auburn Rd., Suite A, Concorde, OH 44077. The petition requested that 40 CFR 180.920 be amended by modifying an exemption from the requirement of a tolerance for residues of dimethyl sulfoxide (CAS Reg. No. 67–68–5) when used as an inert ingredient (diluent) at levels not to exceed 62% in pesticide formulations containing cyclaniliprole. That document referenced a summary of the petition prepared by ISK BioSciences, the petitioner, which is available in the docket, *http://www.regulations.gov.* There were no comments received in response to the notice of filing.

Based upon review of the data supporting the petition, EPA has modified the request for a tolerance exemption due to the concern regarding the chemical properties of dimethyl sulfoxide that may result in increased active ingredient residues. Therefore, the tolerance exemption under 40 CFR 180.920 was modified. This limitation is based on the Agency's risk assessment which can be found at *http://www.regulations.gov* in document Dimethyl sulfoxide; Human Health Risk Assessment and Ecological Effects Assessment to Support Proposed Exemption from the Requirement of a Tolerance When Used as Inert Ingredients in Pesticide Formulations in docket ID number EPA–HQ–OPP–2014–0630.

III. Inert Ingredient Definition

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125 and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): Solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term ''inert'' is not intended to imply nontoxicity; the ingredient may or may not be chemically active. Generally, EPA has exempted inert ingredients from the requirement of a tolerance based on the low toxicity of the individual inert ingredients.

IV. Aggregate Risk Assessment and Determination of Safety

Section 408(c)(2)(A)(i) of FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .''

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be clearly demonstrated that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

Consistent with FFDCA section 408(c)(2)(A), and the factors specified in FFDCA section 408(c)(2)(B), EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for dimethyl sulfoxide including exposure resulting from the exemption established by this action. EPA's assessment of exposures and risks associated with dimethyl sulfoxide follows.

A. Toxicological Profile

EPA has evaluated the available toxicity data and considered their validity, completeness, and reliability as well as the relationship of the results of the studies to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. Specific information on the studies received and the nature of the adverse effects caused by dimethyl sulfoxide as well as the no-observed-adverse-effect-level (NOAEL) and the lowest-observed-adverse-effect-level (LOAEL) from the toxicity studies are discussed in this unit.

Dimethyl sulfoxide has low acute toxicity via the oral and dermal in rats and mice and inhalation route in rats. The acute oral lethal dose (LD)50 ≥ 7,920 milligrams/kilograms (mg/kg) in rats and mice. The acute dermal LD50 ≥ 40,000 mg/kg in rats and mice. The acute inhalation lethal concentration (LC)50 ≥ 1,600 milligram/meter^3 (mg/m^3) (~277 mg/kg) in rats. It is a dermal, eye and gastric irritant in rats and rabbits. It is a sensitizer in guinea pigs.

Overall systemic toxicity with regard to oral and dermal exposure to dimethyl sulfoxide is low. The target organ of toxicity is the eye. Changes in the eyes, such as refractile changes in the lens and lens composition are seen in various animals at doses above the limit dose (1,000 mg/kg/day).

Systemic toxicity is not observed following exposure to dimethyl sulfoxide at dose levels up to 1,000 mg/kg/day (the limit dose) in subchronic, chronic or reproduction/developmental toxicity studies via oral, dermal or inhalation exposures in rats, dogs and rabbits. Dimethyl sulfoxide is not expected to be carcinogenic based on the lack of mutagenicity and the lack of tumor formation in cancer initiation/promotion studies. It is not neurotoxic nor immunotoxic.

Toxicity of dimethyl sulfoxide via the inhalation route of exposure is limited to portal of entry effects at 2.783 mg/1 (equivalent to 722 mg/kg/day).

In the rat and monkey, dimethyl sulfoxide administered via the oral and/or dermal route is rapidly absorbed, metabolized and excreted. Excretion is primarily via urine, feces was a minor route in the rat only. The major metabolite was dimethyl sulfone. Dimethyl sulfide, another metabolite, is eliminated through the breath. There is no bioaccumulation.

Specific information on the studies received and the nature of the adverse effects caused by Dimethyl sulfoxide as well as the NOAEL and the LOAEL from the toxicity studies can be found at *http://www.regulations.gov* in the document ''Dimethyl sulfoxide; Human Health Risk Assessment and Ecological Effects Assessment to Support Proposed Exemption from the Requirement of a Tolerance When Used as Inert Ingredients in Pesticide Formulations'' in docket ID number EPA–HQ–OPP–2014–0630.

B. Toxicological Points of Departure/Levels of Concern

Once a pesticide's toxicological profile is determined, EPA identifies toxicological points of departure (POD) and levels of concern to use in evaluating the risk posed by human exposure to the pesticide. For hazards that have a threshold below which there is no appreciable risk, the toxicological POD is used as the basis for derivation of reference values for risk assessment. PODs are developed based on a careful analysis of the doses in each toxicological study to determine the dose at which no adverse effects are observed (the NOAEL) and the lowest dose at which adverse effects of concern are identified (the LOAEL). Uncertainty/safety factors are used in conjunction with the POD to calculate a safe exposure level—generally referred to as a population-adjusted dose (PAD) or a reference dose (RfD)—and a safe margin of exposure (MOE). For non-threshold risks, the Agency assumes that any amount of exposure will lead to some degree of risk. Thus, the Agency estimates risk in terms of the probability of an occurrence of the adverse effect expected in a lifetime. For more information on the general principles EPA uses in risk characterization and a complete description of the risk assessment process, see *http://www.epa.gov/pesticides/factsheets/riskassess.htm.*

The available toxicity studies indicate that dimethyl sulfoxide has low toxicity. These data demonstrated adverse effects only at doses ≥1100 mg/kg/day (above the limit dose). Therefore, since no endpoint of concern was identified for dimethyl sulfoxide, a qualitative risk assessment is appropriate.

C. Exposure Assessment

1. *Dietary exposure from food and feed uses.* In evaluating dietary exposure to dimethyl sulfoxide, EPA considered exposure under the proposed exemption from the requirement of a tolerance. EPA assessed dietary exposures from dimethyl sulfoxide in food as follows:

Dietary exposure can occur from eating foods containing residues of dimethyl sulfoxide. Because no hazard endpoint of concern was identified for the acute and chronic dietary assessment (food and feed uses, a quantitative dietary exposure risk assessment was not conducted.

2. *Dietary exposure from drinking water.* Since a hazard endpoint of concern was not identified for the acute and chronic dietary assessment, a quantitative dietary exposure risk assessment for drinking water was not conducted.

3. *From non-dietary exposure.* The term ''residential exposure'' is used in this document to refer to non-occupational, non-dietary exposure (*e.g.,* textiles (clothing and diapers), carpets, swimming pools, and hard surface disinfection on walls, floors, tables).

Dimethyl sulfoxide may be used in consumer products that may be used around the home. However, based on the lack of toxicity, a quantitative exposure assessment from ''residential exposures'' was not performed.

4. *Cumulative effects from substances with a common mechanism of toxicity.* Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity.''

EPA has not found dimethyl sulfoxide to share a common mechanism of toxicity with any other substances, and dimethyl sulfoxide does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, EPA has assumed that dimethyl sulfoxide does not have a common mechanism of toxicity with other substances. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see EPA's Web site at *http://www.epa.gov/pesticides/cumulative.*

D. Safety Factor for Infants and Children

1. *In general.* Section 408(b)(2)(C) of FFDCA provides that EPA shall apply an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of

safety is commonly referred to as the FQPA Safety Factor (SF). In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor.

At this time, there is no concern for potential sensitivity to infants and children resulting from exposures to dimethyl sulfoxide. There is no reported quantitative or qualitative evidence of increased susceptibility of rat or rabbit fetuses to *in utero* exposure to dimethyl sulfoxide in developmental toxicity studies in rats and rabbits. No quantitative or qualitative evidence of increased susceptibility has been reported following the pre/postnatal exposure to rats and rabbits in 2-generation reproduction toxicity studies in rats and rabbits. Given the lack of adverse toxicological effects at limit dose levels, a safety factor analysis has not been used to assess the risk. For these reasons the additional tenfold safety factor is unnecessary.

E. Aggregate Risks and Determination of Safety

EPA determines whether acute and chronic dietary pesticide exposures are safe by comparing aggregate exposure estimates to the acute PAD (aPAD) and chronic PAD (cPAD). For linear cancer risks, EPA calculates the lifetime probability of acquiring cancer given the estimated aggregate exposure. Short-, intermediate-, and chronic-term risks are evaluated by comparing the estimated aggregate food, water, and residential exposure to the appropriate PODs to ensure that an adequate MOE exists.

1. *Acute risk.* An acute aggregate risk assessment takes into account acute exposure estimates from dietary consumption of food and drinking water. No adverse effect resulting from a single oral exposure was identified and no acute dietary endpoint was selected. Therefore, dimethyl sulfoxide is not expected to pose an acute risk.

2. *Chronic risk.* Using the exposure assumptions described in this unit for chronic exposure, EPA has concluded that based on the low toxicity of dimethyl sulfoxide and since no chronic endpoint was identified, chronic risk is not expected.

3. *Short-term risk.* Short-term aggregate exposure takes into account short-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). Because no short-term adverse effect was identified, dimethyl sulfoxide is not expected to pose a short-term risk.

4. *Intermediate-term risk.* Intermediate-term aggregate exposure takes into account intermediate-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). Because no intermediate-term adverse effect was identified, dimethyl sulfoxide is not expected to pose an intermediate-term risk.

5. *Aggregate cancer risk for U.S. population.* Based on the lack of increased tumor formation in initiation/promotion toxicity studies and the lack of mutagenicity, dimethyl sulfoxide is not expected to pose a cancer risk to humans.

6. *Determination of safety.* Based on these risk assessments, EPA concludes that there is a reasonable certainty that no harm will result to the general population, or to infants and children from aggregate exposure to dimethyl sulfoxide residues.

V. Other Considerations

A. Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes since the Agency is establishing an exemption from the requirement of a tolerance.

VI. Conclusions

Therefore, an exemption from the requirement of a tolerance is established under 40 CFR 180.920 for dimethyl sulfoxide (CAS Reg. No. 67–68–5) when used as an inert ingredient solvent, cosolvent in pesticide formulations used before crop emerges from soil or prior to formation of edible parts of food plants; for pesticide formulations used after crop emerges but before harvest, provided that the potential for increased residues of the formulation's active ingredient(s) in or on food commodities has been assessed.

VII. Statutory and Executive Order Reviews

This action establishes a tolerance under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VIII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 14, 2015.

G. Jeffery Herndon,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.920, add alphabetically the inert ingredient ''Dimethyl Sulfoxide (CAS No. 67–68–5)'' to the table to read as follows:

§ 180.920 Inert ingredients used pre-harvest; exemptions from the requirement of a tolerance.

* * * * *

Inert ingredients	Limits	Uses
* * * * * * *		
Dimethyl Sulfoxide (CAS No. 67–68–5).	For pesticide formulations used before crop emerges from soil or prior to formation of edible parts of food plants; for pesticide formulations used after crop emerges but before harvest, provided that the potential for increased residues of the formulation's active ingredient(s) in or on food commodities has been assessed.	Solvent or co-solvent.
* * * * * * *		

[FR Doc. 2015–25589 Filed 10–8–15; 8:45 a.m.]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket No. 02–278; WC Docket No. 07–35; FCC 15–72]

Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991; et al.

AGENCY: Federal Communications Commission.

ACTION: Petitions for Rulemaking, denial and dismissal; declaratory ruling; time-limited waivers; exemptions.

SUMMARY: The Commission affirms and further clarifies the requirements of the Telephone Consumer Protection Act (TCPA), focusing on consumers' rights to stop unwanted robocalls, including both voice calls and text messages. The Commission acted in an Omnibus Declaratory Ruling and Order (Omnibus Order) in response to 21 petitions for rulemaking, clarification, or other action regarding the TCPA or the Commission's rules and orders. In addition to denying one petition for rulemaking and dismissing another petition for rulemaking, the Omnibus Order took a number of actions, including clarifying when certain conduct violates the TCPA and providing guidance intended to assist callers in avoiding violations and consequent litigation.

DATES: The Omnibus Order was issued on July 10, 2015.

ADDRESSES: The full text of the Omnibus Order is available at *https://www.fcc.gov/document/tcpa-omnibus-declaratory-ruling-and-order.*

FOR FURTHER INFORMATION CONTACT: Kristi Lemoine, Consumer Policy Division, Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. (202) 418–2467.

SUPPLEMENTARY INFORMATION:

1. The Omnibus Order denied one petition for rulemaking and dismisses another petition for rulemaking as both requests were subsumed in the declaratory ruling portion of that document. The Omnibus Order also addressed a number of requests for clarification or other relief.

2. *Petitions for Rulemaking.* The Professional Association for Customer Engagement (PACE) filed a Petition for Expedited Declaratory Ruling and/or Expedited Rulemaking, and ACA International filed a Petition for Rulemaking. PACE's petition was addressed on its merits as a Petition for Declaratory Ruling and its Petition for Expedited Rulemaking was therefore dismissed. In the Omnibus Order the Commission provided clarification regarding the issues raised by ACA and therefore its petition was denied.

3. *Requests for Clarification or Other Action.* The Omnibus Order also addressed separate requests for clarification or other action regarding the TCPA or the Commission's rules and orders implementing the TCPA. The full text of the Omnibus Order is available at *https://www.fcc.gov/document/tcpa-omnibus-declaratory-ruling-and-order.*

4. The Commission strengthened the core protections of the TCPA by confirming that:

- Callers cannot avoid obtaining consumer consent for a robocall simply because they are not ''currently'' or ''presently'' dialing random or sequential phone numbers;
- Simply being on an acquaintance's phone contact list does not amount to consent to receive robocalls from third-party applications downloaded by the acquaintance;
- Callers are liable for robocalls to reassigned wireless numbers when the current subscriber to or customary user of the number has not consented, subject to a limited, one-call exception for cases in which the caller does not have actual or constructive knowledge of the reassignment;
- Internet-to-phone text messages require consumer consent; and
- Text messages are ''calls'' subject to the TCPA, as previously determined by the Commission.

5. The Commission also empowered consumers to stop unwanted calls by confirming that:

- Consumers may revoke consent at any time and through any reasonable means; and
- Nothing in the Communications Act or the Commission's implementing rules prohibits carriers or Voice over Internet Protocol providers from implementing consumer-initiated call-blocking technology that can help consumers stop unwanted robocalls.

5. Finally, the Commission recognized the legitimate interests of callers by:

- Clarifying that application providers that play a minimal role in sending text messages are not *per se* liable for unwanted robocalls;

○ Clarifying that when collect-call services provide consumers with valuable call set-up information, those providers are not liable for making unwanted robocalls;

○ Clarifying that ''on demand'' text messages sent in response to a consumer request are not subject to TCPA liability;

○ Waiving the Commission's 2012 ''prior express written consent'' rule for certain parties for a limited period of time to allow them to obtain updated consent;

○ Exempting certain free, pro-consumer financial- and healthcare-related messages from the consumer-consent requirement, subject to strict conditions and limitations to protect consumer privacy; and

○ Providing and reiterating guidance regarding the TCPA and the Commission's rules, empowering callers to mitigate litigation through compliance and dispose of litigation quickly where they have complied.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2015–25682 Filed 10–8–15; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 80, No. 196
Friday, October 9, 2015

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 ENERGY

10 CFR Part 430

[Docket No. EERE–2011–BT–STD–0043]

Miscellaneous Refrigeration Products Working Group: Open Teleconference Call

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notification of open teleconference call.

SUMMARY: This document announces a public conference call for the Miscellaneous Refrigeration Products Working Group (MREF Working Group). The Federal Advisory Committee Act requires that agencies publish notice of an advisory committee meeting in the **Federal Register**.

DATES: The teleconference will be held on Tuesday, October 13, 2015 at 10 a.m. until 1 p.m. (This notification is being published less than 15 days prior to the meeting date due to logistical issues that had to be resolved prior to the meeting date.)

ADDRESSES: Call in information is posted on the Miscellaneous Refrigeration Products Web site *https://www1.eere.energy.gov/buildings/appliance_standards/product.aspx?productid=86.*

FOR FURTHER INFORMATION CONTACT: John Cymbalsky, ASRAC Designated Federal Officer, U.S. Department of Energy (DOE), Office of Energy Efficiency and Renewable Energy, 950 L'Enfant Plaza SW., Washington, DC 20024. Email: *asrac@ee.doe.gov.*

SUPPLEMENTARY INFORMATION:

Members of the public are welcome to observe the business of the meeting and, if time allows, may make oral statements during the specified period for public comment.

Docket: The docket is available for review at *www.regulations.gov,* including **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials. All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

Issued in Washington, DC, on October 2, 2015.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

[FR Doc. 2015–25777 Filed 10–8–15; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–1331; Directorate Identifier 2012–NE–44–AD]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce plc Turbojet Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede airworthiness directive (AD) 2013–11–13 that applies to all Rolls-Royce plc (RR) Viper Mk. 601–22 turbojet engines. Since we issued AD 2013–11–13, RR determined that additional parts for the RR Viper Mk. 601–22 as well as additional engine models are affected. This proposed AD would add two new engine models and additional engine parts to the applicability. We are proposing this AD to prevent failure of life-limited parts, which could lead to an uncontained part release, damage to the engine, and damage to the airplane.

DATES: We must receive comments on this proposed AD by December 8, 2015.

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

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

For service information identified in this proposed AD, contact DA Services Operations Room at Rolls-Royce plc, Defense Sector Bristol, WH–70, P.O. Box 3, Filton, Bristol BS34 7QE, United Kingdom; phone: +44 (0) 117 97 90700; fax: +44 (0) 117 97 95498; email: *defence-operations-room@rolls-royce.com.* You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7125. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2012–1331.

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–2012–1331; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the mandatory continuing airworthiness information, regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Philip Haberlen, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7770; fax: 781–238–7199; email: *philip.haberlen@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2012–1331; Directorate Identifier 2012–NE–44–AD'' at the beginning of your comments. We specifically invite

comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. We will consider all comments received by the closing date and may amend this NPRM because of those comments.

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

Discussion

On May 28, 2013, we issued AD 2013–11–13, Amendment 39–17473 (78 FR 34550, June 10, 2013) (''AD 2013–11–13''), for all RR Viper Mk. 601–22 turbojet engines. AD 2013–11–13 requires reducing the life of certain critical parts. AD 2013–11–13 resulted from a review by RR of the lives of these parts. We issued AD 2013–11–13 to prevent failure of life-limited parts, which could lead to an uncontained part release, damage to the engine, and damage to the airplane.

Actions Since AD 2013–11–13 Was Issued

Since we issued AD 2013–11–13, RR determined that additional parts on the Viper Mk. 601–22 engine model and the Viper Mk. 521 and Mk. 522 engine models experienced the same unsafe condition. Also since we issued AD 2013–11–13, the European Aviation Safety Agency has issued AD 2015–0127R1, dated August 14, 2015, which requires reducing the cyclic life limits of the affected parts.

Related Service Information Under 1 CFR Part 51

We reviewed RR Alert Service Bulletin (ASB) Mk. 521 Number 72–A408, Circulation A, dated January 2015; ASB Mk. 521 Number 72–A408, Circulation B, dated January 2015; ASB Mk. 522 Number 72–A413, Circulation A, dated January 2015; ASB Mk. 522 Number 72–A412, Circulation B, dated January 2015; and ASB Mk. 601–22 Number 72–A207, dated January 2015. The service information describes procedures for determining applicable part numbers and revised cyclic life limits. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this NPRM.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This NPRM would require accomplishing the actions specified in the service information described previously. This NPRM would add two engine models and additional affected parts to the applicability of AD 2013–11–13.

Costs of Compliance

We estimate that this proposed AD will affect about 46 engines installed on airplanes of U.S. registry. We also estimate a prorated parts cost of $66,000 per engine. We also estimate that it would take about 4 hours per engine to comply with this proposed AD. The average labor rate is $85 per hour. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be $3,051,640.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

For the reasons discussed above, I certify that the proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska 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.

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2013–11–13, Amendment 39–17473 (78 FR 34550, June 10, 2013) (''AD 2013–11–13''), and adding the following new AD:

Rolls-Royce plc (Type Certificate previously held by Rolls-Royce (1971) Limited, Bristol Engine Division): Docket No. FAA–2012–1331; Directorate Identifier 2012–NE–44–AD.

(a) Comments Due Date

We must receive comments by December 8, 2015.

(b) Affected ADs

This AD supersedes AD 2013–11–13.

(c) Applicability

This AD applies to all Rolls-Royce plc (RR) Viper Mk. 521, Viper Mk. 522, and Viper Mk. 601–22 turbojet engines.

(d) Unsafe Condition

This AD was prompted by a review by RR of the lives of certain critical parts. We are issuing this AD to prevent failure of life-limited parts, which could lead to an uncontained part release, damage to the engine, and damage to the airplane.

(e) Compliance

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

(1) Within 30 days after the effective date of this AD, or before any affected part exceeds its new revised life limit, whichever occurs later, remove any engine from service. Use Table 1 of RR Alert Service Bulletin (ASB) Mk. 521 Number 72–A408, Circulation A, dated January 2015; ASB Mk. 521 Number

72–A408, Circulation B, dated January 2015; ASB Mk. 522 Number 72–A413, Circulation A, dated January 2015; ASB Mk. 522 Number 72–A412, Circulation B, dated January 2015; and ASB Mk. 601–22 Number 72–A207, dated January 2015, to determine the new life limits.

(2) For the RR Viper Mk. 601–22 turbojet engine, remove compressor shaft, part number V900766, before the compressor shaft accumulates 20,720 flight cycles since new.

(f) Installation Prohibition

After the effective date of this AD, do not install any affected part identified in paragraph (e) of this AD into any engine, nor return any engine to service with any affected part identified in paragraph (e) of this AD installed, if any affected part exceeds the life limit specified in the appropriate ASB identified in paragraph (e)(1) and/or the life limit identified in paragraph (e)(2) of this AD.

(g) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: *ANE-AD-AMOC@faa.gov.*

(h) Related Information

(1) For more information about this AD, contact Philip Haberlen, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7770; fax: 781–238–7199; email: *philip.haberlen@faa.gov.*

(2) Refer to MCAI European Aviation Safety Agency AD 2015–0127R1, dated August 14, 2015, for more information. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2012–1331.

(3) RR ASB Mk. 521 Number 72–A408, Circulation A, dated January 2015; ASB Mk. 521 Number 72–A408, Circulation B, dated January 2015; ASB Mk. 522 Number 72–A413, Circulation A, dated January 2015; ASB Mk. 522 Number 72–A412, Circulation B, dated January 2015; and ASB Mk. 601–22 Number 72–A207, dated January 2015, can be obtained from RR, using the contact information in paragraph (h)(4) of this proposed AD.

(4) For service information identified in this AD, contact DA Services Operations Room at Rolls-Royce plc, Defense Sector Bristol, WH–70, P.O. Box 3, Filton, Bristol BS34 7QE, United Kingdom; phone: +44 (0) 117 97 90700; fax: +44 (0) 117 97 95498; email: *defence-operations-room@rolls-royce.com.*

(5) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on October 2, 2015.

Colleen M. D'Alessandro,

Directorate Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2015–25607 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–3984; Directorate Identifier 2015–NM–033–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2008–13–12 R1, which applies to certain The Boeing Company Model 737–100, –200, –200C, –300, –400, and –500 series airplanes. AD 2008–13–12 R1 currently requires various repetitive inspections for cracking of the upper frame to side frame splice of the fuselage, and other specified and corrective actions if necessary; and also provides for an optional preventive modification, which terminates the repetitive inspections. Since we issued AD 2008–13–12 R1, we have received reports of additional fatigue cracking of the upper frame to side frame splice of the fuselage, and two reports of severed frames. This proposed AD would add, for certain airplanes, an inspection to determine if the existing frame repair meets all specified requirements; for certain other airplanes, a new modification of the upper frame to side frame splice, which would terminate the repetitive inspections; and reduce certain inspection thresholds and repetitive intervals. We are proposing this AD to detect and correct fatigue cracking of the upper frame to side frame splice of the fuselage, which could result in reduced structural integrity of the frame and adjacent lap joint, causing increased loading in the fuselage skin, which will accelerate skin crack growth and result in decompression of the airplane.

DATES: We must receive comments on this proposed AD by November 23, 2015.

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

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

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–3984.

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–2015–3984; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6447; fax: 425–917–6590; email: *wayne.lockett@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2015–3984; Directorate Identifier

2015–NM–033–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

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

Discussion

On June 12, 2008, we issued AD 2008–13–12, Amendment 39–15575 (73 FR 38905, July 8, 2008), which was revised by AD 2008–13–12 R1, Amendment 39–15719 (73 FR 67383, November 14, 2008), for certain The Boeing Company Model 737–100, –200, –200C, –300, –400, and –500 series airplanes. AD 2008–13–12 R1 requires various repetitive inspections for cracking of the upper frame to side frame splice of the fuselage, and other specified and corrective actions if necessary. AD 2008–13–12 R1 also provides for an optional preventive modification, which terminates the repetitive inspections. AD 2008–13–12 R1 resulted from a report that the upper frame of the fuselage was severed between stringers S–13L and S–14L at station 747, and the adjacent frame at station 767 had a 1.3-inch-long crack at the same stringer location. We issued AD 2008–13–12 R1 to detect and correct fatigue cracking of the upper frame to side frame splice of the fuselage, which could result in reduced structural integrity of the frame and adjacent lap joint. This reduced structural integrity can increase loading in the fuselage skin, which will accelerate skin crack growth and result in decompression of the airplane.

Widespread Fatigue Damage (WFD)

Structural fatigue damage is progressive. It begins as minute cracks, and those cracks grow under the action of repeated stresses. This can happen because of normal operational conditions and design attributes, or because of isolated situations or incidents such as material defects, poor fabrication quality, or corrosion pits, dings, or scratches. Fatigue damage can occur locally, in small areas or structural design details, or globally. Global fatigue damage is general degradation of large areas of structure with similar structural details and stress levels. Multiple-site damage is global damage that occurs in a large structural element such as a single rivet line of a lap splice joining two large skin panels. Global damage can also occur in multiple elements such as adjacent frames or stringers. Multiple-site-damage and multiple-element-damage cracks are typically too small initially to be reliably detected with normal inspection methods. Without intervention, these cracks will grow, and eventually compromise the structural integrity of the airplane, in a condition known as WFD. As an airplane ages, WFD will likely occur, and will certainly occur if the airplane is operated long enough without any intervention.

The FAA's WFD final rule (75 FR 69746, November 15, 2010) became effective on January 14, 2011. The WFD rule requires certain actions to prevent structural failure due to WFD throughout the operational life of certain existing transport category airplanes and all of these airplanes that will be certificated in the future. For existing and future airplanes subject to the WFD rule, the rule requires that design approval holder (DAHs) establish a limit of validity (LOV) of the engineering data that support the structural maintenance program. Operators affected by the WFD rule may not fly an airplane beyond its LOV, unless an extended LOV is approved.

The WFD rule (75 FR 69746, November 15, 2010) does not require identifying and developing maintenance actions if the DAHs can show that such actions are not necessary to prevent WFD before the airplane reaches the LOV. Many LOVs, however, do depend on accomplishment of future maintenance actions. As stated in the WFD rule, any maintenance actions necessary to reach the LOV will be mandated by airworthiness directives through separate rulemaking actions.

In the context of WFD, this action is necessary to enable DAHs to propose LOVs that allow operators the longest operational lives for their airplanes, and still ensure that WFD will not occur. This approach allows for an implementation strategy that provides flexibility to DAHs in determining the timing of service information development (with FAA approval), while providing operators with certainty regarding the LOV applicable to their airplanes.

Actions Since AD 2008–13–12 R1, Amendment 39–15719 (73 FR 67383, November 14, 2008) Was Issued

Since AD 2008–13–12 R1, Amendment 39–15719 (73 FR 67383, November 14, 2008) was issued, we have received reports of additional fatigue cracking of the upper frame to side frame splice of the fuselage, and two reports of severed frames.

Related Service Information Under 1 CFR Part 51

We reviewed Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015. The service information describes procedures for various repetitive inspections for cracking of the upper frame to side frame splice of the fuselage, an inspection to determine if the existing frame repair meets all specified requirements, and corrective actions if necessary. The service information also describes procedures for a new preventive modification, which would eliminate the need for the repetitive inspections. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this NPRM.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

Although this proposed AD does not explicitly restate the requirements of AD 2008–13–12, Amendment 39–15575 (73 FR 38905, July 8, 2008), revised by AD 2008–13–12 R1, Amendment 39–15719 (73 FR 67383, November 14, 2008), this proposed AD would retain all of the requirements of those ADs. Those requirements are referenced in the service information identified previously, which, in turn, is referenced in paragraph (g) of this proposed AD. This proposed AD would require accomplishing the actions specified in the service information described previously. Refer to this service information for information on the procedures and compliance times.

Explanation of Proposed Compliance Time

The compliance time for the modification specified in this proposed AD for addressing WFD was established to ensure that discrepant structure is modified before WFD develops in airplanes. Standard inspection techniques cannot be relied on to detect WFD before it becomes a hazard to flight. We will not grant any extensions of the compliance time to complete any AD-mandated service bulletin related to

WFD without extensive new data that would substantiate and clearly warrant such an extension.

Costs of Compliance

We estimate that this proposed AD affects 391 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained inspections from AD 2008–13–12, Amendment 39–15575 (73 FR 38905, July 8, 2008).	Between 18 and 38 work-hours × $85 per hour, depending on airplane configuration = between $1,530 and $3,230 per inspection cycle.	$0	Between $1,530 and $3,230 per inspection cycle.	Between $598,230 and $1,262,930 per inspection cycle.
New inspections	213 work-hours × $85 per hour, $18,105 per inspection cycle.	0	$18,105 per inspection cycle.	$7,079,055 per inspection cycle.
New modification	256 work-hours × $85 per hour = $21,760		$21,760	$8,508,160.

We currently have no specific cost estimates associated with the parts necessary for the proposed modification.

We have received no definitive data that would enable us to provide a cost estimate for the on-condition actions specified in this proposed AD.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

For the reasons discussed above, I certify that the proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2008–13–12 R1, Amendment 39–15719 (73 FR 67383, November 14, 2008), and adding the following new AD:

The Boeing Company: Docket No. FAA–2015–3984; Directorate Identifier 2015–NM–033–AD.

(a) Comments Due Date

The FAA must receive comments on this AD action by November 23, 2015.

(b) Affected ADs

This AD replaces AD 2008–13–12 R1, Amendment 39–15719 (73 FR 67383, November 14, 2008).

(c) Applicability

This AD applies to The Boeing Company Model 737–100, –200, –200C, –300, –400, and –500 series airplanes, certificated in any category, as identified in Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by reports of fatigue cracking of the upper frame to side frame splice of the fuselage, and two reports of severed frames. We are issuing this AD to detect and correct fatigue cracking of the upper frame to side frame splice of the fuselage, which could result in reduced structural integrity of the frame and adjacent lap joint, causing increased loading in the fuselage skin, which will accelerate skin crack growth and result in decompression of the airplane.

(f) Compliance

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

(g) Repetitive Inspections and Corrective Actions for Certain Airplanes

(1) For Groups 1 through 3, Configurations 1, 3, 4, and 5 airplanes; Group 7, Configurations 1, 3, 4, and 5 airplanes; Groups 4 through 6, Configurations 1, 3, 4, and 6 airplanes; and Groups 8 through 11, Configurations 1, 3, 4, and 6 airplanes; as identified in Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015: Do the actions specified in paragraphs (g)(1)(i) and (g)(1)(ii) of this AD, and all applicable corrective actions, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, except as required by paragraph (i)(3) of this AD. Do all applicable corrective actions before further flight.

(i) At the applicable time specified in Tables 1, 2, 3, 5, 6, and 8 of paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, except as required by paragraphs (i)(1) and (i)(2) of this AD: Do medium frequency eddy current inspections for cracking of the upper frame to side frame splice of the fuselage.

(ii) Repeat the inspections specified in paragraph (g)(1)(i) of this AD at the applicable time specified in Tables 1, 2, 3, 5, 6, and 8 of paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015.

(2) For Groups 4 through 6, Configurations 2 and 5 airplanes; and Groups 8 through 11, Configurations 2 and 5 airplanes; as identified in Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015: Do the actions specified in paragraphs (g)(2)(i) and (g)(2)(ii) of this AD, and all applicable corrective actions, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, except as required by paragraph (i)(3) of this AD. Do all applicable corrective actions before further flight.

(i) At the applicable time specified in Tables 4 and 7 of paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, except as required by paragraphs (i)(1) and (i)(2) of this AD: Do a detailed inspection to determine if the existing frame repair meets all requirements specified in Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, and for any frame that does meet all requirements, do detailed and high frequency eddy current (HFEC) inspections for cracking of certain tied frames.

(ii) Repeat the inspections for cracking specified in paragraph (g)(2)(i) of this AD at the applicable time specified in Tables 4 and 7 of paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015.

(h) Post-Repair and Post-Modification Actions for Certain Airplanes

For Group 1, Configurations 2 and 6 airplanes; Group 2, Configurations 2 and 6 airplanes; Group 3, Configurations 2 and 6 airplanes; and Group 7, Configurations 2 and 6 airplanes; as identified in Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015: Within 120 days after the effective date of this AD, do post-repair and post-modification actions using a method approved in accordance with the procedures specified in paragraph (n) of this AD.

(i) Exceptions to Service Bulletin Specifications

(1) Where Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, specifies a compliance time ''after the Revision 1 date of this service bulletin,'' this AD requires compliance within the specified compliance time after the effective date of this AD.

(2) Where the Condition column of paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, specifies a condition based on whether an airplane has or has not been inspected, this AD bases the condition on whether an airplane has or has not been inspected as of the effective date of this AD.

(3) Where Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, specifies to contact Boeing for repair instructions: Before further flight, repair using a method approved in accordance with the procedures specified in paragraph (n) of this AD.

(j) Post-Repair/Post-Modification Inspections Not Required

The post-repair/post-modification inspections specified in Tables 12 through 17 of paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, are not required by this AD, but may be used in support of compliance with section 121.1109(c)(2) or 129.109(c)(2) of the Federal Aviation Regulations (14 CFR 121.1109(c)(2) or 14 CFR 129.109(c)(2)).

(k) Preventative Modification for Certain Airplanes

For Groups 4 through 6, Configurations 1, 3, 4, and 6 airplanes; and Groups 8 through 11, Configurations 1, 3, 4, and 6 airplanes; as identified in Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015: Except as provided by paragraphs (i)(1) and (i)(2) of this AD, at the applicable time specified in Tables 3, 5, 6, and 8 in paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, do the preventive modification, including doing detailed and HFEC inspections for cracking and applicable corrective actions in accordance with Part 4 of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, except as required by paragraph (i)(3) of this AD. Do all applicable corrective actions before further flight. Accomplishing the modification required by this paragraph terminates the inspections required by paragraph (g)(1) of this AD for the modified area only.

(l) Terminating Action

(1) For Groups 4 through 6, Configurations 1, 3, 4, and 6 airplanes; and Groups 8 through 11, Configurations 1, 3, 4, and 6 airplanes; as identified in Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015: Accomplishing the preventive modification, including detailed and HFEC inspections for cracking and applicable corrective actions, in accordance with Part 4 of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, except as required by paragraph (i)(3) of this AD, terminates the inspections required by paragraph (g)(1) of this AD for the modified area only.

(2) For Groups 4 through 6, Configurations 3 and 6 airplanes; and Groups 8 through 11, Configurations 3 and 6 airplanes; as identified in Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015: Accomplishing the repair, including HFEC inspections for cracking and applicable corrective actions, in accordance with Part 3 of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1261, Revision 1, dated January 30, 2015, except as required by paragraph (i)(3) of this AD, terminates the repetitive inspections required by paragraph (g)(1) of this AD for the repaired area only.

(3) Accomplishment of the repair or the preventative modification specified in Boeing Message M–7200–02–1294, dated August 20, 2002, before the effective date of this AD terminates the repetitive inspections required by paragraph (g)(1) of this AD for the repaired or modified area only.

(4) Accomplishment of the repair or the preventative modification in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO) terminates the repetitive inspections required by paragraph (g)(1) of this AD for the repaired or modified area only.

(m) Credit for Previous Actions

(1) This paragraph provides credit for the inspections required by paragraph (g) of this AD, if those inspections were performed before the effective date of this AD using Boeing Alert Service Bulletin 737–53A1261, dated January 19, 2006, which was incorporated by reference in AD 2008–13–12, Amendment 39–15575 (73 FR 38905, July 8, 2008).

(2) This paragraph provides credit for the modification specified in paragraphs (k) and (l)(1) of this AD, if performed before the effective date of this AD using Boeing Alert Service Bulletin 737–53A1261, dated January 19, 2006, which was incorporated by reference in AD 2008–13–12, Amendment 39–15575 (73 FR 38905, July 8, 2008).

(n) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles ACO, 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 ACO, send it to the attention of the person identified in paragraph (o)(1) of this AD. Information may be emailed to: *9-ANM-LAACO-AMOC-Requests@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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Los Angeles ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) AMOCs approved for AD 2008–13–12, Amendment 39–15575 (73 FR 38905, July 8, 2008); and AD 2008–13–12 R1, Amendment 39–15719 (73 FR 67383, November 14, 2008); are approved as AMOCs for the corresponding provisions of paragraph (g) of this AD.

(o) Related Information

(1) For more information about this AD, contact Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6447; fax: 425–917–6590; email: *wayne.lockett@faa.gov.*

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services

Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on September 29, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–25709 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 774

[Docket No. 150820757–5757–01]

Commerce Control List: Request for Comments Regarding Controls on Military Vehicles, Vessels of War, Submersible Vessels, Oceanographic Equipment, and Auxiliary and Miscellaneous Military Equipment

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Notice of inquiry.

SUMMARY: The Bureau of Industry and Security (BIS), Department of Commerce, maintains the Export Administration Regulations, including the Commerce Control List (CCL). The Export Control Reform Initiative, a fundamental reform of the U.S. export control system, has resulted in transfer to the CCL of items that the President has determined do not warrant control on the United States Munitions List (USML), including certain military vehicles, vessels of war, submersible vessels, oceanographic equipment, auxiliary and miscellaneous military equipment, and related items therefor. The USML is part of the International Traffic in Arms Regulations maintained by the Department of State. Through this notice, BIS is seeking public comments to perform a complementary review of the aforementioned items on the CCL, concurrent with the Department of State's review of the controls implemented in its recent revisions to Categories VI, VII, XIII, and XX of the USML (which control surface vessels of war and special naval equipment, military ground vehicles, miscellaneous military articles and materials, submersible vessels, and related items therefor), to ensure that the descriptions of these items on the CCL are clear, do not inadvertently control items in normal commercial use, account for technological developments, and properly implement the national security and foreign policy objectives of the reform effort. This notice also furthers the retrospective regulatory review directed by the President in Executive Order 13563.

DATES: Comments must be received by BIS no later than December 8, 2015.

ADDRESSES: Comments may be submitted to the Federal rulemaking portal (*http://www.regulations.gov*). You can find this notice by searching on its regulations.gov docket number, which is BIS–2015–0039. Comments may also be submitted via email to *publiccommments@bis.doc.gov* or on paper to Regulatory Policy Division, Bureau of Industry and Security, Room 2099B, U.S. Department of Commerce, Washington, DC 20230. Please refer to RIN 0694–XC025 in all comments and in the subject line of email comments. All comments (including any personally identifying information) will be made available for public inspection and copying. Commerce's full plan for retrospective regulatory review can be accessed at: *http://open.commerce.gov/news/2011/08/23/commerce-plan-retrospective-analysis-existing-rules.*

FOR FURTHER INFORMATION CONTACT: For questions regarding ground vehicles and related items (ECCNs 0A606, 0B606, 0C606, 0D606 and 0E606), contact Gene Christiansen, Office of National Security and Technology Transfer Controls, at 202–482–2984 or *gene.christiansen@bis.doc.gov.* For questions regarding surface vessels and related items (ECCNs 8A609, 8B609, 8C609, 8D609 and 8E609) or submersible vessels and related items (ECCNs 8A620, 8B620, 8D620, and 8E620), contact Alexander Lopes, Office of Nonproliferation and Treaty Compliance, at 202–482–4875 or *alexander.lopes@bis.doc.gov.* For questions regarding miscellaneous equipment, materials, and related items (ECCNs 0A617, 0B617, 0C617, 0D617, and 0E617), contact Michael Rithmire, Office of National Security and Technology Transfer Controls, at 202–482–6105 or *michael.rithmire@bis.doc.gov.* For questions regarding license applications for any of the items specified above, contact Elena Love, Thomas DeFee or Jeffery Leitz of the Office of Strategic Industries and Economic Security, by phone, at 202–482–4506, or by email, at *Elena.Love@bis.doc.gov, Thomas.DeFee@bis.doc.gov,* or *Jeffrey.Leitz@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Bureau of Industry and Security (BIS), Department of Commerce maintains the Export Administration Regulations, including the Commerce Control List (CCL). The Export Control Reform Initiative, a fundamental reform of the U.S. export control system, has resulted in transfer to the CCL of items that the President has determined do not warrant control on the United States Munitions List (USML), including certain military vehicles, vessels of war, submersible vessels, oceanographic equipment, auxiliary and miscellaneous military equipment, and related items therefor. The USML is part of the International Traffic in Arms Regulations maintained by the Department of State. Through this notice, BIS is seeking comments to perform a complementary review of military vehicles, vessels of war, submersible vessels, oceanographic equipment, auxiliary and miscellaneous military equipment, and related items on the CCL, concurrent with the Department of State's review of the controls implemented in its recent revisions to Categories VI, VII, XIII, and XX of the USML (which control surface vessels of war and special naval equipment, military ground vehicles, miscellaneous military articles and materials, submersible vessels, and related items therefor), to ensure that the descriptions of these items on the CCL are clear, do not inadvertently control items in normal commercial use, account for technological developments, and properly implement the national security and foreign policy objectives of the reform effort.

Specifically, BIS is soliciting comments on the clarity, usability and any other matters related to implementation of the ''600 series'' Export Control Classification Numbers (ECCNs) that control the following items, as well as certain items related thereto: military vehicles (ECCNs 0A606, 0B606, 0C606, 0D606, and 0E606); vessels of war (ECCNs 8A609, 8B609, 8C609, 8D609, and 8E609); submersible vessels and oceanographic equipment (ECCNs 8A620, 8B620, 8D620, and 8E620); and auxiliary and miscellaneous military equipment (ECCNs 0A617, 0B617, 0C617, 0D617, and 0E617).

The Export Control Reform Initiative: USML Review and the CCL

A core element of the Export Control Reform (ECR) Initiative has been the streamlining of categories on the USML and the control on the CCL of those items that the President determines do

not warrant USML control. On December 10, 2010, the Department of State provided notice to the public of its intent, pursuant to the ECR Initiative, to revise the USML to create a more ''positive list'' that describes controlled items using, to the extent possible, objective criteria rather than broad, open-ended, subjective, or design intent-based criteria (see 75 FR 76935). As a practical matter, this meant revising USML categories so that, with some exceptions, the descriptions of defense articles that continued to warrant control under the USML did not use catch-all phrases, such as ''specially designed'' or ''specifically designed or modified,'' to control unspecified items. With limited exceptions, the defense articles that continued to warrant control under the USML were those that provided the United States with a critical military or intelligence advantage. Items that no longer warranted control under the USML were to become subject to the jurisdiction of the Department of Commerce under the Export Administration Regulations (EAR). Since that time, the Departments of State and Commerce have jointly published final rules in which, collectively, the Department of State has made revisions to fifteen of the USML categories (each of which has been restructured to provide a uniform and more ''positive list'' of controlled items) and the Department of Commerce has made corresponding revisions to the CCL.

The advantage of revising the USML into a more positive list is that its controls can be tailored to satisfy the national security and foreign policy objectives of the ITAR by maintaining control over those defense articles that provide a critical military or intelligence advantage, or otherwise warrant control under the ITAR, without inadvertently controlling items in normal commercial use. This approach, however, requires that both the USML and the CCL be regularly revised and updated to address technological developments, practical application issues identified by exporters and reexporters, and changes in the military and commercial applications of items affected by the USML and the ''600 series'' ECCNs on the CCL.

Consistent with the approach described above, this notice of inquiry requests public comments as part of a complementary review of changes to the EAR and the ITAR based on the ECR Initiative and implemented by a set of rules, published by the Departments of State and Commerce, that became effective on January 6, 2014. These rules implemented revisions to Category VI (surface vessels of war and special naval equipment), Category VII (ground vehicles), Category XIII (materials and miscellaneous articles), and Category XX (submersible vessels and related articles) on the USML (see 78 FR 40922) and added the following ''600 series'' ECCNs to the CCL (see 78 FR 40892): ECCNs 0A606, 0B606, 0C606, 0D606, and 0E606 (military vehicles and related items); ECCNs 8A609, 8B609, 8C609, 8D609, and 8E609 (vessels of war and related items); ECCNs 8A620, 8B620, 8D620, and 8E620 (submersible vessels, oceanographic equipment and related items); and ECCNs 0A617, 0B617, 0C617, 0D617, and 0E617 (auxiliary and miscellaneous military equipment). The Department of State is seeking comments from the public on the condition and efficacy of the revised Categories VI, VII, XIII, and XX and whether they are meeting the ECR objectives for the list revisions. BIS will make any changes to the CCL that it determines are necessary to complement revisions to the USML by the Department of State. In addition, through this notice of inquiry, BIS is independently seeking comments on how to improve the implementation of the aforementioned ''600 series'' ECCNs on the CCL.

Executive Order 13563

On January 18, 2011, President Barack Obama issued Executive Order 13563, affirming general principles of regulation and directing government agencies to improve regulation and regulatory review. Among other things, the President stressed the need for the regulatory system to allow for public participation and an open exchange of ideas, as well as promote predictability and reduce uncertainty. The President also emphasized that regulations must be accessible, consistent, written in plain language, and easy to understand. As part of its ongoing effort to ensure that its regulations are clear, effective, and up-to-date, BIS is issuing this notice soliciting public comments.

Dated: October 5, 2015.

Matthew S. Borman,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 2015–25752 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF STATE

22 CFR 121

[Public Notice: 9313]

Notice of Inquiry; Request for Comments Regarding Review of United States Munitions List Categories VI, VII, XIII, and XX

AGENCY: Department of State.

ACTION: Notice of inquiry, request for comments.

SUMMARY: The Department of State requests comments from the public to inform its review of the controls implemented in recent revisions to Categories VI, VII, XIII and XX of the United States Munitions List (USML). In light of the ongoing transition of the USML to a more ''positive list'' pursuant to the President's Export Control Reform (ECR) initiative, the Department intends to periodically review the revised USML categories to ensure that they are clear, do not inadvertently control items in normal commercial use, account for technological developments, and properly implement the national security and foreign policy objectives of the reform effort. This review will also consider any drafting issues related to the USML categories under review.

DATES: The Department of State will accept comments from the public until December 8, 2015.

ADDRESSES: Interested parties may submit comments by one of the following methods:

- *Email: DDTCPublicComments@state.gov* with the subject line, ''Review of USML Categories VI, VII, XIII and XX.''
- *Internet:* At *www.regulations.gov,* search for this notice using its docket number, DOS–2015–0054.

Comments submitted through *www.regulations.gov* will be visible to other members of the public; the Department will publish all comments on the Directorate of Defense Trade Controls Web site (*www.pmddtc.state.gov*). Therefore, commenters are cautioned not to include proprietary or other sensitive information in their comments.

FOR FURTHER INFORMATION CONTACT: Mr. C. Edward Peartree, Director, Office of Defense Trade Controls Policy, Department of State, telephone (202) 663–2792; email *DDTCPublicComments@state.gov.* ATTN: Review of USML Categories VI, VII, XIII and XX.

SUPPLEMENTARY INFORMATION:

List Review

On December 10, 2010, the Department provided notice to the public of its intent, pursuant to the ECR initiative, to revise the USML to create a ''positive list'' that describes controlled items using, to the extent possible, objective criteria rather than broad, open-ended, subjective, or design intent-based criteria (*see* 75 FR 76935). As a practical matter, this meant revising USML categories so that, with some exceptions, the descriptions of defense articles that continued to warrant control under the USML did not use catch-all phrases to control unspecified items. With limited exceptions, the defense articles that warranted control under the USML were those that provided the United States with a critical military or intelligence advantage. All other items were to become subject to the Export Administration Regulations. Since that time, the Department has published final rules setting forth revisions for fifteen USML categories, each of which have been reorganized into a uniform and more positive list structure.

The advantage of revising the USML into a more positive list is that its controls can be tailored to satisfy the national security and foreign policy objectives of the U.S. government by maintaining control over those defense articles that provide a critical military or intelligence advantage, or otherwise warrant control under the International Traffic in Arms Regulations (ITAR), without inadvertently controlling items in normal commercial use. This approach, however, requires that the lists be regularly revised and updated to account for technological developments, practical application issues identified by exporters and reexporters, and changes in the military and commercial applications of items affected by the list. In addition, the USML and the Commerce Control List require regular revision in order to ensure that they satisfy the national security and foreign policy objectives of the reform effort, which are to (i) improve interoperability of U.S. military forces with allied countries, (ii) strengthen the U.S. industrial base by, among other things, reducing incentives for foreign manufacturers to design out and avoid U.S.-origin content and services, which ensures continued U.S. visibility and control, and (iii) allow export control officials to focus government resources on transactions that pose greater concern.

On June 17, 2015, the Department published a Notice of Inquiry in the **Federal Register** requesting public comment on USML Categories VIII and XIX, both of which were revised pursuant to the ECR initiative in late 2013. It was the first of what is planned to be a series of solicitations requesting feedback on those USML categories that have reached their one-year anniversary of revision. This Notice of Inquiry is the second such request. As suggested in its title, the subjects are Categories VI, VII, XIII and XX, which became effective on January 6, 2014 (*see* 78 FR 40922). As with the previous inquiry, the Department seeks comment from the public on the condition and efficacy of these categories and whether they are meeting the ECR objectives for the list revisions.

Request for Comments

The Department requests public comment regarding USML Categories VI, VII, XIII and XX. General comments on the overall ECR initiative or other aspects of the ITAR, to include other categories of the USML that do not relate to or are not affected by Categories VI, VII, XIII or XX, are outside of the scope of this inquiry. In order to contribute effectively to the USML review process, all commenters are encouraged to provide comments that are responsive specifically to the prompts set forth below.

The Department requests comment on the following topics, as they relate to Categories VI, VII, XIII and XX:

1. Emerging and new technologies that are appropriately controlled by one of the referenced categories, but which are not currently described in the subject categories or not described with sufficient clarity.

2. Defense articles that are described in subject categories, but which have entered into normal commercial use since the most recent revisions to the category at issue. For such comments, be sure to include documentation to support claims that defense articles have entered into normal commercial use.

3. Defense articles for which commercial use is proposed, intended, or anticipated in the next five years.

4. Drafting or other technical issues in the text of either of the referenced categories.

The Department will review all comments from the public. If a rulemaking is warranted based on the comments received, the Department will respond to comments received in a proposed rulemaking in the **Federal Register**.

C. Edward Peartree,

Director, Office of Defense Trade Controls Policy, Bureau of Political-Military Affairs, U.S. Department of State.

[FR Doc. 2015–25751 Filed 10–8–15; 8:45 am]

BILLING CODE 4710–25–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51, 60, 61, and 63

[EPA–HQ–OAR–2014–0292; FRL–9935–42–OAR]

RIN 2060–AS34

Revisions to Test Methods, Performance Specifications, and Testing Regulations for Air Emission Sources; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Environmental Protection Agency (EPA) is extending the comment period for the proposed rule titled, ''Revisions to Test Methods, Performance Specifications, and Testing Regulations for Air Emission Sources,'' that was published in the **Federal Register** on September 8, 2015. The 60-day comment period in the proposed rule is scheduled to end on November 9, 2015. The extended comment period will close on December 9, 2015. The EPA recently added a technical justification to the docket for the revision in the proposed rule regarding Subpart JJJJ of Part 60 (Standards of Performance for Stationary Spark Ignition Internal Combustion Engines). We also added background information to support our reasoning for soliciting comment about Method 7E stratification. Therefore, the EPA is extending the comment period to allow the public additional time to submit comments and supporting information on these and other aspects of the proposed rule.

DATES: Comments on the proposed rule published September 8, 2015 (80 FR 54146) must be received on or before December 9, 2015.

ADDRESSES: *Comments.* Written comments on the proposed rule may be submitted to the EPA electronically, by mail, by facsimile, or through hand delivery/courier. Please refer to the proposal (80 FR 54146) for the addresses and detailed instructions.

Docket. Publicly available documents relevant to this action are available for public inspection either electronically at *www.regulations.gov,* or in hard copy at the EPA Docket Center, EPA/DC, WJC West Building, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The public reading room is open from 8:30 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying. The EPA has established the official public docket No. EPA–HQ–OAR–2014–0292.

FOR FURTHER INFORMATION CONTACT: Ms. Lula H. Melton, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Assessment Division, Measurement Technology Group (Mail Code: E143–02), Research Triangle Park, NC 27711; telephone number: (919) 541–2910; fax number: (919) 541–0516; email address: *melton.lula@epa.gov.*

SUPPLEMENTARY INFORMATION:

Comment Period

The EPA is extending the public comment period for an additional 30 days to ensure that the public has sufficient time to review and comment on the proposed rule. The public comment period will end on December 9, 2015, instead of November 9, 2015.

List of Subjects

40 CFR Part 51

Environmental protection, Air pollution control, Performance specifications, Test methods and procedures.

40 CFR Part 60

Environmental protection, Air pollution control, Incorporation by reference, Performance specifications, Test methods and procedures.

40 CFR Parts 61 and 63

Environmental protection, Air pollution control, Performance specifications, Test methods and procedures.

Dated: September 28, 2015.

Stephen D. Page,

Director, Office of Air Quality Planning and Standards.

[FR Doc. 2015–25835 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2015–0280; FRL–9935–41–Region 9]

Revisions to California State Implementation Plan; Bay Area Air Quality Management District; Stationary Source Permits; Reopening of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reopening of comment period.

SUMMARY: EPA is reopening the comment period on a proposed limited approval and limited disapproval published on August 28, 2015 (80 FR 52236).

DATES: Any comments on this proposal must arrive by November 12, 2015.

ADDRESSES: Submit comments, identified by Docket ID Number EPA–R09–OAR–2015–0280, by one of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov.* Follow the on-line instructions.

2. *Email: R9airpermits@epa.gov.*

3. *Mail or deliver:* Gerardo Rios (Air-3), U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105–3901. Deliveries are only accepted during the Regional Office's normal hours of operation.

Instructions: All comments will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *www.regulations.gov* or email. *www.regulations.gov* is an anonymous access system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. 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.

Docket: Generally, documents in the docket for this action are available electronically at *www.regulations.gov* and in hard copy at EPA Region 9, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at *www.regulations.gov,* some information may be publicly available only at the hard copy location (*e.g.,* copyrighted material, large maps), and some may not be publicly available in either location (*e.g.,* CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Shaheerah Kelly, EPA Region 9, (415) 947–4156, *kelly.shaheerah@epa.gov.*

SUPPLEMENTARY INFORMATION: On August 28, 2015, EPA proposed a limited approval and limited disapproval of the following rules for the Bay Area Air Quality Management District (BAAQMD) portion of the California State Implementation Plan (SIP).

TABLE 1—SUBMITTED RULES

Regulation & Rule No.	Rule title	Adopted/amended	Submitted
Regulation 2, Rule 1 (2–1)	Permits, General Requirements	12/19/12	4/22/13
Regulation 2, Rule 2 (2–2)	Permits, New Source Review	12/19/12	4/22/13

The proposed rule provided a 30-day public comment period. In response to a request from BAAQMD submitted by letter on September 21, 2015, EPA is reopening the comment period for an additional 45 days.

Dated: September 28, 2015.

Jared Blumenfeld,

Regional Administrator, Region IX.

[FR Doc. 2015–25834 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2014–0631; A–1–FRL–9932–07–Region 1]

Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Regulations Limiting Emissions of Volatile Organic Compounds and Nitrogen Oxides

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the Commonwealth of Massachusetts. These revisions establish emission limitations for certain activities that produce emissions of volatile organic compounds (VOCs) and nitrogen oxides (NO_x). This action is being taken in accordance with the Clean Air Act.

DATES: Written comments must be received on or before November 9, 2015.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R01–OAR–2014–0631, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *Email: arnold.anne@epa.gov.*

3. *Fax:* (617) 918–0047.

4. *Mail:* ''EPA–R01–OAR–2014–0631,'' Anne Arnold, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109—3912. Hand Delivery or Courier. Deliver your comments to: Anne Arnold, Manager, Air Quality Planning Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109—3912. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

Please see the direct final rule which is located in the Rules Section of this **Federal Register** for detailed instructions on how to submit comments.

FOR FURTHER INFORMATION CONTACT: Bob McConnell, Air Quality Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA, 02109—3912, telephone number (617) 918–1046, fax number (617) 918–0046, email *mcconnell.robert@epa.gov.*

SUPPLEMENTARY INFORMATION: In the Final Rules Section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the Rules Section of this **Federal Register**.

Dated: July 22, 2015.

H. Curtis Spalding,

Regional Administrator, EPA New England.

[FR Doc. 2015–25322 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2015–0527; A–1–FRL–9935–32–Region1]

Air Plan Approval; Maine; General Permit Regulations for Nonmetallic Mineral Processing Plants and Concrete Batch Plants

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of Maine. This revision establishes and requires general permit regulations for minor nonmetallic mineral processing plants and concrete batch plants. The regulations provide an option for new sources of air emissions to comply with the State's minor new source review (NSR) rules. The intended effect of this action is to approve general permit regulations for minor nonmetallic mineral processing plants and concrete batch plants. This action is being taken in accordance with section 110 the Clean Air Act.

DATES: Written comments must be received on or before November 9, 2015.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R01–OAR–2015–0527 by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *Email: mcdonnell.ida@epa.gov.*

3. *Fax:* (617) 918–0653.

4. *Mail:* ''EPA–R01–OAR–2015–0527'', Ida E. McDonnell, U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, Air Permits, Toxics and Indoor Programs Unit, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912.

5. *Hand Delivery or Courier.* Deliver your comments to: Ida E. McDonnell, Manager, Air Permits, Toxics, and Indoor Programs Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

Please see the direct final rule which is located in the Rules Section of this **Federal Register** for detailed instructions on how to submit comments.

FOR FURTHER INFORMATION CONTACT: Susan Lancey, Office of Ecosystem Protection, 5 Post Office Square, Suite 100 (OEP05–2), telephone number (617) 918–1656, fax number (617) 918–0656, email *lancey.susan@epa.gov*

SUPPLEMENTARY INFORMATION: In the Final Rules Section of this **Federal Register**, EPA is approving the State's SIP submittals as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of either or both of Maine's regulations as part of this rule and if that provision or provisions may be severed from the remainder of the State's regulations and this rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the Rules Section of this **Federal Register**.

Dated: September 21, 2015.

H. Curtis Spalding,

Regional Administrator, EPA New England.

[FR Doc. 2015–25438 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

LEGAL SERVICES CORPORATION

45 CFR Part 1630

Cost Standards and Procedures; Property Acquisition and Management Manual

AGENCY: Legal Services Corporation.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Legal Services Corporation (LSC or the Corporation) is issuing this advance notice of proposed rulemaking (ANPRM) to request comment on the Corporation's considerations for revising 45 CFR part 1630 and the Property Acquisition and Management Manual (PAMM). The Corporation has chosen to address both part 1630 and the PAMM in a single rulemaking due to the level of similarity and overlap between them, particularly with regard to the provisions governing real and personal property acquisition and prior approval procedures. This ANPRM seeks input and recommendations on how to address most effectively those provisions of part 1630 and the PAMM that impact LSC's ability to promote clarity, efficiency, and accountability in its grant-making and grants oversight practices.

DATES: Comments must be submitted by December 8, 2015.

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

Email: lscrulemaking@lsc.gov. Include ''Part 1630/PAMM Rulemaking'' in the subject line of the message.

Fax: (202) 337–6519.

Mail: Stefanie K. Davis, Assistant General Counsel, Legal Services Corporation, 3333 K Street NW., Washington, DC 20007, ATTN: Part 1630/PAMM Rulemaking.

Hand Delivery/Courier: Stefanie K. Davis, Assistant General Counsel, Legal Services Corporation, 3333 K Street NW., Washington, DC 20007, ATTN: Part 1630/PAMM Rulemaking.

Instructions: Electronic submissions are preferred via email with attachments in Acrobat PDF format. Written comments sent via any method not described in this notice or received after the end of the comment period may not be considered by LSC.

FOR FURTHER INFORMATION CONTACT: Stefanie K. Davis, Assistant General Counsel, Legal Services Corporation, 3333 K Street NW., Washington, DC 20007, (202) 295–1563 (phone), (202) 337–6519 (fax), *sdavis@lsc.gov.*

SUPPLEMENTARY INFORMATION:

I. Regulatory Background of Part 1630 and the PAMM

The purpose of 45 CFR part 1630 is ''to provide uniform standards for allowability of costs and to provide a comprehensive, fair, timely, and flexible process for the resolution of questioned costs.'' 45 CFR 1630.1. LSC last revised Part 1630 in 1997, when it published a final rule intended to ''bring the Corporation's cost standards and procedures into conformance with applicable provisions of the Inspector General Act, the Corporation's appropriations action, and relevant Office of Management and Budget (OMB) Circulars.'' 62 FR 68219, Dec. 31, 1997. Although the OMB Circulars are not binding on LSC because it is not a federal agency, LSC adopted certain provisions from relevant OMB Circulars pertaining to non-profit grants, audits, and cost principles into the final rule for part 1630. *Id.* at 68219–20 (citing OMB Circulars A–50, A–110, A–122, and A–133).

LSC published the PAMM in 2001 ''to provide recipients with a single complete and consolidated set of policies and procedures related to property acquisition, use and disposal.'' 66 FR 47688, Sept. 13, 2001. Prior to the PAMM's issuance, such policies and procedures were ''incomplete, outdated and dispersed among several different LSC documents.'' *Id.* The PAMM contains policies and procedures that govern both real and non-expendable personal property, but, with the exception of contract services for capital improvements, the PAMM does not apply to expendable personal property or to contracts for services. *Id.* at 47695. The PAMM's policies and procedures were developed with guidance from the Federal Acquisition Regulations, the Federal Property Management Regulations, and OMB Circular A–110. *Id.* at 47688. The PAMM also incorporates several references to provisions of part 1630 pertaining to costs requiring LSC prior approvals and the proper allocation of derivative income. *Id.* at 47696–98 (containing references to 45 CFR 1630.5(b)(2–4), 1630.5(c), and 1630.12, respectively).

II. Impetus for This Rulemaking

Part 1630 and the PAMM have not been revised since 1997 and 2001, respectively. Since that time, procurement practices and cost allocation principles applicable to awards of federal funds have changed significantly. For instance, in 2013, OMB revised and consolidated several Circulars into a single Uniform Guidance. 78 FR 78589, Dec. 26, 2013; 2 CFR part 200. OMB consolidated and simplified its guidance to ''reduce administrative burden for non-Federal entities receiving Federal awards while reducing the risk of waste, fraud and abuse.'' 78 FR 78590, Dec. 26, 2013.

LSC has determined that it should undertake regulatory action at this time for three reasons. The first reason is to account, where appropriate for LSC, for corresponding changes in Federal grants policy. The second reason is to address the difficulties that LSC and its grantees experience in applying ambiguous provisions of Part 1630 and the PAMM. Finally, LSC believes rulemaking is appropriate at this time to address the limitations that certain provisions of both documents place on the

Corporation's ability to ensure clarity, efficiency, and accountability in its grant-making and grants oversight practices.

LSC has identified several aspects of part 1630 and the PAMM that reduce efficiency, create confusion, and fail to ensure accountability in the use of LSC funds. For example, part 1630 and the PAMM both require recipients to seek prior approval for certain purchases of real and non-expendable personal property. 45 CFR 1630.5 (describing costs requiring prior approval), 1630.6 (establishing the timetable and bases for granting prior approval); PAMM sections 3(d), 4(d). LSC has determined that the text of its prior approval provisions does not accurately reflect the intent of its drafters or the current practice of the Corporation and its grantees. Clarifying when recipients must seek prior approval of purchases will align the text of these provisions with current practice and eliminate uncertainty about their application. This revision would also be consistent with LSC's original purpose in issuing the PAMM ''to provide recipients with a single complete and consolidated set of policies and procedures related to property acquisition, use and disposal.'' 66 FR 47688, Sept. 13, 2001.

LSC's Office of Inspector General (OIG) and LSC management have also recommended that the Corporation consider revising 45 CFR 1630.7(b). Section 1630.7(b) provides that LSC shall provide written notice to a grantee of LSC's decision to disallow certain costs if LSC determines that there is a basis to disallow the costs and not more than five years has passed since the grantee incurred the costs. OIG and Management have expressed concern that the lack of specificity regarding the point at which LSC has sufficient basis to disallow costs and to notify a recipient of LSC's intent to disallow costs impedes LSC's ability to recover misspent funds.

In July 2014, the Operations and Regulations Committee (Committee) of LSC's Board of Directors (Board) approved Management's proposed 2014–2015 rulemaking agenda, which included revising part 1630 and the PAMM as a priority item. On July 16, 2015, Management presented the Committee with a Justification Memorandum recommending publication of an ANPRM to seek public comment on possible revisions to Part 1630 and the PAMM. Management stated that collecting input from the regulated community through an ANPRM would significantly aid LSC in determining the scope of this rulemaking and in developing a more accurate understanding of the potential costs and benefits that certain revisions may entail. On July 18, 2015, the LSC Board authorized rulemaking and approved the preparation of an ANPRM to revise Part 1630 and the PAMM.

On October 4, 2015, the Committee voted to publish this ANPRM in the **Federal Register** for notice and comment.

III. Discussion of Revisions Under Consideration

LSC requests comment on the following proposals and specific questions. When submitting responses to specific questions, please refer to each question by number.

A. Revising, Restructuring, and Consolidating Prior Approval Provisions

To improve organization and clarity, LSC is considering restructuring 45 CFR 1630.5, which currently governs three discrete topics:

(1) Recipient requests for advance understanding of whether an unusual or special cost is allowable (§ 1630.5(a));

(2) Costs for which prior approval is necessary (§ 1630.5(b)); and

(3) The duration of a prior approval or advance understanding (§ 1630.5(c)).

Section 1630.5(b) further lists four types of costs requiring prior approval, three of which apply exclusively to property:

(1) Pre-award costs and costs incurred after the cessation of funding;

(2) Purchases and leases of personal, non-expendable property if the purchase price of any individual item exceeds $10,000;

(3) Purchases of real property; and

(4) Capital expenditures exceeding $10,000 to improve real property.

LSC is considering expressly incorporating into the PAMM all of the procedures and requirements governing prior approval that are related to property. By its own terms, the PAMM represents the consolidation of ''all of the relevant policies and requirements related to the acquisition, use and disposal of real and personal property'' in a single document. 66 FR 47688, Sept. 13, 2001. In fact, the PAMM merely incorporates some of these policies and requirements by reference and excludes others altogether. For example, 45 CFR 1630.5(b)–(c) are referenced throughout sections 3 and 4 of the PAMM, which govern acquisition procedures for personal and real property. *Id.* at 47696. The PAMM omits 45 CFR 1630.6, which establishes the timetable and basis for granting prior approval. Similarly, while some of the provisions of Program Letter 98–4, which established the processes for requesting prior approval, are incorporated throughout the PAMM, others are distinctly absent. *Id.* at 47689. The omitted provisions include the process for requesting approval of pre-award costs and costs incurred after the cessation of funding, both of which may involve property.

Question 1: How should LSC restructure the provisions discussed above to best provide clarity to its grantees?

Question 2: In addition to the provisions discussed above, are there any additional provisions from other LSC documents related to prior approval that should also be restructured or consolidated?

Management is also considering revising 45 CFR 1630.5(b)(2) and section 3(d) of the PAMM to require prior approval for each transaction in which the aggregate cost of all items of personal property purchased through the transaction exceeds a specific threshold. Both sections currently require recipients to obtain prior approval only for acquisition of an ''individual'' item of personal property that has a value exceeding $10,000. LSC's Office of Compliance and Enforcement (OCE) and OIG, however, have applied 45 CFR 1630.5(c) and section 3(d) of the PAMM as requiring prior approval for a single acquisition of multiple related items that have an aggregate value exceeding $10,000. The proposed revision would, therefore, make the rules consistent with LSC and OIG's practice.

Finally, LSC is considering raising the $10,000 prior-approval threshold set by 45 CFR 1630.5(b)(2) and section 3(d) of the PAMM. LSC is also considering drafting the rule to allow for adjustment when economic circumstances indicate adjustment is appropriate. LSC adopted the $10,000 threshold over 20 years ago and did not provide for adjustment due to inflation. As a result, recipients must seek prior approval for purchases considerably smaller than those for which LSC intended to require prior approval at the time it published the PAMM.

Question 3: Are there any potential concerns or problems that could arise from revising the rule to specify that recipients must seek prior approval of single acquisitions of multiple items whose aggregate value exceeds the prior approval threshold?

Question 4: Would the proposed approach generally be consistent with other funders' requirements for all purchases of nonexpendable personal property costing more than the prior-approval threshold?

Question 5: Should LSC raise the prior approval threshold? If yes, what

amount should LSC set as the threshold? Are there any similar prior approval requirements imposed by funders other than the federal government that may help LSC make this determination? Should LSC automatically adjust the threshold on a scheduled basis to account for inflation, or should LSC consider another mechanism to allow for adjustment on a discretionary or as-needed basis?

B. Clarifying When LSC Provides Notice of Its Intent To Disallow Costs

LSC is considering revising 45 CFR 1630.7(b), which currently states that LSC may commence a disallowed cost proceeding only if (1) it has made a determination of ''a basis for disallowing a questioned cost,'' (2) ''not more than five years have elapsed since the recipient incurred the cost,'' and (3) the Corporation provides written notice to the recipient ''of its intent to disallow the cost. . . . [stating] the amount of the cost and the factual and legal basis for disallowing it.'' OIG, Management, and the LSC Board have expressed concern that the lack of clarity regarding the point at which such notice may be provided unnecessarily impedes LSC's ability to recover misspent funds. LSC currently interprets the phrase ''determination of a basis for disallowing a questioned cost'' to mean the point at which LSC determines that a recipient has in fact incurred a questioned cost as defined in 45 CFR 1630.2(g).

Based on its experience with questioned-cost proceedings, LSC proposes to revise § 1630.7(b) to state that LSC may issue ''written notice . . . of its intent to disallow the cost'' at the time LSC has enough evidence to support a reasonable belief that the cost is unallowable. The notice would not necessarily initiate a questioned cost proceeding, but would instead inform the recipient that LSC believes a cost could be questioned and will investigate further. LSC would subsequently notify the recipient whether LSC intends to initiate a questioned cost proceeding.

LSC proposes to revise § 1630.7(b) for four reasons. First, giving notice at the time LSC reasonably believes that it could disallow a cost would allow the recipient to ensure that it retains all records related to the cost in the event that it needs to respond to a notice of questioned costs. Second, notice at an earlier stage of LSC's investigation would inform a recipient sooner about problems identified by LSC and encourage the recipient to change its practice giving rise to the questioned cost, which would potentially save the recipient money. Third, changing the rule to provide notice at the time LSC has a reasonable basis for a questioned cost proceeding, rather than at the time LSC initiates the proceeding, would allow LSC to recover misspent funds in cases that require lengthy investigations. The good faith notice that LSC has enough evidence to support a reasonable belief that the cost is unallowable would establish the five-year period for recovery and permit LSC to recover misspent funds if the time for investigation exceeds five years from the date the recipient incurred the cost. The current rule restricts LSC's recovery regardless of how unreasonable or unlawful the questioned cost may be.

Example: A recipient incurred deferred compensation costs for its executive director beginning in February, 2009. LSC had a reasonable basis for questioning the costs in 2014, but it took until February, 2015 for LSC to complete its investigation, which included an on-site visit, requesting and receiving documentation to support the costs from the recipient, and reviewing the documentation provided. If LSC issued notice of its intent to disallow costs associated with the deferred compensation package in February, 2015, LSC could not question incurred between February, 2009 and February, 2010 because those costs would fall outside the five-year period in § 1630.7(b).

Finally, giving notice at an earlier stage in the investigative process would be more consistent with the definition of *questioned cost* at 45 CFR 1630.2(g). The definition of *questioned cost* lists three findings that may cause OIG, LSC, the Government Accountability Office (formerly the General Accounting Office), or an independent auditor to question costs: 1) the recipient may have violated a law, regulation, contract, grant, or other agreement governing the use of LSC funds; 2) the cost is not supported by adequate documentation; and 3) the cost appears unreasonable or unnecessary. Two of these findings involve potential, rather than definite, occurrences—a potential violation of law, or the apparent unreasonableness or unnecessary incurring of a given cost. A recipient ultimately may be able to properly document a cost after adequate time and incentive, and thereby avoid returning funds to LSC. For these reasons, LSC proposes to revise the notice requirement in § 1630.7(b).

Question 6: Are there any other changes LSC should consider when revising § 1630.7(b)? How would the proposed approach affect recipients who are subject to a questioned cost proceeding?

C. Revising the Requirements for Using LSC Funds for Federal Matching Purposes

LSC is considering eliminating the requirement in 45 CFR 1630.3(a)(8) that recipients obtain written consent from a federal agency before using LSC funds to match a grant awarded by that agency. Under this paragraph, recipients may use LSC funds to satisfy the matching requirement of a federally funded program only if ''the agency whose funds are being matched determines in writing that Corporation funds may be used for federal matching purposes[.]'' 45 CFR 1630.3(a)(8). The preamble to the 1986 final rule for part 1630 describes this section as ''a standard federal provision to ensure that [matching funds for federal grants] must be raised from a source other than the federal treasury and taxpayer.'' 51 FR 29076, 29077, Aug. 13, 1986. Section 1005 of the Legal Services Corporation Act states that, ''[e]xcept as otherwise specifically provided in [the Act],'' LSC is not ''considered a department, agency, or instrumentality, of the Federal Government.'' 42 U.S.C. 2996d(e)(1). Therefore, LSC funds are not ''federal funds'' for matching purposes, even though they are appropriated by Congress, and they could be used to match a federal grant award.

LSC understands that grantees find the requirement in § 1630.3(a)(8) burdensome because awarding agencies do not normally confirm in writing that the proposed source of a funding applicant's non-federal match is a permissible source. Even if the agency would allow the match, § 1630.3(a)(8) currently prohibits the match if the agency will not provide written consent. LSC also believes that the requirement is not necessary to ensure that grantees using LSC funds to match a federal grant continue using those funds consistent with the Corporation's governing statutes and regulations. LSC is considering removing the requirement to obtain written consent and replacing it with an alternative method of conveying the Corporation's position on the use of LSC funds as matching funds. One possible solution would be for LSC to issue a program letter explaining why LSC funds are not federal funds for matching purposes. LSC recipients could then provide that program letter to any awarding agencies that question the non-federal character of LSC funds.

Question 7: Based on the experiences of grantees who have applied to receive awards from federal agencies with matching requirements, would a program letter stating the Corporation's

position on the use of LSC funds as matching funds be an effective alternative to the current requirement of obtaining written consent from the awarding agency? Are there any other workable replacements for this requirement that LSC should consider in this rulemaking?

D. Revising the PAMM's Requirements for Disposal of Property

LSC is considering revising sections 6(f) and 7(a) and (d) of the PAMM to require recipients and former recipients to provide notice to and obtain approval from LSC prior to disposing of personal or real property acquired with LSC funds. Section 6(f) requires recipients that cease receiving LSC funding to seek LSC's approval prior to disposing of personal property. Section 6(c) requires recipients to seek LSC's approval to transfer an item of personal property to another nonprofit organization serving the poor in the same service area. *See* PAMM, section 6(c)(5). In all other instances, a recipient may dispose of personal property purchased in whole or in part with LSC funds without seeking LSC's approval.

Like section 6(f), section 7(c) requires entities that no longer receive LSC funding to seek LSC's approval before disposing of real property purchased in whole or in part with LSC funds. The provisions of the PAMM that do not require approval by LSC are section 7(a), governing the disposal of real property during the term of an LSC grant, and section 7(d), governing the transfer of real property by an entity that ceases to receive LSC funding to a recipient who has merged with or succeeded that entity. LSC's recent agreements governing grantee purchases of real property, however, generally require recipients to give LSC 30 days' notice of a pending sale or to seek LSC's approval of the sale 30 days prior to the completion of the sale. These conditions apply whether the sale occurs during the term of the LSC grant or after a grantee ceases to receive funding.

Under the Uniform Guidance, a recipient of Federal funds must request disposition instructions from the funding agency any time it wants to dispose of real property, equipment, or intangible property purchased with the agency's funds. *See* 2 CFR 200.311(c) (real property), 200.313(e) (equipment), and 200.315(a) (intangible property). In contrast, LSC requires a recipient to seek LSC's approval to dispose of real property or personal property only when the recipient ceases to receive LSC funding. Unlike the Uniform Guidance, the PAMM allows a recipient to choose the method of disposition and seek LSC's approval of that method.

Question 8: Would revising the provisions discussed above to require notice and approval by the Corporation prior to any disposal of personal or real property create or remove problems for grantees? Should any provision governing a particular type of property disposal have its own unique requirements or exceptions?

Question 9: How would it affect recipients if LSC revised the disposal provisions of the PAMM to require grantees to seek disposition instructions from LSC?

Question 10: What is an appropriate length of time for recipients to provide LSC with written notice prior to disposing of real property?

LSC is also considering revising sections 6(f) and 7(c) of the PAMM. Pursuant to those sections, when an entity that owns personal or real property acquired with LSC funds ceases to receive funding from LSC, it may: (1) Transfer the property to another LSC recipient; (2) retain the property and pay LSC that percentage of the fair market value of the property that represents the percentage of the acquisition cost attributable to LSC funds; or (3) sell the real property and compensate LSC as described in (2), minus actual and reasonable selling and fix-up expenses. In the case of personal property, section 6(f) permits a recipient to transfer the property to another nonprofit organization serving the poor in the same service area and pay LSC that percentage of the property's current fair market value that is equal to that percentage of the acquisition cost attributable to LSC funds. Although these provisions are consistent with the Uniform Guidance, LSC requests comments from grantees and others about whether it is appropriate for LSC to seek compensation.

Question 11: Should LSC continue to require former recipients to compensate LSC when the recipients dispose of personal or real property purchased with LSC funds? If so, what are some of the problems facing grantees with regard to the current requirements? How could LSC effectively address such problems in a way that is consistent with the goal of ensuring efficiency and accountability in grant-making and grants oversight practices?

E. Revising Definitions in the PAMM for Clarity and Consistency With Current Practices

LSC is considering revising the PAMM's definitions of ''acquisition costs for real property'' and ''capital improvement,'' which are incomplete and produce inconsistencies throughout the PAMM. Section 2(a) of the PAMM defines ''acquisition costs for real property'' as ''the initial down payment and principle [sic] and interest on debt secured to finance the acquisition of the property. . . .'' Section 2(c) of the PAMM defines ''capital improvement'' as ''an expenditure of an amount of LSC funds exceeding $10,000 to improve real property through construction or the purchase of immovable items which become an integral part of real property.'' The fact that the definitions of neither ''acquisition costs for real property'' nor ''capital improvement'' expressly cover renovations causes several problematic inconsistencies. For example, section 4(c) of the PAMM requires ''an analysis of the average annual cost of the acquisition, including the costs of a down payment, interest and principal payments on debt acquired to finance the acquisition, closing costs, renovation costs, and the costs of utilities, maintenance, and taxes, where applicable.'' Section (d)(7)(i) of the PAMM similarly requires recipients to estimate the ''total cost of the acquisition, including renovations, moving, and closing costs'' when seeking prior approval to purchase real property. As a result, a renovation cost in excess of $10,000 may be considered as an acquisition cost, despite also constituting a ''capital improvement.'' Section 7(f) of the PAMM further requires that recipients follow separate procedures when using LSC funds to make ''capital improvements.''

Question 12: How should LSC revise the definitions of ''acquisition costs for real property'' and ''capital improvements'' in order to address the inconsistencies described in the above proposal? Should the definitions differentiate between renovations done as part of the acquisition process and renovations done on real property already owned by the grantee?

LSC is also considering revising the PAMM's definition of ''personal property'' to clarify that it includes data, software, and other types of intellectual property. Just as federal procurement practices have changed substantially since the PAMM's publication in 2001, there have also been significant developments in intellectual property and the methods by which both private and public organizations incorporate it into their grant-making and procurement processes. The definition of ''personal property'' in section 2(f) of the PAMM currently includes both ''tangible'' and ''intangible'' property, with the specific examples of ''copyrights or patents'' listed under the latter. However, the definition does not

expressly include ''intellectual property'' as a category of intangible property, nor does it include items such as data and software that are often considered to be intellectual and/or personal property. The only other provision of the PAMM governing a type of intellectual property is section 5(g), which provides that recipients may copyright work that is obtained or developed with LSC funds as long as the Corporation ''reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use'' such copyrighted work.

Question 13: Should LSC revise the PAMM's definition of ''personal property'' to include intellectual property? Should LSC create a new provision that governs exclusively rights in intellectual property created using LSC grant funding? Should general rights in data produced under LSC grants be addressed separately from any new provisions governing the acquisition of intellectual property?

Question 14: Do other funders impose rights-in-data requirements that LSC should be aware of when revising the PAMM, such as the retention of a royalty-free, nonexclusive license to reproduce, publish, or otherwise use products developed by the recipient using those funds? If so, what are those requirements?

F. Revising Procedures and Requirements for Procurements; Including Procurements of Services Within the Scope of Part 1630 and the PAMM

LSC is considering revising the procedures and requirements applicable to grantee procurements paid for in whole or in part with LSC funds. Unlike the Uniform Guidance and its relevant predecessors, OMB Circulars A–87 and A–122, neither part 1630 nor the PAMM describes the minimum standards that LSC recipients' procurement policies should have. Program Letter 98–4, which established the procedures that recipients must use to seek prior approval of certain leases and procurements of personal and real property, requires a recipient to give LSC minimal information about the process by which the recipient selected a contractor, including whether the recipient solicited bids or awarded a contract on a sole source basis. The annual grant assurances applicable to Basic Field Grant awards do not require recipients to certify that they have procurement policies that meet prescribed minimum standards. By contrast, recipients of Technology Initiative Grant (TIG) awards must comply with the procurement requirements set forth in the annual grant assurances applicable to the TIG program. As a result, recipients of special grants from LSC are subject to more robust procurement requirements than recipients of only Basic Field Grants are. LSC believes that revising part 1630 and the PAMM to incorporate minimum standards for recipient procurement policies is necessary to ensure that recipients have adequate procurement policies and that all LSC-funded grant programs are subject to the same requirements.

Question 15: Should LSC model its revised procurement standards on the standards contained in the Uniform Guidance? What standards do other funders require recipients' procurement policies to meet?

LSC is also considering including contracts for services within the scope of part 1630 and the PAMM. Neither part 1630 nor the PAMM currently requires prior approval or specific procurement procedures for services contracts, either alone or accompanying a purchase of personal property. For example, contracts with information technology providers often include both equipment (personal property) and services. Recipients currently may separate services from personal property in order to demonstrate that the cost of the personal property falls below the PAMM's threshold for prior approval, even if the total contract cost, including services, exceeds the threshold. Recipients may also enter into contracts for services costing significant amounts of LSC funds, even though there is no requirement that LSC approve the recipient's selection of a contractor and formation of the contract. By contrast, TIG recipients must follow procurement procedures, but not obtain prior approval, for all procurements of any kind over $5,000.

Question 16: What procedures and requirements should LSC adopt to govern services contracts? How can LSC incorporate such procedures and requirements in a way that promotes clarity, efficiency, and accountability, while also minimizing any potential burden to grantees?

G. Adopting the PAMM as a Codified Rule

LSC is considering codifying the PAMM into a rule published in the Code of Federal Regulations. Although the PAMM technically is not a rule, it has several characteristics in common with legislative rules. For example, the PAMM was adopted after notice and an opportunity for public comment. LSC also assesses recipients' compliance with the provisions of the PAMM. Management believes that the codification of the PAMM may further promote and preserve the effectiveness and consistency of LSC's property acquisition, use, and disposal policies and procedures.

Question 17: Would codification of the PAMM as a rule create potential burdens to grantees or otherwise unduly disrupt grantees' current property acquisition and management practices?

H. Other Questions

Question 18: Are there any significant conflicts between the Corporation's requirements in Part 1630 and the PAMM and rules implemented by other public and private funders? If so, what steps should LSC take to address such conflicts, whether through rulemaking or otherwise?

Question 19: Are there any aspects of Part 1630 and the PAMM not identified in this ANPRM that the Corporation should address in this rulemaking?

Dated: October 5, 2015.

Stefanie K. Davis,

Assistant General Counsel.

[FR Doc. 2015–25735 Filed 10–8–15; 8:45 am]

BILLING CODE 7050–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 150618531–5876–01]

RIN 0648–BF17

Atlantic Highly Migratory Species; Implementation of the International Commission for the Conservation of Atlantic Tunas Electronic Bluefin Tuna Catch Documentation System

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to revise the regulations governing international trade documentation and tracking programs for Atlantic bluefin tuna to implement recommendations adopted at recent meetings of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The proposed rule would transition the current ICCAT paper-based bluefin tuna catch documentation program (BCD program), used in the United States by highly migratory species (HMS) international trade permit (ITP) holders, to use of the

ICCAT electronic bluefin tuna catch documentation system (eBCD system).

DATES: Written comments must be received by November 9, 2015.

ADDRESSES: You may submit comments, identified by ''NOAA–NMFS–2015–0116'', by any of the following methods:

• *Electronic Submissions:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2015-0116,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.

• *Mail:* Margo Schulze-Haugen, NMFS/SF1, 1315 East-West Highway, National Marine Fisheries Service, SSMC3, Silver Spring, MD 20910.

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).

NMFS will also conduct a public conference call and webinar to solicit public comments on this proposed rule on October 13, 2015. For specific information, see the **SUPPLEMENTARY INFORMATION** section of this document.

Copies of the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan (Consolidated HMS FMP) and other relevant documents are available from the Atlantic Highly Migratory Species Management Division Web site at *www.nmfs.noaa.gov/sfa/hms.*

FOR FURTHER INFORMATION CONTACT: Carrie Soltanoff at (301) 427–8503.

SUPPLEMENTARY INFORMATION: Atlantic bluefin tuna are managed under the dual authority of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), 16 U.S.C. 1801 *et seq.,* and the Atlantic Tunas Convention Act (ATCA), 16 U.S.C. 971 *et seq.* Under ATCA, the Secretary of Commerce shall promulgate such regulations as may be necessary and appropriate to implement ICCAT recommendations. The implementing regulations for international trade documentation and tracking programs for HMS are at 50 CFR part 300.

Background

In response to the need to detect fraud and deter illegal, unregulated, and unreported (IUU) shipments, as well as to improve tracking of bluefin tuna catch and commerce, ICCAT has adopted recommendations establishing an eBCD system. The eBCD system builds on the previously established ICCAT statistical document program and the paper-based BCD program. In this rulemaking, NMFS is proposing to implement recent ICCAT recommendations through minor administrative regulatory adjustments to transition the current paper-based BCD program to the ICCAT eBCD system.

ICCAT Recommendation 92–01 first established a statistical document program for Atlantic bluefin tuna, which was implemented in the United States in 1995 (60 FR 14381; March 17, 1995). ICCAT required that all bluefin tuna, when imported into the territory of a Contracting Party or at the first entry into a regional economic organization, be accompanied by an ICCAT Bluefin Tuna Statistical Document that included information such as product type, species, amount, and flag nation of the harvesting vessel. Contracting parties collected the final statistical documents and submitted summarized data to ICCAT for use in fishery management. Initially, the ICCAT bluefin tuna statistical document program covered imports and exports of frozen product only. The program was later expanded to cover fresh product and re-export of product. In addition to Atlantic bluefin tuna, the program also included Pacific and southern bluefin tuna to avoid mislabeling of Atlantic bluefin tuna for import or export without documentation.

The current paper-based BCD program was adopted by ICCAT in 2007 (Recommendation 07–10, currently Recommendation 11–20) and implemented in the United States in 2008 (73 FR 31380; June 2, 2008). The BCD program expanded the bluefin tuna statistical document program to incorporate consignment tracking beginning with documentation of catch, through farming operations and trade, to the final importer. The BCD program requires paper bluefin tuna catch documents (BCDs) to accompany all bluefin tuna imports, exports, and re-exports, and requires validation of the documents by the exporting or re-exporting country, unless it meets an exemption for tagged product. Under U.S. domestic regulations, Atlantic bluefin tuna harvested for commercial purposes by U.S. vessels must be tagged. Thus, the United States has been able to take advantage of the validation exemption as applicable. In addition, under existing domestic regulations, the United States requires an international trade permit (ITP) for anyone in the United States to import, export, or re-export bluefin tuna.

In 2010, ICCAT adopted Recommendation 10–11 to develop an eBCD system, which would build on and ultimately replace the paper-based BCD program. Deadlines were set for system implementation in subsequent recommendations but ultimately proved too ambitious given system development and financing issues. Most recently, ICCAT Recommendation 13–17 established a timeline for full implementation of the eBCD system by March 1, 2015. However, in 2014, ICCAT conducted an international test of the eBCD system and noted ongoing technical difficulties and delays in the development of certain core functionalities. Based on these results, ICCAT made the decision, pursuant to paragraph 5 of Recommendation 13–17, that the eBCD system would not be ready for full implementation by the March 1, 2015 deadline and that paper BCDs could continue to be used until the system could be fully implemented. This decision does not preclude ICCAT Contracting Parties from voluntarily using the eBCD system, which is currently available both for testing and use on a voluntary basis.

NMFS anticipates that the ICCAT eBCD system will be fully developed and operational in 2016 with implementation by ICCAT Contracting Parties potentially required as early as March 1, 2016. NMFS anticipates more precise dates and timing requirements to be established by ICCAT at its annual meeting in November 2015. The eBCD system was designed to collect largely the same information that is currently collected under the paper-based BCD program. Therefore, in this rulemaking, NMFS is proposing minor adjustments to current regulations implementing the paper-based BCD program to implement the electronic system and to require its use for future bluefin tuna catch documentation.

Request for Comments

Comments on this proposed rule may be submitted via *http://www.regulations.gov,* or by mail. Written comments must be received by November 9, 2015. Please see the **ADRRESSES** section for more information about submitting comments.

Public Conference Call and Webinar

NMFS will hold a public hearing via conference call and webinar to provide

an opportunity for the public to comment on the proposed management measures.

TABLE 1—DATE AND TIME OF PUBLIC CONFERENCE CALL AND WEBINAR

Date	Time	Location	Address
October 13, 2015	2:30–4:30 p.m. Eastern Time	Public Conference Call & Webinar.	To participate in conference call, call: (800) 593–7191. Passcode: 9589317. To participate in webinar, go to: *https://noaaevents3.webex.com/noaaevents3/onstage/g.php?d=999829506&t=a*. Meeting Number: 999 829 506. Meeting Password: NOAA.

Requests for auxiliary aids should be directed to Carrie Soltanoff at (301) 427–8503 at least 7 days prior to the conference call and webinar. The public is reminded that NMFS expects participants on phone conferences to conduct themselves appropriately. At the beginning of the meeting, a representative of NMFS will explain the ground rules (*e.g.,* attendees will be called to give their comments in the order in which they registered to speak; each attendee will have an equal amount of time to speak; attendees may not interrupt one another; etc.). The NMFS representative will structure the meeting so that all participating members of the public will be able to comment, if they so choose, regardless of the controversial nature of the subject(s). Attendees are expected to respect the ground rules, and those that do not will be asked to leave the meeting.

Classifications

The NMFS Assistant Administrator has determined that this proposed rule is consistent with the Magnuson-Stevens Act, 2006 Consolidated Atlantic HMS FMP and its amendments, ATCA, 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.

In addition, NMFS has determined that this proposed rule would not affect the coastal zone of any state, and a negative determination pursuant to 15 CFR 930.35 is not required. Therefore, pursuant to 15 CFR 930.33(a)(2), coordination with appropriate state agencies under section 307 of the Coastal Zone Management Act is not required.

This action has been preliminarily determined to be categorically excluded from the requirement to prepare an environmental assessment in accordance with NAO 216–6, subject to further consideration after public comment. A draft memorandum for the file has been prepared explaining that a categorical exclusion applies because the rule would implement minor adjustments to the regulations and would not have a significant effect, individually or cumulatively, on the human environment. This action is also not expected to directly affect fishing effort, quotas, fishing gear, authorized species, interactions with threatened or endangered species, or other relevant parameters. A final determination will be made prior to publication of the final rule for this action.

This proposed rule contains a collection-of-information requirement subject to review and approval by OMB under the Paperwork Reduction Act. ICCAT Recommendation 13–17, as anticipated to be amended at the 2015 ICCAT annual meeting, requires transition of the paper-based BCD program to an eBCD system. To comply with this Recommendation, NMFS will require bluefin tuna dealers with HMS ITPs to use the eBCD system as early as March 1, 2016. An amendment to OMB Control Number 0648–0040 (Dealer Reporting Family of Forms) will be subsequently submitted to the Office of Management and Budget for approval.

The Chief Council for Regulation of the Department of Commerce has certified to the Chief Council for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities.

This proposed rule is necessary to implement recommendations of ICCAT, as required by the ATCA, and to achieve domestic management objectives under the Magnuson-Stevens Act. Under ATCA, the Secretary shall promulgate such regulations as may be necessary and appropriate to carry out ICCAT recommendations.

NMFS is preparing this proposed rule to implement recommendations that pertain to an eBCD system. In response to the need to detect fraud and deter IUU shipments, as well as to improve tracking of bluefin tuna catch and commerce, ICCAT adopted Recommendations 10–11 and 13–17 establishing an eBCD system. NMFS anticipates that the eBCD system will be fully developed by 2016 with implementation potentially required as early as March 1, 2016. NMFS anticipates more precise dates and timing requirements to be established by ICCAT at its annual meeting in November 2015.

Current international fisheries regulations for HMS address many of the elements adopted under ICCAT recommendations for the paper-based BCD program. See 50 CFR 300.180–189. The ICCAT eBCD system largely maintains the elements and requirements of the paper-based BCD program but in an electronic format. Thus, the proposed action proposes minor regulatory adjustments to bring domestic regulations in line with the ICCAT recommendations to transition to the electronic program. The proposed action would affect approximately 259 HMS ITP holders. All 259 ITP holders are considered to be small under the Small Business Administration's size standards. The proposed action would not significantly alter current regulations, but would require use of an electronic system where paper is currently used. Because the current regulations require that ITP holders use paper BCDs, and the eBCD system is anticipated to collect the same information that is currently collected under the paper-based BCD program, the proposed action is not expected to result in significant operational changes or adverse socioeconomic impacts on ITP holders. The public reporting burden for paper BCDs is estimated at .08 hours (5 minutes) per form and the electronic BCDs would have an equivalent reporting burden. The burden associated with this requirement will be analyzed in the Paperwork

Reduction Act submission prepared for a revision or change to OMB 0648–0040 (Dealer Reporting Family of Forms).

The eBCD system would require ITP holders to use a computer with internet access. This is not a new cost, however, as ITP holders are already required to use a computer and the internet to access the electronic dealer reporting system, as analyzed in the 2012 final rule (77 FR 47303; August 8, 2012).

List of Subjects in 50 CFR Part 300

Administrative practice and procedure, Exports, Fish, Fisheries, Fishing, Imports, Reporting and recordkeeping requirements, Treaties.

Dated: October 2, 2015

Samuel D. Rauch III,

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

For reasons set out in the preamble, 50 CFR part 300, subpart M, is proposed to be amended as follows:

PART 300—INTERNATIONAL FISHERIES REGULATIONS

■ 1. The authority citation for part 300, subpart M, continues to read as follows:

Authority: 16 U.S.C. 951–961 and 971 *et seq.;* 16 U.S.C. 1801 *et seq.*

■ 2. In § 300.181, revise the definitions for ''BCD tag'' and ''Consignment document'' and add definitions for ''eBCD'' and ''eBCD system'' in alphabetical order to read as follows:

§ 300.181 Definitions.

* * * * *

BCD tag means a numbered tag affixed to a bluefin tuna issued by any country in conjunction with a catch statistics information program and recorded on a BCD or eBCD.

* * * * *

Consignment document means either an ICCAT eBCD or a catch document issued by a nation to comply with the ICCAT bluefin tuna catch documentation program; or an ICCAT, IATTC, IOTC, or CCSBT statistical document or a statistical document issued by a nation to comply with such statistical document programs.

* * * * *

eBCD means an electronic bluefin tuna catch document (eBCD) generated by the ICCAT eBCD system to track bluefin tuna catch and trade as specified in ICCAT recommendations.

eBCD system, for purposes of the subpart, is the ICCAT electronic system for creating, editing, and transmitting ICCAT catch and trade documentation for bluefin tuna as specified in ICCAT recommendations and required in these regulations.

* * * * *

■ 3. In § 300.185, revise paragraphs (a)(2)(ii) through (vii), remove paragraphs (a)(2)(viii) and (ix), and revise paragraphs (a)(3), (b)(2) and (3), (c)(2)(i) and (iii), and (c)(3).

The revisions read as follows:

§ 300.185 Documentation, reporting and recordkeeping requirements for consignment documents and re-export certificates.

(a) * * *

(2) * * *

(ii) Bluefin tuna:

(A) Imports which were re-exported from another nation must also be accompanied by an original, completed, approved, validated, species-specific re-export certificate. For Atlantic bluefin tuna, this requirement must be satisfied by electronic receipt and completion of a re-export certificate in the ICCAT eBCD system, following instructions provided by NMFS.

(B) Bluefin tuna, imported into the Customs territory of the United States or entered for consumption into the separate customs territory of a U.S. insular possession, from a country requiring a BCD tag on all such bluefin tuna available for sale, must be accompanied by the appropriate BCD tag issued by that country, and said BCD tag must remain on any bluefin tuna until it reaches its final import destination. If the final import destination is the United States, which includes U.S. insular possessions, the BCD tag must remain on the bluefin tuna until it is cut into portions. If the bluefin tuna portions are subsequently packaged for domestic commercial use or re-export, the BCD tag number and the issuing country must be written legibly and indelibly on the outside of the package.

(iii) Fish or fish products regulated under this subpart other than bluefin tuna and shark fins.

(A) Imports that were previously re-exported and were subdivided or consolidated with another consignment before re-export, must also be accompanied by an original, completed, approved, validated, species-specific re-export certificate.

(B) All other imports that have been previously re-exported from another nation should have the intermediate importers certification of the original statistical document completed.

(iv) Consignment documents must be validated as specified in § 300.187 by an authorized government official of the flag country whose vessel caught the fish (regardless of where the fish are first landed). Re-export certificates must be validated by an authorized government official of the re-exporting country. For electronically generated Atlantic bluefin tuna catch documents, validation must be electronic using the ICCAT eBCD system.

(v) A permit holder may not accept an import without the completed consignment document or re-export certificate as described in paragraphs (a)(2)(i) through (a)(2)(iv) of this section.

(vi) For fish or fish products, except shark fins, regulated under this subpart that are entered for consumption, the permit holder must provide correct and complete information, as requested by NMFS, on the original consignment document that accompanied the consignment. For Atlantic bluefin tuna, this information must be provided electronically in the ICCAT eBCD system following instructions provided by NMFS.

(vii) Customs forms can be obtained by contacting the local CBP port office; contact information is available at *www.cbp.gov.* For a U.S. insular possession, contact the local customs office for any forms required for entry.

(3) *Reporting requirements.* For fish or fish products regulated under this subpart, except shark fins, that are entered for consumption and whose final destination is within the United States, which includes U.S. insular possessions, a permit holder must submit to NMFS the original consignment document that accompanied the fish product as completed under paragraph (a)(2) of this section, to be received by NMFS along with the biweekly report as required under § 300.183(a). A copy of the original completed consignment document must be submitted by the permit holder, to be received by NMFS, at an address designated by NMFS, within 24 hours of the time the fish product was entered for consumption into the Customs territory of the United States, or the separate customs territory of a U.S. insular possession. For Atlantic bluefin tuna, this requirement must be satisfied electronically by entering the specified information into the ICCAT eBCD system as directed in paragraph (a)(2)(vi) of this section.

(b) * * *

(2) *Documentation requirements.* A permit holder must complete an original, approved, numbered, species-specific consignment document issued to that permit holder by NMFS for each export referenced under paragraph (b)(1) of this section. For Atlantic bluefin tuna, this requirement must be satisfied by electronic completion of an export certificate in the ICCAT eBCD system,

following instructions provided by NMFS. Such an individually numbered document is not transferable and may be used only once by the permit holder to which it was issued to report on a specific export consignment. A permit holder must provide on the consignment document the correct information and exporter certification. The consignment document must be validated, as specified in § 300.187, by NMFS, or another official authorized by NMFS. A list of such officials may be obtained by contacting NMFS. A permit holder requesting U.S. validation for exports should notify NMFS as soon as possible after arrival of the vessel to avoid delays in inspection and validation of the export consignment.

(3) *Reporting requirements.* A permit holder must ensure that the original, approved, consignment document as completed under paragraph (b)(2) of this section accompanies the export of such products to their export destination. A copy of the consignment document must be received by NMFS, at an address designated by NMFS, within 24 hours of the time the fish product was exported from the United States or a U.S. insular possession. For Atlantic bluefin tuna, this requirement must be satisfied electronically by entering the specified information into the ICCAT eBCD system as directed in paragraph (b)(2) of this section.

(c) * * *

(2) *Documentation requirements.* (i) If a permit holder re-exports a consignment of bluefin tuna, or subdivides or consolidates a consignment of fish or fish products regulated under this subpart, other than shark fins, that was previously entered for consumption as described in paragraph (c)(1) of this section, the permit holder must complete an original, approved, individually numbered, species-specific re-export certificate issued to that permit holder by NMFS for each such re-export consignment. Such an individually numbered document is not transferable and may be used only once by the permit holder to which it was issued to report on a specific re-export consignment. A permit holder must provide on the re-export certificate the correct information and re-exporter certification. The permit holder must also attach the original consignment document that accompanied the import consignment or a copy of that document, and must note on the top of both the consignment documents and the re-export certificates the entry number assigned by CBP authorities at the time of filing the entry summary. For Atlantic bluefin tuna, these requirements must be satisfied by electronic completion of a re-export certificate in the ICCAT eBCD system, following instructions provided by NMFS.

* * * * *

(iii) Re-export certificates must be validated, as specified in § 300.187, by NMFS or another official authorized by NMFS. A list of such officials may be obtained by contacting NMFS. A permit holder requesting validation for re-exports should notify NMFS as soon as possible to avoid delays in inspection and validation of the re-export shipment. Electronic re-export certificates created for Atlantic bluefin tuna using the ICCAT eBCD system will be validated electronically.

(3) *Reporting requirements.* For each re-export, a permit holder must submit the original of the completed re-export certificate (if applicable) and the original or a copy of the original consignment document completed as specified under paragraph (c)(2) of this section, to accompany the consignment of such products to their re-export destination. A copy of the completed consignment document and re-export certificate (if applicable) must be submitted to NMFS, at an address designated by NMFS, and received by NMFS within 24 hours of the time the consignment was re-exported from the United States. For Atlantic bluefin tuna, this requirement must be satisfied electronically by entering the specified information into the ICCAT eBCD system as directed in paragraph (c)(2) of this section.

* * * * *

■ 4. In § 300.186, revise paragraph (a) to read as follows:

§ 300.186 Completed and approved documents.

(a) *NMFS-approved forms.* A NMFS-approved consignment document or re-export certificate may be obtained from NMFS to accompany exports of fish or fish products regulated under this subpart from the Customs territory of the United States or the separate customs territory of a U.S. insular possession.

* * * * *

■ 5. In § 300.187, revise paragraphs (f) introductory text and (f)(2) to read as follows:

§ 300.187 Validation requirements.

* * * * *

(f) *BCD tags.* The requirements of this paragraph apply to Pacific bluefin tuna. Requirements for tagging Atlantic bluefin tuna are specified in § 635.5.

* * * * *

(2) *Transfer.* BCD tags for use on Pacific bluefin tuna issued under this section are not transferable and are usable only by the permit holder to whom they are issued.

* * * * *

[FR Doc. 2015–25814 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 680

RIN 0648–BE98

Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program

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

ACTION: Notice of availability of fishery management plan amendment; request for comments.

SUMMARY: NMFS announces that the North Pacific Fishery Management Council (Council) has submitted Amendment 44 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs (FMP) for review by the Secretary of Commerce (Secretary). Amendment 44 would modify required right of first refusal (ROFR) contract terms that provide eligible crab community entities with the opportunity to purchase certain processor quota shares and other associated assets when they are proposed for sale. Specifically, Amendment 44 would: extend the amount of time allowed for eligible crab community entities to exercise and perform under a ROFR contract; remove or modify provisions that currently allow a ROFR to lapse under specific conditions; provide flexibility for eligible crab community entities and processor quota shareholders to apply a ROFR to mutually-agreed upon assets; and add new reporting requirements for holders of processor quota shares subject to a ROFR. Amendment 44 is necessary to enhance the ability of eligible crab communities to maintain their historical processing interests in the crab fisheries. This action is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the FMP, and other applicable laws.

DATES: Submit comments on or before December 8, 2015.

ADDRESSES: You may submit comments, identified by NOAA–NMFS–2013–0057, by any one 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-2013-0057,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Ellen Sebastian. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

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), 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).

Electronic copies of Amendment 44 to the FMP, the Regulatory Impact Review (RIR), the Initial Regulatory Flexibility Analysis (IRFA), and the Categorical Exclusion prepared for this action may be obtained from *http://www.regulations.gov* or from the Alaska Region Web site at *http://alaskafisheries.noaa.gov.* The Environmental Impact Statement (EIS), RIR, and Social Impact Assessment prepared for the CR Program are available from the NMFS Alaska Region Web site at *http://alaskafisheries.noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Rachel Baker, 907–586–7228.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Act requires that each regional fishery management council submit any fishery management plan 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 a fishery management plan amendment, immediately publish a notice in the **Federal Register** announcing that the amendment is available for public review and comment. This notice announces that proposed Amendment 44 to the FMP is available for public review and comment.

Background

NMFS manages the king and Tanner crab fisheries in the exclusive economic zone of the Bering Sea and Aleutian Islands (BSAI) under the FMP. The Council prepared the FMP under the Magnuson-Stevens Act, 16 U.S.C. 1801 *et seq.* Regulations implementing the FMP appear at 50 CFR part 680.

NMFS published the final rule to implement the Crab Rationalization (CR) Program on March 2, 2005 (70 FR 10174). Fishing under the CR Program started with the 2005/2006 crab fishing year.

The CR Program is a catch share program for nine BSAI crab fisheries that allocates those resources among harvesters, processors, and coastal communities. Under the CR Program, NMFS issued quota share (QS) to eligible harvesters based on their historical participation during a set of qualifying years in one or more of the nine CR Program fisheries. QS is an exclusive, revocable privilege allowing the holder to harvest a specific percentage of the annual total allowable catch (TAC) in a CR Program fishery.

A QS holder's annual allocation, called individual fishing quota (IFQ), is expressed in pounds and is based on the amount of QS held in relation to the total QS pool for that fishery. NMFS issues IFQ in three classes: Class A IFQ, Class B IFQ, and Class C IFQ. Three percent of IFQ is issued as Class C IFQ for captains and crew. Of the remaining IFQ, 90 percent is issued as Class A IFQ and 10 percent is issued as Class B IFQ.

NMFS issued processor quota share (PQS) to qualified individuals and entities based on processing activities in CR Program fisheries during a period of qualifying years. PQS is an exclusive, revocable privilege to receive deliveries of a fixed percentage of the annual TAC from a CR Program fishery. A PQS holder's annual allocation is known as individual processing quota (IPQ). NMFS issues IPQ at a one-to-one correlation with the amount of Class A IFQ issued for each CR Program fishery. Class A IFQ must be delivered to a processor holding a matching amount of IPQ; Class C IFQ and Class B IFQ may be delivered to any registered crab receiver.

Right of First Refusal

The CR Program includes several provisions intended to protect specific communities that had historically been active in the processing of king and Tanner crab from adverse impacts that could result from the CR Program. The CR Program established eligibility criteria and regulations at § 680.2 identify the nine communities that satisfied the eligibility criteria: Adak, Akutan, Dutch Harbor, Kodiak, King Cove, False Pass, St. George, St. Paul, and Port Moller. These communities are referred to as ''eligible crab communities'' for purposes of the CR Program's community protection measures. Additional detail on the rationale and criteria used to establish the eligible crab communities can be found in the final rule implementing the CR Program (March 2, 2005, 70 FR 10174). Additional information on these communities is provided in Section 3.1.4 of the RIR/IRFA prepared for this action.

With the exception of Adak, the CR Program provides eligible crab communities, or ECCs, with a right of first refusal (ROFR) on certain PQS and IPQ transfers. A ROFR provides an eligible crab community with the right to intervene in the sale (*i.e.,* transfer) of PQS, IPQ, and ''other goods'' (*i.e.,* assets) associated with that community under specific conditions. The regulations at § 680.41(l) require an eligible crab community to identify an entity to represent it for purposes of ROFR. The eight eligible crab communities that have a ROFR, and their representative entities are listed in Table 9 of the RIR/IRFA. The eligible crab community of Adak is not provided a ROFR for PQS or IPQ associated with that community because the CR Program incorporates other provisions to protect the community of Adak. These provisions are described in the final rule implementing the CR Program (March 2, 2005, 70 FR 10174).

Of the eight eligible crab communities, four are community development quota (CDQ) communities, and four are non-CDQ communities. In the case of eligible crab communities that are also CDQ communities, the local CDQ group is the entity that can exercise the ROFR on behalf of the community (see § 680.41(l)(2)(i)). For the other four non-CDQ eligible crab communities, regulations authorize the governing bodies of these eligible crab communities to identify the entity that can exercise the ROFR on behalf of the community (see § 680.41(l)(2)(ii)).

PQS and IPQ from the Bristol Bay red king crab, Bering Sea snow crab, Eastern Aleutian Islands golden king crab, St. Matthew Island blue king crab, and Pribilof red and blue king crab fisheries are subject to a ROFR. Section 3.1.3 of the RIR/IRFA describes the specific amounts of PQS and IPQ that were, and are, subject to a ROFR.

Under the ROFR, an eligible crab community entity is provided an opportunity to meet the same terms and conditions being offered to a proposed buyer of a proposed sale of PQS or IPQ. If an eligible crab community entity can meet the terms and conditions of a proposed sale, then the eligible crab community entity is transferred the PQS, IPQ, and any other goods instead of the proposed buyer. For a more detailed summary of ROFR, see section 3.1.3 of the RIR/IRFA.

The CR Program included a ROFR to provide eligible crab communities an opportunity to retain crab PQS, IPQ, and other goods before they are transferred to another buyer who could then choose to take that PQS, IPQ, and other goods out of the community. Such a transfer could adversely affect the economic stability of the community. The ROFR is intended to strike a balance between the interest of communities historically reliant on crab processing to retain that processing capacity within their communities, and the interest of PQS or IPQ holders to be able to engage in open market transfers of PQS, IPQ, and other goods.

ROFR Contract Terms

The ROFR is administered under the CR Program through contractual arrangements between eligible crab community entities and PQS/IPQ holders. Persons who hold PQS/IPQ that is subject to a ROFR must enter into a contract with the eligible crab community entity eligible to exercise a ROFR for those PQS/IPQ shares. The terms required in a ROFR contract between an eligible crab community entity and PQS/IPQ holder were established with implementation of the CR Program and are set forth in Chapter 11 of the FMP.

ROFR applies to any proposed sale of ''PQS, and sales of IPQ, if more than 20 percent of the PQS holders' community based IPQ in the fishery were processed outside of the community by another company (intra-company transfers within a region are excluded) in three of the preceding five years.'' Intra-company transfers within a region are exempt from (*i.e.,* do not trigger) the ROFR, and sales of PQS for continued use within the community are exempt from ROFR.

The ROFR contract terms require that in order to complete a transfer under a ROFR, an eligible crab community entity must meet ''the same terms and conditions of the underlying [proposed sale] agreement and will include all processing shares and other goods included in that agreement.'' The ROFR contract terms also state that all terms of any ROFR—and contract entered into, related to ROFR—will be enforced through civil law. Additional details on the rationale for the civil enforcement of the terms in a ROFR contract are provided in the EIS, RIR, and Social Impact Assessment prepared for the CR Program, and the final rule implementing the CR Program (March 2, 2005, 70 FR 10174).

An eligible crab community entity must meet two important requirements to complete a ROFR and receive PQS, IPQ, or other goods associated with a proposed sale. The eligible crab community entity must: (1) Exercise its ROFR, that is, provide a clear commitment to complete a purchase agreement within a specific time frame; and (2) perform under the ROFR, that is, meet all of the terms and conditions of the underlying agreement for the proposed sale within a specific time frame.

To exercise the ROFR, an eligible crab community entity must provide the seller of PQS or IPQ subject to a ROFR with notice of its intent to exercise the ROFR and earnest money in the amount of 10 percent of the contract amount or $500,000, whichever is less, within 60 days of notice of a sale and receipt of the contract defining the sale's terms. To perform the ROFR, the eligible crab community entity must meet the terms and conditions of the proposed sale (*i.e.,* complete the sale) within 120 days, or within the time specified in the proposed sales contract, whichever is longer. If an eligible crab community entity does not exercise its ROFR, or it cannot perform under the ROFR contract, then the open market sale may proceed.

Revising ROFR Contract Terms

The CR Program, including the ROFR contract terms, was implemented under authority provided at section 313(j)(1) of the Magnuson-Stevens Act. Section 313(j)(3) states that after initial implementation of the CR Program, the Council may submit and the Secretary may implement changes to conservation and management measures for crab fisheries of the Bering Sea and Aleutian Islands to achieve on a continuing basis the purposes identified by the Council. This provision allows the Council to recommend, and NMFS to adopt, revisions to the required terms of a ROFR contract. For reasons provided below, the Council determined that the modifications to the ROFR contract terms that would be made by Amendment 44 would improve the achievement of the purposes of ROFR that were identified by the Council when it adopted the CR Program.

In developing the CR Program, the Council and NMFS recognized the unique historical relationship between eligible crab communities and processors associated with those communities, and established ROFR provisions to provide opportunities for eligible crab communities to be notified and intervene in sales of crab processing assets important to those communities. However, with experience gained from implementation, the Council has determined that some of the ROFR contract terms are limiting the effectiveness of the ROFR provisions.

Stakeholders, including representatives from the eight eligible crab community entities that can exercise a ROFR, noted concerns with several ROFR contract terms that could hinder an eligible crab community entity from effectively exercising and performing under a ROFR. Holders of PQS/IPQ subject to a ROFR concurred that several changes to the ROFR contract terms and notification requirements could improve the ability of eligible crab community entities to exercise and perform under a ROFR without unduly limiting open market transfers of PQS, IPQ, and other goods. The Council reviewed and analyzed these concerns in a series of documents that have been consolidated under the RIR/IRFA prepared for Amendment 44 (see **ADDRESSES**). The Council recommended the provisions comprising Amendment 44 at its February 2013 and its October 2014 meetings.

Amendment 44

Amendment 44 is designed to address four categories of concern that stakeholders have for the existing ROFR contract terms. These are: (1) Inadequate time for an eligible crab community entity to exercise and perform under a ROFR; (2) ROFR contract terms that allow a ROFR to lapse; (3) ROFR contract terms that do not allow an eligible crab community entity and a PQS/IPQ holder to mutually agree to the specific assets subject to a ROFR and to exclude ''other goods'' if desired; and (4) the lack of verification that proper notification and reporting of proposed sales between PQS/IPQ holders and eligible crab community entities has occurred.

To address these concerns, Amendment 44 would: (1) Extend the amount of time allowed for eligible crab community entities to exercise and perform a ROFR contract, (2) remove or modify provisions that allow the ROFR to lapse under specific conditions, (3) provide flexibility for eligible crab community entities and PQS/IPQ

holders to apply a ROFR only to mutually-agreed upon assets, and (4) add contract terms that require PQS holders to provide eligible crab community entities with information on pending transfers of PQS or IPQ and the use of IPQ. The following paragraphs provide additional detail on and rationale for these proposed modifications to required ROFR contract terms.

Extending Timelines To Exercise and Perform Under a ROFR Contract

Amendment 44 would modify the ROFR contract term specifying the amount of time to exercise and perform under a ROFR. Amendment 44 would increase the time allowed for an eligible crab community entity to exercise a ROFR from 60 days to 90 days from receipt of the sales contract. This modification would also increase the time allowed for an eligible crab community entity to perform under the ROFR from 120 days to 150 days. The time period to exercise and the time period to perform under a ROFR begin on the date of receipt of the sales contract by the eligible crab community entity and run concurrently. The extension of both time periods is intended to help accommodate eligible crab community entities when deciding whether to exercise their ROFR, but also continue to recognize that time may be of the essence for a PQS holder or buyer under a contract.

The current ROFR contract term requires an eligible crab community entity to exercise the ROFR within 60 days from receipt of a contract defining a transfer from a PQS holder. Within that time period, the eligible crab community entity must inform the PQS holder that it is exercising its ROFR and provide earnest money equal to 10 percent of the transaction amount or $500,000, whichever is less. The 60-day period is intended to provide community entities with the opportunity to assess the merits of intervening in the transaction. For some eligible crab community entities, such as community development quota (CDQ) groups, decisions of whether to enter simple, low value, transactions may be made expeditiously. However, an eligible crab community entity may require more time if the transaction is a larger, more complex transaction.

For each transaction, the eligible crab community entity must assess the value of the various items included in the transaction, as it may include more than just the PQS. Under the current provisions, other items included in the transaction would also be subject to the ROFR, which could substantially drive up the transaction costs. If a community is considering purchasing the PQS and the associated assets, it may need to assess the value of each of the items independently or as groups of items. In order to obtain an accurate valuation of the items, the community may need to consult experts or conduct its own appraisals. Once the valuation has occurred, an eligible crab community entity may need to obtain financing, which could take a substantial amount of time beyond the 60 days that are currently afforded the eligible crab community entity.

By extending the timeline for exercising the ROFR from 60 days to 90 days, the eligible crab community entity that holds the ROFR would have more time to better evaluate a transaction, access earnest money, make preliminary financing arrangements, and make an appropriate decision concerning whether to exercise the ROFR. The extension would be particularly helpful in situations where public notice and meetings are required before deciding on how to proceed with the ROFR.

Removing or Modifying Provisions That Cause a ROFR to Lapse

Amendment 44 would amend the FMP to remove or modify contract terms that allow a ROFR to lapse. First, Amendment 44 would remove the ROFR contract term that allows a ROFR to lapse if the IPQ derived from the PQS subject to ROFR was processed outside the community of origin for a period of three consecutive years. Removal of this contract term would allow a ROFR to stay in place regardless of whether the IPQ is being used outside the community. However, if approved, Amendment 44 would not reinstate a ROFR that lapsed prior to implementation of Amendment 44. This change would strengthen the connection between PQS and the community that holds the ROFR for that PQS by maintaining the ROFR and elevating the interests of the eligible crab community entity that holds the ROFR over those of the community where the IPQ was being processed.

Amendment 44 also would remove the ROFR contract term that states that a ROFR will lapse if an eligible crab community entity fails to exercise its ROFR after it is triggered by a transfer of PQS and replace it with a ROFR contract term that would require the recipient of a PQS transfer (*i.e.,* buyer) to enter into a new ROFR contract with an eligible crab community entity of the buyer's choosing in the designated region of the PQS. This amendment would ensure that an eligible crab community entity within the designated region of the PQS retains a ROFR on that PQS even if the original eligible crab community entity chooses not to exercise a ROFR.

The modification would allow the new PQS holder to designate the original ROFR holder or a new eligible crab community entity within the PQS-designated region. This would only happen in the event that ROFR is triggered by the PQS transfer and the community that currently holds the ROFR chooses not to exercise its ROFR. Since use of the shares would be at the discretion of the PQS holder, both NMFS and the Council believe that the PQS holder should be best situated for identifying the community that would hold the ROFR.

This modification is intended to strengthen the ROFR program by maintaining a link between PQS and eligible crab communities in perpetuity. In addition, the proposed modification may provide the original eligible crab community entity that is not able to exercise a ROFR with another opportunity to use ROFR at some point in the future, should it be triggered again through a proposed sale of the PQS.

Flexibility To Apply a ROFR to Mutually-Agreed Upon Assets

One ROFR contract term currently requires that the ROFR apply to all terms and conditions of the underlying sale agreement, including all processing shares and other goods included in the agreement. Amendment 44 would revise this ROFR contract term to specify that, ''Any right of first refusal must be on the same terms and conditions of the underlying agreement and will include all processing shares and other goods included in this agreement, or to any subset of those assets, as otherwise agreed to by the PQS holder and the community entity.'' The proposed addition of the last clause in this sentence would allow a PQS holder and an eligible crab community entity to negotiate what assets may be subject to a ROFR. This would provide PQS holders and eligible crab community entities with more flexibility compared to the status quo. For example, it would allow an eligible crab community entity to reach an agreement with the PQS holder that the ROFR would only apply to the PQS, and not to any other goods associated with a proposed sale.

The Council determined this flexibility was necessary to increase the opportunities for eligible crab communities to exercise and perform a ROFR. The current requirement for ROFR to apply to all terms and conditions of the underlying sale

agreement may inhibit some eligible crab community entities from exercising and performing a ROFR because the terms of the underlying agreement may include a variety of assets, including processing equipment and real estate. Some of these assets may have no connection to the crab fisheries or the represented community. In these instances, a community entity may be unable to effectively use its ROFR if it cannot obtain financing or if the entity has no interest in acquiring the assets that are unrelated to the community it represents. The following example demonstrates the flexibility the proposed revision would create. A PQS holder has processing plants and equipment in communities A, B, and C, along with PQS currently used in community A. The entity representing community A holds a ROFR that is triggered if the PQS holder decides to transfer the PQS for use outside of community A. No processing currently takes place in communities B and C, but the PQS holder owns processing assets in those communities. If the PQS holder decides to sell the PQS that is used in community A and the assets it owns in communities A, B, and C, to a buyer who would use the PQS outside of community A, the proposed sale would trigger the ROFR. Under the current ROFR contract terms, to exercise its ROFR, the entity representing community A would be required to purchase the PQS and the processing assets in all three communities (A, B, and C), even though the eligible crab community entity may only be interested in purchasing the PQS and the processing assets in community A.

Under the flexibility provided by the revised contract term, the entity representing community A, which holds the ROFR, would have the option to reach an agreement with the PQS holder that the ROFR only apply to the PQS and the processing assets in community A. The PQS holder would maintain the option to sell the assets in communities B and C without triggering community A's ROFR. The additional flexibility would benefit community entities because they would not be required to purchase assets that they might not have an interest in or be able to finance in order to maintain crab processing activities in their community, if the entity can reach an agreement with the PQS holder. Instead, communities would be able to purchase a previously agreed upon subset of the PQS holder's assets. The purchase price of the subset of assets may be less than the purchase price of all assets included in the underlying agreement. Therefore, community entities may be more likely to exercise ROFR if it only applies to those assets of interest to the community. For additional information on this proposed ROFR contract term, see section 3.2.6 of the RIR/IRFA.

Adding Requirements for PQS Holders To Report to Eligible Crab Community Entities

Amendment 44 would establish two new ROFR contract terms that require PQS holders to provide community entities holding ROFRs with information on transfers of IPQ or PQS and use of IPQ. These new ROFR contract terms would ensure that the eligible crab community entity has adequate information to track the use of IPQ and transfers of PQS, as needed, to protect the community's interests under the ROFR. Currently, eligible crab community entities have little information on the use of IPQ or transfers of PQS that are subject to the ROFR.

To address these issues, Amendment 44 would add a ROFR contract term that requires the PQS holder to notify the eligible crab community entity of any proposed transfer of IPQ or PQS, regardless of whether the PQS holder believes the transfer triggers the right. Second, Amendment 44 would add a ROFR contract term that requires the PQS holder to annually notify the eligible crab community entity of the location at which IPQ derived from PQS subject to a ROFR was used and whether the IPQ was used by the PQS holder. Both of these proposed notifications would allow the eligible crab community entity to be more aware of what is occurring with the PQS for which they hold a ROFR.

The Council determined that while these notices would impose a small burden on the PQS holder, they would ensure that the eligible crab community entities and the communities they represent would have better information concerning the status of the ROFR. For additional detail on these notices, see section 3.2.5 of the RIR/IRFA.

In recommending Amendment 44, the Council largely intended to assist communities in maintaining historical processing interests in, and revenues from, the crab fisheries. These actions create community benefits that are expected to be relatively small but positive. The regional economic stability, equity, and community welfare benefits of these actions outweigh the possible production efficiency losses, transaction costs, and administrative expenditures arising from implementation of these actions.

Public comments are solicited on proposed Amendment 44 to the FMP through the end of the comment period (see **DATES**). NMFS intends to publish in the **Federal Register** and seek public comment on a proposed rule that would implement the accompanying regulations for Amendment 44, following NMFS' evaluation of the proposed rule under the Magnuson-Stevens Act. Public comments on the proposed rule must be received by the end of the comment period on Amendment 44 to be considered in the approval/disapproval decision on Amendment 44. All comments received by the end of the comment period on Amendment 44, whether specifically directed to the FMP amendment or the proposed rule, will be considered in the FMP amendment approval/disapproval decision. Comments received after that date will not be considered in the approval/disapproval decision on the amendment. To be considered, comments must be received, not just postmarked or otherwise transmitted, by the last day of the comment period.

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

Dated: October 5, 2015.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2015–25677 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 80, No. 196
Friday, October 9, 2015

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

Animal and Plant Health Inspection Service

[Docket No. APHIS–2015–0065]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Location of Irradiation Treatment Facilities in the United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the regulations for the location of irradiation treatment facilities in the United States.

DATES: We will consider all comments that we receive on or before December 8, 2015.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0065.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2015–0065, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0065* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the regulations for the location of irradiation treatment facilities in the United States, contact Dr. Inder P.S. Gadh, Senior Risk Manager, RCC, RPM, PHP, PPQ, APHIS, 4700 River Road Unit 156, Riverdale, MD 20737; (301) 851–2141. For copies of more detailed information on the information collection, contact Ms. Kimberly Hardy, APHIS' Information Collection Coordinator, at (301) 851–2727.

SUPPLEMENTARY INFORMATION:

Title: Location of Irradiation Treatment Facilities in the United States.

OMB Control Number: 0579–0383.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: The regulations contained in 7 CFR part 305 (referred to below as the regulations) set out the general requirements for performing treatments and certifying or approving treatment facilities for fruits, vegetables, and other articles to prevent the introduction or dissemination of plant pests or noxious weeds into or through the United States. The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture administers these regulations.

The regulations in § 305.9 set out irradiation treatment requirements for imported regulated articles; regulated articles moved interstate from Hawaii, Puerto Rico, the U.S. Virgin Islands, Guam, and the Commonwealth of the Northern Marianas Islands; and regulated articles moved interstate from areas quarantined for certain pests of concern. Section 305.9 also includes, among other things, additional requirements for irradiation facilities located in the States of Alabama, Arizona, California, Florida, Georgia, Kentucky, Louisiana, Mississippi, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

Under control number 0579–0383, the Office of Management and Budget (OMB) has approved information collection activities consisting of a map identifying places where horticultural or other crops are grown within a 4-mile radius of a facility and a contingency plan approved by APHIS that each facility must have and that includes criteria for safely destroying or disposing of regulated articles. These activities are listed in § 305.9. However, when comparing the regulations to this collection, we noticed activities in the regulations that were not previously listed in this collection. As a result, we are adding the following activities to this collection: Request for initial certification and inspection of a facility, certification and recertification of a facility, denial and withdrawal of certification, compliance agreements, irradiation treatment framework equivalency workplan, irradiation facilities notification, recordkeeping, written concurrence, treatment arrangements, pest management plan, and detailed layout of facility.

We are asking OMB to approve our use of this information collection activity, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the 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 our estimate of the burden of the 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, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 1.03 hours per response.

Respondents: Irradiation facilities in the United States, State governments, importers, and foreign government and national plant protection organization officials.

Estimated annual number of respondents: 29.

Estimated annual number of responses per respondent: 9.55.

Estimated annual number of responses: 277.

Estimated total annual burden on respondents: 285 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 5th day of October 2015.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2015–25750 Filed 10–8–15; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

Siskiyou County Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Siskiyou County Resource Advisory Committee (RAC) will meet in Yreka, California. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. RAC informaiton can be found at the following Web site: *http://cloudapps-usda-gov.force.com/FSSRS/RAC_Meeting_Page?id=a2zt000000 04CyPAAU.*

DATES: The meeting will be held October 26, 2015, at 4:30 p.m.

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the Klamath National Forest (NF) Supervisor's Office, Conference Room, 1711 South Main Street, Yreka, California.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Klamath NF Supervior's Office. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Natalie Stovall, RAC Coordinator, by phone at 530–841–4411 or via email at *nstovall@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is:

1. Approve prior meeting notes;
2. Update on ongoing projects;
3. Public Comment Period;
4. Review meeting schedule;
5. Decision making process for proposals and;
6. Proposal Reviews.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by October 20, 2015, to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time to make oral comments must be sent to Natalie Stovall RAC Corrdinator, 1711 S. Main Street, Yreka, California 96097; by email to *nstovall@fs.fed.us* or via facsimile to 530–841–4571.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: October 5, 2015.

Patricia A. Gratham,

Forest Supervisor.

[FR Doc. 2015–25764 Filed 10–8–15; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meeting Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of Commission business meeting.

DATES: *Date and Time:* Wednesday, October 14, 2015; 10:00 a.m. EST.

ADDRESSES: *Place:* 1331 Pennsylvania Ave. NW., Suite 1150, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376–8591.

Hearing-impaired persons who will attend the briefing and require the services of a sign language interpreter should contact Pamela Dunston at (202) 376–8105 or at *signlanguage@usccr.gov* at least seven business days before the scheduled date of the meeting.

SUPPLEMENTARY INFORMATION:

Meeting Agenda

This meeting is open to the public.

I. Approval of Agenda
II. Program Planning
- Status on pending commission reports and hiring of contractors by OCRE
- Presentation of outline on hearing plan for 2016 Statutory Enforcement Report on Environmental Justice
- Discussion and vote on dates for 2016 hearings on
  - Municipal Fees—March 18th 2016
  - Elementary and Secondary School Education—May 20th 2016
- Discussion about whether the December 11th event at the Lincoln Cottage should include a Commission Business Meeting or be limited to a ceremony commemorating the passage of the 13th Amendment
- Discussion and vote on part B findings and recommendations for Peaceful Coexistence report

III. Management and Operations
- Status on agency budget under a Continuing Resolution
- Staff Director Report

IV. State Advisory Committee (SAC) Appointments
- Maryland

V. Adjourn Meeting

Dated: October 6, 2015.

David Mussatt,

Chief, Regional Programs Unit, U.S. Commission on Civil Rights.

[FR Doc. 2015–25888 Filed 10–7–15; 11:15 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the

Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: Manufacturers' Unfilled Orders (M3UFO) Survey.

OMB Control Number: 0607–0561.

Form Number(s): MA–3000.

Type of Request: Extension of a currently approved collection.

Number of Respondents: 6,000.

Average Hours per Response: 30 minutes.

Burden Hours: 3,000.

Needs and Uses: The Manufacturers' Shipments, Inventories, and Orders (M3) survey collects monthly data on shipments, inventories, new orders, and unfilled orders from manufacturing companies. The orders, as well as the shipments and inventories data, are widely used and are valuable tools for analysts of business cycle conditions, including members of the Council of Economic Advisers, Bureau of Economic Analysis, Federal Reserve Board, Conference Board, and the business community.

New orders serve as an indicator of future production commitments and the data are direct inputs into the leading economic indicator series. New orders are derived by adding shipments to the net change in the unfilled orders from the previous month. The ratio of unfilled orders to shipments is an important indicator of pressure on manufacturing capacity.

The monthly M3 estimates are based on a relatively small panel of domestic manufacturers and reflect primarily the month-to-month changes of large companies. There is a clear need for periodic benchmarking of the M3 estimates to reflect the manufacturing universe. The Economic Census, which covers the entire manufacturing sector, and the Annual Survey of Manufactures (ASM) provide annual benchmarks for the shipments and inventories data in the monthly M3 survey. The Manufacturers' Unfilled Orders Survey (M3UFO), the subject of this request, provides the annual benchmarks for the unfilled orders data.

The industries selected for the M3UFO survey are those which the U.S. Census Bureau determined to have considerable unfilled orders. The survey is necessary to ensure future accuracy of the unfilled orders and new orders data in the M3 survey and to determine which North American Industry Classification System (NAICS) industries continue to maintain unfilled orders.

Report forms are mailed to approximately 6,000 companies requesting data for 42 of the M3 Survey's 92 NAICS defense and nondefense industry categories.

The Census Bureau uses the information provided by this survey to develop universe estimates of unfilled orders for the end of each fiscal year, and then to adjust the monthly M3 data on unfilled orders to these levels. The benchmarked unfilled orders levels are used to derive estimates of new orders received by manufacturers.

Affected Public: Business or other for-profit.

Frequency: Annually.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 U.S.C., Sections 131 and 182.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: October 5, 2015.

Glenna Mickelson,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2015–25692 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

[Docket No. 150911845–5845–01]

RIN 0605–XC027

Privacy Act of 1974, Amended System of Records

AGENCY: National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

ACTION: Notice of Proposed Amendment to Privacy Act System of Records: COMMERCE/NOAA–16, Crab Economic Data Report (EDR) for BSAI off the Coast of Alaska.

SUMMARY: This notice announces the Department of Commerce's (Department) intention to amend the system of records entitled ''COMMERCE/NOAA–16, Crab Economic Data Report (EDR) for BSAI off the Coast of Alaska,'' by updating the routine uses to include: (1) Disclosure for breach notifications, (2) disclosure to Federal, state, or local agencies for licensing and human resources decisions; (3) disclosure pursuant to Federal, state, local, or international requests, in connection to decisions to grant a benefit to an individual; (4) disclosure to the medical advisor if, in the judgment of the Department, disclosure to the individual could have an adverse effect upon the individual; (5) disclosure pursuant to an Office of Management and Budget (OMB) request in connection to private relief legislation as set forth in OMB Circular No. A–19; (6) disclosure pursuant to an OMB request, for statistical purposes; and (7) disclosure to the Administrator of the General Services Administration, or a designee thereof, for the purpose of inspection of agency records management practices; and by renaming the system from ''Crab Economic Data Report (EDR) for BSAI off the Coast of Alaska'' to ''Economic Data Reports for Alaska Federally Regulated Fisheries off the coast of Alaska.''

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), Alaska Region, is also revising its system of records for the mandatory collections of economic data reports (EDRs) in the Alaska Region consisting of the Crab Rationalization (CR) Program, to include the Amendment 80 EDR and the Chinook Salmon EDR, for use with a variety of fisheries management programs. We invite public comment on the amended system announced in this publication.

DATES: To be considered, written comments must be submitted on or before November 9, 2015. Unless comments are received, the revised system of records will become effective as proposed on the date of publication of a subsequent notice in the **Federal Register**.

ADDRESSES: Comments may be mailed to Sarah Brabson, NOAA Office of the Chief Information Officer, Room 9856, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Patsy A. Bearden, NMFS Alaska Region, Suite 401, 709 West Ninth Street, P.O. Box 21668, Juneau, Alaska, 99802.

SUPPLEMENTARY INFORMATION: Information for this system of records would be requested from individuals under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the American Fisheries Act. The collection of information is necessary to identify participants and their roles in these fisheries and to evaluate the programs in which they participate, which includes the costs of fishing and processing, revenues for harvesters and processors, and employment information. NMFS will collect information from individuals in order to evaluate the economic effects of fisheries programs, specifically the

effects on the harvesting and processing sectors, and to determine the economic efficiency and distributional effects of the programs. Information obtained through the EDRs will be accessible by an independent Data Collection Agent (DCA) under cooperative agreement with NMFS, Alaska Region, to distribute forms, receive forms, review, and verify information in the economic surveys (see System Location section). Each vessel owner or lessee and each plant owner or lessee that participated in the specified fisheries off the coast of Alaska since 1996 will be required to submit an EDR to the DCA by mail, FAX, or electronic file. In addition, NMFS would provide information to the Department of Justice (DOJ) and Federal Trade Commission (FTC) to assist in anti-trust analysis of the fisheries programs. This mandatory collection of the Tax Identification Number (Employer Identification Number or Social Security Number) is authorized by 31 U.S.C. 7701.

The resulting system of records, as amended, appears below.

COMMERCE/NOAA–16

SYSTEM NAME:

COMMERCE–16, Economic Data Reports for Alaska Federally Regulated Fisheries off the coast of Alaska.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

a. Pacific States Marine Fisheries Commission, 205 Southeast Spokane, Suite 100, Portland, OR 97202.

b. NMFS Alaska Region, 709 West Ninth Street, Juneau, AK 99801.

CATEGEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Owners or lessees of catcher vessels, catcher/processors, shoreside processors, and stationary floating processors.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. The Tax Identification Number (TIN): Employer Identification Number (EIN) or Social Security Number (SSN) is required for all permits, under the authority 31 U.S.C. 7701. For purposes of administering the various NMFS fisheries permit and registration programs, a person shall be considered to be doing business with a Federal agency including but not limited to if the person is an applicant for, or recipient of, a Federal license, permit, right-of-way, grant, or benefit payment administered by the agency or insurance administered by the agency pursuant to subsection (c)(2)(B) of Section 7701.

2. This system includes records for historical, annual, and current EDRs including financial information, harvest activity and cost, product and cost information, labor cost information for crew, and sales information. The crab EDRs request data on cost, revenue, ownership, and employment and will be used to study the economic impacts of the CR Program on affected harvesters, processors, and communities.

3. Each report includes the following: The name, title, telephone number, FAX number, and email address of the person completing the EDR; name and address of the owner or lessee of the plant or vessel; Federal fisheries permit number; Federal processor permit number; Alaska vessel registration number; crew license number and city of residence, assigned internal individual identifier.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.* 16 U.S.C. 1862, and 16 U.S.C. 1853; the American Fisheries Act, Title II, Public Law 105–277.

PURPOSE(S):

This information will allow NMFS to evaluate the economic effects of the three EDR Programs, specifically the harvesting and processing sectors; the determination of the economic efficiency and distributional effects of the Program; and distribution of information to the DOJ and FTC to assist in anti-trust analysis of the programs.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the Department. The records or information contained therein may specifically be disclosed as a routine use, as stated below. The Department will, when so authorized, make the determination as to the relevancy of a record prior to its decision to disclose a document.

1. In the event that a system of records maintained by the Department to carry out its functions indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute or contract, rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records, may be referred to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or contract, rule, regulation, or order issued pursuant thereto, or protecting the interest of the Department.

2. A record from this system of records may be disclosed in the course of presenting evidence to a court, magistrate, hearing officer or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations, administrative appeals and hearings.

3. A record in this system of records may be disclosed to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system will be disclosed to the Department of Treasury for the purpose of reporting and recouping delinquent debts owed the United States pursuant to the Debt Collection Improvement Act of 1996.

5. A record in this system of records may be disclosed to a contractor of the Department having need for the information in the performance of the contract but not operating a system of records within the meaning of 5 U.S.C. 552a(m).

6. A record in this system of records may be disclosed to the applicable Fishery Management Council (Council) staff and contractors tasked with the development of analyses to support Council decisions about Fishery Management Programs.

7. A record in this system of records may be disclosed to the Department of Justice and the Federal Trade Commission to assist in antitrust analysis of the fisheries programs in the supplementary information and later on.

8. A record in this system of records may be disclosed to appropriate agencies, entities and Persons when: (1) It is suspected or determined that the security or confidentiality of information in the system of records has been compromised; (2) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's

efforts to respond to the suspected or confirmed compromise and to prevent, minimize, or remedy such harm.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Department decision concerning the assignment, hiring or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

10. A record from this system of records may be disclosed, as a routine use, to a Federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring or retention of an individual, the issuance of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

11. A record in this system of records which contains medical information may be disclosed, as a routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 15 CFR part 4b if, in the sole judgment of the Department, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulations at 15 CFR part 4b.6.

12. A record in this system of records may be disclosed, as a routine use, to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A–19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

13. A record in this system may be transferred, as a routine use, to the Office of Personnel Management: For personnel research purposes; as a data source for management information; for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained; or for related manpower studies.

14. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services Administration (GSA), or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.* GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosure to consumer reporting agencies pursuant to 5 U.S.C. 552a(b)(12) may be made from this system to ''consumer reporting agencies'' as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Computerized data base; CDs; back-up files stored on tape; paper records in file folders in locked metal cabinets and/or locked rooms.

RETRIEVABILITY:

Records are organized and retrieved by NMFS internal identification number, name of owner or lessee, vessel permit number, plant permit number, crew license number, vessel name, or plant name. Records can be accessed by any file element or any combination thereof.

SAFEGUARDS:

1. The system of records is stored in a building with doors that are locked during and after business hours. Visitors to the facility must register with security guards and must be accompanied by Federal personnel at all times. Only those that have the need to know, to carry out the official duties of their job, have access to the information. Paper records are maintained in secured file cabinets in areas that are accessible only to authorized personnel of the DCA. Electronic records containing Privacy Act information are protected by a user identification/password. The user identification/password is issued to individuals by authorized personnel.

2. NMFS Alaska Region contractors, to whom access to this information is granted in accordance with this system of records routine uses provision, are instructed on the confidential nature of this information.

3. All electronic information disseminated by NOAA adheres to the standards set out in Appendix III, Security of Automated Information Resources, OMB Circular A–130; the Computer Security Act (15 U.S.C. 278g–3 and 278g–4); and the Government Information Security Reform Act, Public Law 106–398; and follows NIST SP 800–18, Guide for Developing Security Plans for Federal Information Systems; NIST SP 800–26, Security Self-Assessment Guide for Information Technology Systems; and NIST SP 800–53, Recommended Security Controls for Federal Information Systems.

4. The EDR system is designed as follows: (1) Participants are required to submit an annual EDR to the NOAA-approved DCA; (2) The DCA provides the EDR information without individual identifiers to NMFS Alaska Region, State of Alaska Department of Fish and Game, and the North Pacific Fishery Management Council; (3) Upon request, the DCA will provide the EDR information with individual identifiers to NOAA Office for Enforcement and the U.S. Coast Guard; and (4) Upon request, the DCA will provide the EDR information with individual identifiers to the DOJ and FTC to assist in anti-trust analysis of the Program.

RETENTION AND DISPOSAL:

All records are retained and disposed of in accordance with National Archives and Records Administration regulations (36 CFR Chapter B—Records Management); Departmental directives and comprehensive records schedules; NOAA Administrative Order 205–01; and the NMFS Records Disposition Schedule, Chapter 1500.

SYSTEMS MANAGER(S) AND ADDRESSES:

For records at location a.: Regional Administrator, NMFS Alaska Region, 709 West Ninth Street, Juneau, AK 99801.

For records at location b.: Pacific States Marine Fisheries Commission, 205 Southeast Spokane, Suite 100, Portland, OR 97202.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether information about themselves is contained in this system should address written inquires to the national or regional Privacy Act Officer:

1. Privacy Act Officer, NOAA, 1315 East-West Highway, Room 9719, Silver Spring, MD 20910.

2. Privacy Act Officer, NMFS Alaska Region, P.O. Box 21668, Juneau, Alaska 99802, or delivered to the Federal Building, 709 West 9th Street Juneau, Alaska, 99801. Written requests must be signed by the requesting individual. Requestor must make the request in writing and provide his/her name, address, and date of the request and record sought. All such requests must

comply with the inquiry provisions of the Department's Privacy Act rules which appear at 15 CFR part 4, Appendix A.

RECORDS ACCESS PROCEDURES:

Requests for access to records maintained in this system of records should be addressed to the same address given in the Notification section above.

CONTESTING RECORD PROCEDURES:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned are provided for in 15 CFR part 4, Appendix A.

RECORD SOURCE CATEGORIES:

Information contained in this system will be collected from individuals participating in any of the three Alaska EDR Programs.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

Dated: October 2, 2015.

Michael J. Toland,

Department of Commerce, Acting Freedom of Information/Privacy Act Officer.

[FR Doc. 2015–25747 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

[Docket No. 150902800–5800–01]

RIN 0605–XC025

Privacy Act of 1974, New System of Records

AGENCY: National Oceanic and Atmospheric Administration U.S. Department of Commerce.

ACTION: Notice of Privacy Act system of records: COMMERCE/NOAA–11, contact information for members of the public requesting or providing information related to NOAA's mission.

SUMMARY: This notice announces the Department of Commerce's (Department's) proposal for a new system of records under the Privacy Act. The National Oceanic and Atmospheric Administration (NOAA) is creating a new system of records for contact information for members of the public requesting information and non-Federal providers' of information (*e.g.* academic researchers'). Information will be collected from individuals under the authority of 5 U.S.C. 301, Departmental Regulations, and 15 U.S.C. 1512, Powers and duties of Department [of Commerce]. This record system is necessary to facilitate provision of information to the requesting public and to post researchers' contact information on applicable Web sites.

DATES: To be considered, written comments must be submitted on or before November 9, 2015. Unless comments are received, the new system of records will become effective as proposed on the date of publication of a subsequent notice in the **Federal Register**.

ADDRESSES: Comments may be mailed to Sarah Brabson, NOAA Office of the Chief Information Officer, Room 9856, 1315 East-West Highway, SSMC3, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Sarah Brabson, NOAA Office of the Chief Information Officer, Room 9856, 1315 East-West Highway, Silver Spring, MD 20910.

SUPPLEMENTARY INFORMATION: NOAA is creating this system of records notice to replace the former COMMERCE/NOAA–11, NOAA Mailing Lists, which is no longer in existence. This system of records notice will encompass all NOAA systems which collect, store and/or disseminate contact information for members of the public requesting or providing information related to NOAA's mission. Information collections would be requested from individuals under the authority of 5 U.S.C. 301, Departmental Regulations and 15 U.S.C. 1512, Powers and duties of Department. The collection of information is necessary to facilitate communication with, and share mission-related information with, the public. NOAA would collect information from individuals in order to provide and acquire NOAA mission-related data. The resulting system of records, as amended, appears below.

COMMERCE/NOAA–11

SYSTEM NAME:

COMMERCE/NOAA–11, Contact Information for Members of the Public Requesting or Providing Information Related to NOAA's Mission.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

National Environmental Satellite, Data, and Information Service (NESDIS):

NOAA5009, National Climatic Data Center Local Area Network: Federal Building, Room 311, 151 Patton Avenue, Asheville, NC 28801.

NOAA5010, National Oceanographic Data Center: 1315 East West Highway, Silver Spring, MD 20910.

NOAA5036, National Coastal Data Development Center Local Area Network: 1021 Balch Blvd., Stennis Space Center, MS 39529.

NOAA5036 Mirror Site: 25 Broadway, E/GC4, Boulder, CO 80305.

NOAA5040, Comprehensive Large Array-data Stewardship System: 2110 Pleasant Valley Road, Fairmont, WV 26554.

NOAA5045, NOAA Environmental Satellite Processing Center: 4231 Suitland Rd., Suitland, MD 20746.

National Marine Fisheries Service (NMFS):

NOAA4010, NMFS Headquarters Local Area Network: 1315 East West Highway, Silver Spring, MD 20910.

NOAA4960, Honolulu, HI Pacific Islands Fisheries Science Center Local Area Network: 2570 Dole Street, Honolulu, HI 96822.

National Ocean Service (NOS):

NOAA6001, NOS Enterprise Information System: 1305 East West Highway, Floor 13, Silver Spring, MD 20910.

NOAA6101, Coastal Services Center (CSC) Information Technology Support System: 2234 S. Hobson Ave., Charleston, SC 29405.

NOAA6301, National Centers for Coastal Ocean Science (NCCOS) Research Support System: 1305 East West Highway, 13th Floor, Silver Spring, MD 20910.

NOAA6501, Office of Coast Survey (OCS) Nautical Charting System: 1315 East West Highway, Floors 5, 6 & 7, Silver Spring, MD 20910.

National Weather Service (NWS):

NOAA8860, National Centers for Environmental Prediction: 5830 University Research Court, College Park, MD 20740.

NOAA8874, National Operations Hydrologic Remote Sensing Center, 1735 Lake Dr. West, Chanhassen, MN 55317.

NOAA8884, Southern Region Headquarters, 819 Taylor St. RM 10A05C, Fort Worth, TX 76102.

NOAA8885, Western Region Headquarters, 125 South State St., Salt Lake City, UT 84103.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Members of the public requesting information. Members of the public (non-NOAA researchers), who provide information to NOAA for dissemination to the public.

CATAGORIES OF RECORDS IN THE SYSTEM:

This information is collected and/or maintained by all systems covered by this system of records: Name, address, email address, telephone number (business or private, by individuals' choice), organization name, address and position if applicable.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, Departmental Regulations and 15 U.S.C. 1512, Powers and duties of Department.

PURPOSES:

This information will allow NOAA to contact customers who have requested data, will participate or have participated in NOAA conferences, meetings and trainings, as well as those researchers providing data and making presentations. Maintenance of this contact information allows further communication and information sharing, as well as a mechanism for customer surveys with the goal of improving services.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

1. In the event that a system of records maintained by the Department to carry out its functions indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute or contract, rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or contract, rule, regulation, or order issued pursuant thereto, or protecting the interest of the Department.

2. A record from this system of records may be disclosed, as a routine use, to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Department decision concerning the assignment, hiring or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed, as a routine use, to a Federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring or retention of an individual, the issuance of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed in the course of presenting evidence to a court, magistrate, hearing officer or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations, administrative appeals and hearings.

5. A record in this system of records may be disclosed to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.

6. A record in this system of records which contains medical information may be disclosed, as a routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 15 CFR part 4b if, in the sole judgment of the Department, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulations at 15 CFR part 4b.26.

7. A record in this system of records may be disclosed, as a routine use, to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A–19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

8. A record in this system of records may be disclosed to the Department of Justice in connection with determining whether the Freedom of Information Act (5 U.S.C. 552) requires disclosure thereof.

9. A record in this system of records may be disclosed to a contractor of the Department having need for the information in the performance of the contract but not operating a system of records within the meaning of 5 U.S.C. 552a(m).

10. A record in this system may be transferred, as a routine use, to the Office of Personnel Management: For personnel research purposes; as a data source for management information; for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained; or for related manpower studies.

11. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services Administration (GSA), or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.* GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

12. A record in this system of records may be disclosed to appropriate agencies, entities and persons when: (1) It is suspected or determined that the security or confidentiality of information in the system of records has been compromised; (2) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or whether systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and to prevent, minimize, or remedy such harm.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosure to consumer reporting agencies pursuant to 5 U.S.C. 552a(b)(12) may be made from this system to ''consumer reporting agencies'' as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Computerized database (in some instances, also CDs; back-up files stored on tape and/or paper records stored in file folders in locked metal cabinets and/or locked rooms).

RETRIEVABILITY:

Records are organized and retrieved by category of entity.

SAFEGUARDS:

The system of records is stored in a building with doors that are locked during and after business hours. Visitors to the facility must register with security guards and must be accompanied by Federal personnel at all times. Paper records are stored in a locked room and/or a locked file cabinet. Electronic records containing Privacy Act information are protected by a user

identification/password. The user identification/password is issued to individuals as authorized by authorized personnel.

All electronic information disseminated by NOAA adheres to the standards set out in Appendix III, Security of Automated Information Resources, OMB Circular A–130; the Computer Security Act (15 U.S.C. 278g–3 and 278g–4); and the Government Information Security Reform Act, Public Law 106–398; and follows NIST SP 800–18, Guide for Developing Security Plans for Federal Information Systems; NIST SP 800–26, Security Self-Assessment Guide for Information Technology Systems; and NIST SP 800–53, Recommended Security Controls for Federal Information Systems. NIST 800–122 recommended security controls for protecting Personally Identifiable Information are in place. The Federal Information Processing Standard (FIPS) 199, Standards for Security Categorization of Federal Information and Information Systems, security impact category for these systems is moderate or higher, except for two systems: NOAA4960 and NOAA6101. Contractors that have access to the system are subject to information security provisions in their contracts required by Department policy.

RETENTION AND DISPOSAL:

All records are retained and disposed of in accordance with National Archive and Records Administration regulations (36 CFR Chapter XII, Subchapter B—Records Management); Departmental directives and comprehensive records schedules; NOAA Administrative Order 205–01; and the NMFS Records Disposition Schedule, Chapters 1200, 1300, 1400, 1500 and 1600.

SYSTEM MANGER(S) AND ADDRESS: NESDIS:

NOAA5009, John Jensen, Federal Building, Room 311, 151 Patton Avenue, Asheville, NC 28801.

NOAA5010, Parmesh Dwivedi, 1315 East West Highway, Silver Spring, MD 20910.

NOAA5036: Juanita Sandidge, 1021 Balch Blvd., Stennis Space Center, MS 39529.

Mirror Site: 25 Broadway, E/GC4, Boulder, CO 80305.

NOAA5040: Kern Witcher, 2110 Pleasant Valley Road, Fairmont, WV 26554.

NOAA5045: Linda Stathoplos, 4231 Suitland Rd., Suitland, MD 20746.

NMFS:

NOAA4010: Kevin Schulke, 1315 East West Highway, Silver Spring, MD 20910.

NOAA4960: Donald Tieman, 2570 Dole Street, Honolulu, HI 96822.

NOS:

NOAA6001: Tim Morris, 1305 East West Highway, Floor 13, Silver Spring, MD 20910.

NOAA6101: Paul Scholz, 2234 S. Hobson Ave, Charleston, SC 29405.

NOAA6301: Linda Matthews, 1305 East West Highway, 13th Floor, Silver Spring, MD 20910.

NOAA6501: Kathryn Ries, 1315 East West Highway, Floors 5, 6 & 7, Silver Spring, MD 20910.

NWS:

NOAA8860: David Glotfelty, 5830 University Research Court, College Park, MD 20740.

NOAA8874: Andy Rost, National Operations Hydrologic Remote Sensing Center, 1735 Lake Dr. West, Chanhassen, MN 55317.

NOAA8884: John Duxby, Southern Region Headquarters, 819 Taylor St. RM 10A05C, Fort Worth, TX 76102.

NOAA8885: Sean Wink, Western Region Headquarters, 125 South State St., Salt Lake City, UT 84103.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether information about them is contained in this system should address written inquiries to the National or Line Office Privacy Act Officers:

Privacy Act Officer, NOAA, 1305 East West Highway, Room 7437, Silver Spring, MD 20910.

Privacy Act Officer, NESDIS, 1335 East West Highway, Room 8245, Silver Spring, MD 20910.

Privacy Act Officer, NMFS, 1315 East West Highway, Room 10843, Silver Spring, MD 20910.

Privacy Act Officer, NOS, 1305 East West Highway, Rm. 13236, Silver Spring, MD 20910.

Privacy Act Officer, NWS, 1325 East West Highway, Room 18426, Silver Spring, MD 20910.

Written requests must be signed by the requesting individual. Requestor must make the request in writing and provide his/her name, address, and date of the request and record sought. All such requests must comply with the inquiry provisions of the Department's Privacy Act rules which appear at 15 CFR part 4, Appendix A.

RECORD ACCESS PROCEDURES:

Requests for access to records maintained in this system of records should be addressed to the same address given in the Notification section above.

CONTESTING RECORD PROCEDURES:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned are provided for in 15 CFR part 4, Appendix A.

RECORD SOURCE CATEGORIES:

Information in this system will be collected from individuals requesting or providing NOAA mission-related information.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

Dated: October 2, 2015.

Michael J. Toland,

Department of Commerce, Acting Freedom of Information/Privacy Act Officer.

[FR Doc. 2015–25746 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARMENT OF COMMERCE

[Docket No. 150806686–5686–01]

RIN 0605–XC023

Privacy Act of 1974; Amended System of Records

AGENCY: Office of the Secretary, U.S. Department of Commerce.

ACTION: Notice of Proposed Amendment to Privacy Act System of Records: COMMERCE/DEPT–5, Freedom of Information and Privacy Request Records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended, Title 5 United States Code (U.S.C.) 552a (e)(4) and (11); and Office of Management and Budget (OMB) Circular A–130, Appendix I, Federal Agency Responsibilities for Maintaining Records About Individuals, the Department of Commerce proposes to amend the system of records entitled ''COMMERCE/DEPT–5, Freedom of Information and Privacy Request Records'', to change the system name to ''Freedom of Information Act and Privacy Act Request Records'' and to update: The category of individuals covered by the system; the categories of records in the system to include databases and electronic files; the system location; the safeguards, retrievability, and storage to include electronic records; the system manager(s) and addresses; the notification procedure; the records access procedures; and the contesting records procedures. Other updates to incorporate are to the routine uses to include: Disclosure to a contractor of the Department having need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552a (m); disclosure to appropriate agencies, entities and persons for breach notifications; and disclosure to the National Archives and Records Administration, Office of Government

Information Services. We invite public comment on the amended system announced in this publication.

DATES: To be considered, written comments must be submitted on or before November 9, 2015. Unless comments are received, the amended system of records will become effective as proposed on the date of publication of a subsequent notice in the **Federal Register**.

ADDRESSES: You may submit written comments by any of the following methods:

Email: mtoland@doc.gov. Include ''COMMERCE/DEPT–5, Freedom of Information Act and Privacy Act Request Records'' in the subtext of the message.

Fax: (202) 482–0827, marked to the attention of Freedom of Information and Privacy Act Officer.

Mail: Freedom of Information and Privacy Act Officer, Office of Privacy and Open Government, U.S. Department of Commerce, 1401 Constitution Ave. NW., Room 52010, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Freedom of Information and Privacy Act Officer, Office of Privacy and Open Government, U.S. Department of Commerce, 1401 Constitution Ave. NW., Room 52010, Washington, DC 20230, (202) 482–1190.

SUPPLEMENTARY INFORMATION: This notice announces the Department of Commerce's (Department) proposal to amend the system of records under the Privacy Act of 1974, for Freedom of Information Act (FOIA) and Privacy Act request records. The changes are needed because the existing notice for this system of records has not been amended since 1981 and therefore, the notice is not up-to-date, accurate, and current, as required by the Privacy Act, 552a (e)(4). Further, Appendix A to OMB Circular A–130 requires agencies to periodically review systems of records notices for accuracy and completeness, paying special attention to changes in technology, function, and organization that may have made the notices out of date, and review routine use disclosures under 5 U.S.C. 552a (b)(3) to ensure they continue to be necessary and compatible with the purpose for which the information was collected. When any of the aforementioned changes occur, the Privacy Act requires agencies to publish in the **Federal Register** upon revision of a system of records, a notice that describes the amendments to the system of records.

Not only does this notice address statutory requirements for ensuring the notice is up-to-date, accurate, and current, it provides individuals access to a current statement of what types of information are maintained and for what reason, as well. This notice also clarifies for individuals other aspects of the system of records, such as the use of electronic request tracking systems; where information is maintained and who manages the systems on which the information is stored; and the incorporation of additional routine uses, which describe the disclosures that will be made of the information on a routine basis, to whom the information may be released, and for what purpose the disclosures will be made. Specifically, we propose to modify the system of records to read as follows:

COMMERCE/DEPT–5

SYSTEM NAME:

COMMERCE/DEPT–5, Freedom of Information Act and Privacy Act Request Records.

SECURITY CLASSIFICATION:

None

SYSTEM LOCATION:

a. For Department of Commerce request records: Office of Privacy and Open Government, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

b. For Office of the Secretary request records: Immediate Office of the Secretary, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

c. For U.S. Census Bureau request records: Freedom of Information Act and Open Government Branch, Policy Coordination Office, U.S. Census Bureau, Room 8H027, 4600 Silver Hill Road, Washington, DC 20233–3700.

d. For Bureau of Economic Analysis/ Economic and Statistics Administration request records: Office of the Undersecretary for Economic Affairs, Economic and Statistics Administration, Room 4848, 1401 Constitution Avenue NW., Washington, DC 20230.

e. For Economic Development Administration request records: Office of the Chief Counsel, Economic Development Administration, Room 7325, 1401 Constitution Avenue NW., Washington, DC 20230.

f. For Bureau of Industry and Security request records: Office of Administration, Bureau of Industry and Security, Room 6622, 1401 Constitution Avenue NW., Washington, DC 20230.

g. For International Trade Administration request records: Performance Management and Employment Management Programs Division, International Trade Administration, Room 40003, 1401 Constitution Avenue NW., Washington, DC 20230.

h. For Minority Business Development Agency request records: Minority Business Development Agency, Room 5093, 1401 Constitution Avenue NW., Washington, DC 20230.

i. For National Institute of Standards and Technology request records: Freedom of Information Act Office, National Institute of Standards and Technology, Mailstop 1710, 100 Bureau Drive, Gaithersburg, MD 20899–1710.

j. For National Technical Information Service request records: Freedom of Information Act Officer, National Technical Information Service, 5301 Shawnee Road, Alexandria, VA 22312.

k. For National Telecommunications and Information Administration request records: Office of the Chief Counsel, National Telecommunications and Information Administration, Room 4713, 1401 Constitution Avenue NW., Washington, DC 20230.

l. For National Oceanic and Atmospheric Administration request records: NOAA OCIO, 1315 East-West Highway, Room 9700, SSMC3, Silver Spring, Maryland 20910.

m. For Office of Inspector General request records: Freedom of Information Act Officer, Office of Inspector General, Room 7896, 1401 Constitution Avenue NW., Washington, DC 20230.

n. For U.S. Patent and Trademark Office request records: Freedom of Information Act Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313–1450.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system encompasses all individuals who submit FOIA and Privacy Act requests to the organizational units shown in the System Location section above; individuals whose requests and/or records have been referred by other agencies to the organizational units shown in the System Location section above; attorneys or other persons representing individuals submitting such requests and appeals; individuals who submitted administrative appeals to the Office of the General Counsel, the Office of Inspector General, or the U.S. Patent and Trademark Office; individuals who are the subjects of such requests and appeals; and individuals who file litigation based on their requests.

CATAGORIES OF RECORDS IN THE SYSTEM:

The system may include requester information, such as the name, address, organization, phone number, and email

address of requesters; request information, such as request description, request fee category and processing track; request submitted, perfected, and acknowledgement sent dates; incoming requests and supporting information; correspondence developed during processing of requests; initial, interim, and final determination letters; records summarizing pertinent facts about requests and actions taken; copy or description of records released; and descriptions of records denied.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Freedom of Information Act, 5 U.S.C. 552; Privacy Act of 1974 as amended, 5 U.S.C. 552a; 5 U.S.C. 301, and 44 U.S.C. 3101.

PURPOSES:

The purpose of this system is to maintain records that are used by staff involved in FOIA and Privacy Act request processing and correspondence, as well as by appeals officials and members of the Office of General Counsel, the Office of Inspector General, or the U.S. Patent and Trademark Office. In addition this system is used to support agency participation in litigation arising from such requests and appeals, and to assist the Department and its components in carrying out any other responsibilities under the FOIA or the access or amendment provisions of the Privacy Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed to authorized entities, as is determined to be relevant and necessary, outside the Department as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

1. Used by Department management and legal personnel to ensure that each request receives an appropriate reply and to compile data for the required annual reports on activities under the Acts.

2. In the event that a system of records maintained by the Department to carry out its functions indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or contract, or rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department.

3. A record from this system of records may be disclosed, as a routine use, to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. A record from this system of records may be disclosed, as a routine use, to a federal, state, local, or international agency, in response to its written request, in connection with the assignment, hiring or retention of an individual, the issuance of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel representing the requester and/or subject of the records in the course of settlement negotiations.

6. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.

7. A record in this system of records may be disclosed, as a routine use, to the Department of Justice in connection with determining whether disclosure thereof is required by the Freedom of Information Act (5 U.S.C. 552).

8. A record in this system of records may be disclosed, as a routine use, to a contractor of the Department having need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552a (m).

9. A record in this system may be transferred, as a routine use, to the Office of Personnel Management for personnel research purposes; as a data source for management information; for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained; or for related man-power studies.

10. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services Administration (GSA), or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.,* GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

11. A record in this system of records may be disclosed to appropriate agencies, entities and persons when: (1) It is suspected or determined that the security or confidentiality of information in the system of records has been compromised; (2) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or whether systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and to prevent, minimize, or remedy such harm.

12. A record from this system of records may be disclosed, as a routine use, to the National Archives and Records Administration, Office of Government Information Services (OGIS), to the extent necessary to fulfill its responsibilities in 5 U.S.C. 552(b), to review administrative agency policies, procedures and compliance with the Freedom of Information Act (FOIA), and to facilitate OGIS' offering of mediation services to resolve disputes between persons making FOIA requests and administrative agencies.

13. A record in this system of records may be disclosed, as a routine use, to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A–19 at any stage of the

legislative coordination and clearance process as set forth in that Circular.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

At all locations: Records in this system are stored on paper and/or in electronic form. Paper records are maintained in file folders or loose-leaf binders. Electronic records are maintained within electronic request tracking systems and/or in electronic form in system folders; additional electronic files may be kept in electronic digital media within a controlled environment, and accessed only by authorized personnel.

RETRIEVABILITY:

For FOIA requests:

a. Records maintained in electronic request tracking systems are retrieved by individual Department component responsibility; by the name and/or organization of the requester or appellant; the number assigned to the request or appeal; by the name of the individual assigned to process the request or appeal; by the received, due, and/or closed date of the request or appeal; by the track, type and/or status of the request; and/or the time in days to process the request.

b. Records maintained in electronic form in system folders are retrieved by the name of the requester or appellant and/or the number assigned to the request or appeal.

c. Records maintained in paper form are retrieved by the name of the requester or appellant; and/or the number assigned to the request or appeal.

For Privacy Act requests:

a. Records maintained in electronic request tracking systems or electronic form in system folders are retrieved by the name of the requester or appellant and/or the number assigned to the request or appeal.

b. Records maintained in paper form are retrieved by the name of the requester or appellant; and/or the number assigned to the request or appeal.

SAFEGUARDS:

Paper records and disks as stored in file cabinets on secured premises with access limited to personnel whose official duties require access. For electronic media, the system is password protected and is FIPS 199 (Federal Information Processing Standard Publication 199, ''Standards for Security Categorization of Federal Information and Information Systems'') compliant. The electronic system adheres to a Moderate security rating.

RETENTION AND DISPOSAL:

Records are disposed of in accord with the appropriate records disposition schedule approved by the Archivist of the United States.

SYSTEM MANGER(S) AND ADDRESS:

For records at location a.: Departmental Freedom of Information/Privacy Act Officer, Office of Privacy and Open Government, U.S. Department of Commerce, Room A300, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location b.: Office of the Secretary Freedom of Information Act Officer, Office of Privacy and Open Government, U.S. Department of Commerce, Room A300, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location c.: Freedom of Information Act/Privacy Act Officer, Freedom of Information Act and Open Government Branch, Policy Coordination Office, U.S. Census Bureau, Room 8H027, 4600 Silver Hill Road, Washington, DC 20233–3700.

For records at location d.: Freedom of Information Act Officer, Office of the Undersecretary for Economic Affairs, Economic and Statistics Administration, Room 4848, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location e.: Freedom of Information Act Officer, Office of the Chief Counsel, Economic Development Administration, Room 7325, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location f.: Freedom of Information Act Officer, Office of Administration, Bureau of Industry and Security, Room 6622, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location g.: Freedom of Information Act Officer, Performance Management and Employment Management Programs Division, International Trade Administration, Room 40003, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location h.: Freedom of Information Act Officer, Minority Business Development Agency, Room 5093, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location i.: Freedom of Information Act Officer, Freedom of Information Act Office, National Institute of Standards and Technology, Mailstop 1710, 100 Bureau Drive, Gaithersburg, MD 20899–1710.

For records at location j.: Freedom of Information Act Officer, National Technical Information Service, 5301 Shawnee Road, Alexandria, VA 22312.

For records at location k.: Freedom of Information Act Officer, Office of the Chief Counsel, National Telecommunications and Information Administration, Room 4713, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location l.: Freedom of Information Act Officer, NOAA OCIO, 1315 East-West Highway, Room 9700, SSMC3, Silver Spring, Maryland 20910.

For records at location m.: Freedom of Information Act Officer, Office of Inspector General, Room 7896, 1401 Constitution Avenue NW., Washington, DC 20230.

For records at location n.: Freedom of Information Act Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313–1450.

NOTIFICATION PROCEDURE:

Individuals who are seeking notification of and access to any record contained in this system of records, or who are seeking to contest its content or appeal an initial determination, should submit a signed, written inquiry to the Department of Commerce's or component's FOIA Officer and/or Privacy Act Officer, whose contact information can be found at *http://www.osec.doc.gov/omo/FOIA/contactfoia.htm* under ''Freedom of Information Act/Privacy Act Contacts'' or under the System Manager(s) section above. Records concerning initial requests under the FOIA and the Privacy Act are maintained by the individual Department of Commerce component to which the initial request was addressed or directed. Individuals who believe more than one component maintains records in this system of records concerning them may submit a request to the Departmental Freedom of Information/Privacy Act Officer, Office of Privacy and Open Government, U.S. Department of Commerce, Constitution Avenue NW., Washington, DC 20230.

Any individuals who seek records from this system of records or any other Department system of records pertaining to themselves, must submit a request conforming with the Department's Privacy Act regulations set forth in *15 CFR part 4*. Individuals must first verify their identities, meaning that they must provide their full name, current address and date and place of birth. Individuals must sign the request, and their signatures must either be notarized or submitted under *28 U.S.C. 1746*, a law that permits statements to be made

under penalty of perjury as a substitute for notarization.

Any individuals who seek records from this system of records or any other Department system of records on behalf of another living person, must include a statement, which conforms with 15 CFR part 4, from that person certifying his/her agreement to allow access to the records. Requesters should reasonably specify the record contents being sought.

RECORD ACCESS PROCEDURES:

Same as Notification Procedure section above.

CONTESTNG RECORD PROCEDURES:

Same as Notification Procedure section above. Requesters should also reasonably identify the records, specify the information they are contesting, and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate, or irrelevant.

RECORD SOURCE CATEGORIES:

Records are obtained from those individuals who submit requests and administrative appeals pursuant to the FOIA and the Privacy Act or who file litigation regarding such requests and appeals; the agency record keeping systems searched in the process of responding to such requests and appeals; Department personnel assigned to handle such requests, appeals, and/or litigation; other agencies or entities that have referred to Department requests concerning Department records or that have consulted with the Department regarding handling of particular requests; and submitters or subjects of records or information that have provided assistance to the Department in making access or amendment determinations.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

Dated: October 1, 2015.

Michael J. Toland,

Department of Commerce, Acting Freedom of Information/Privacy Act Officer.

[FR Doc. 2015–25742 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–17–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–41–2015]

Authorization of Production Activity, Foreign-Trade Subzone 38A, BMW Manufacturing Co., LLC, (Motor Vehicles), Spartanburg, South Carolina

On June 3, 2015, BMW Manufacturing Company, LLC, operator of Subzone 38A, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board for its facility in Spartanburg, South Carolina.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (80 FR 35302–35303, 6–19–2015). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14, and further subject to a restriction requiring that all foreign status textile-based felt strips and damping strips (classified within HTSUS 5602.10 and 5602.90) used in the production activity must be admitted to the subzone in privileged foreign status (19 CFR 146.41).

Dated: October 1, 2015.

Pierre V. Duy,

Acting Executive Secretary.

[FR Doc. 2015–25813 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–40–2015]

Authorization of Production Activity; Foreign-Trade Subzone 27N; Claremont Flock, a Division of Spectro Coating Corporation; (Acrylic and Rayon Textile Flock) Leominster, Massachusetts

On June 1, 2015, the Massachusetts Port Authority, grantee of FTZ 27, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board on behalf of Claremont Flock, a division of Spectro Coating Corporation, for its facility within Subzone 27N in Leominster, Massachusetts.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (80 FR 35303, 6–19–2015). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: October 1, 2015.

Pierre V. Duy,

Acting Executive Secretary.

[FR Doc. 2015–25819 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–44–2015]

Authorization of Production Activity; Foreign-Trade Subzone 222A, Hyundai Motor Manufacturing Alabama, LLC (Motor Vehicles), Montgomery, Alabama

On June 5, 2015, the Montgomery Area Chamber of Commerce, grantee of FTZ 222, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board on behalf of Hyundai Motor Manufacturing Alabama, LLC, for its facility within Subzone 222A in Montgomery, Alabama.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (80 FR 38173, July 2, 2015). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: October 5, 2015.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2015–25829 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–912]

Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2013–2014

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

SUMMARY: The Department of Commerce (''Department'') is conducting an administrative review of the antidumping duty order on certain new pneumatic off-the-road tires (''OTR tires'') from the People's Republic of China (''PRC''). The period of review (''POR'') is September 1, 2013, through August 31, 2014. The review covers twelve exporters of subject merchandise.[1] The Department preliminarily finds that two mandatory respondents, Qingdao Qihang Tyre Co., Ltd. (''Qihang'') and Xuzhou Xugong Tyres Co., Ltd. (''Xugong'') [2], made sales of subject merchandise at less than normal value (''NV'') and an additional four companies, Qingdao Free Trade Zone Full-World International Trading Co., Ltd. (''Full-World''), Trelleborg Wheel Systems (Xingtai) China, Co. Ltd. (''TWS Xingtai'') and Weihai Zhongwei Rubber Co., Ltd. (''Zhongwei''), and Tianjin Leviathan International Trade Co., Ltd. (''Leviathan''), demonstrated eligibility for separate rates status. Further, the Department preliminarily determines that two firms listed in the *Initiation Notice* had no shipments during the POR and one company failed to demonstrate eligibility for separate rate status. Finally, the remaining three firms timely withdrew their requests for review, and the Department previously rescinded the review for these companies.[3] Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* October 9, 2015.

FOR FURTHER INFORMATION CONTACT: Andrew Medley or Mandy Mallott, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4987 or (202) 482–6430, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 30, 2014, the Department initiated the sixth administrative review of the antidumping duty order on OTR tires from the PRC.[4] On April 23, 2015, we extended the time limit for the preliminary results of review by 120 days, pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (''Act''), to September 30, 2015.[5] For a complete description of the events that followed the initiation of this administrative review, see the Preliminary Decision Memorandum.[6]

Scope of the Order [7]

The merchandise covered by this order includes new pneumatic tires designed for off-the-road and off-highway use, subject to certain exceptions. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (''HTSUS'') subheadings: 4011.20.10.25, 4011.20.10.35, 4011.20.50.30, 4011.20.50.50, 4011.61.00.00, 4011.62.00.00, 4011.63.00.00, 4011.69.00.00, 4011.92.00.00, 4011.93.40.00, 4011.93.80.00, 4011.94.40.00, and 4011.94.80.00. The HTSUS subheadings are provided for convenience and customs purposes only; the written product description of the scope of the order is dispositive.

Preliminary Determination of No Shipments

On November 20, 2014, Trelleborg Wheel Systems Hebei Co. (''TWS Hebei'') submitted a timely-filed certification indicating that it had no shipments of subject merchandise to the United States during the POR.[8] Also, on December 26, 2014, Zhongce Rubber Group Company Limited (''Zhongce'') submitted a timely-filed certification indicating that it had no shipments of subject merchandise to the United States during the POR.[9] Consistent with our practice, the Department asked Customs and Border Protection (''CBP'') to conduct a query on potential shipments made by TWS Hebei and Zhongce during the POR.[10] Based on TWS Hebei and Zhongce's certifications and our analysis of CBP data and rebuttal information, we preliminarily determine that TWS Hebei and Zhongce did not have any reviewable transactions during the POR. For additional information regarding this determination, *see* the Preliminary Decision Memorandum. Consistent with our assessment practice in non-market economy (''NME'') cases, the Department is not rescinding this review for these companies, but intends to complete the review and issue appropriate instructions to CBP based on the final results of the review.[11]

Preliminary Determination of Affiliation and Collapsing

Based on the record evidence for these preliminary results, we find that Xugong, Armour, and Hanbang are affiliated, pursuant to sections 771(33)(E) of the Act. Additionally, based on the evidence presented in the questionnaire responses and pursuant to 19 CFR 351.401(f)(1)–(2), we preliminarily find that these companies should be considered a single entity for purposes of this review.[12]

Separate Rates

The Department preliminarily determines that information placed on the record by the mandatory respondents Xugong and Qihang, as well as by the four other separate rate applicants, Full-World, TWS Xingtai, Zhongwei, and Leviathan, demonstrates that these companies are entitled to separate rate status. For additional information, *see* the Preliminary Decision Memorandum.

Rate for Non-Examined Companies Which Are Eligible for a Separate Rate

The statute and the Department's regulations do not address the

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Review,* 79 FR 64565 (October 30, 2014) (''*Initiation Notice*'').

[2] As discussed below, we collapsed Xugong with Xuzhou Armour Rubber Company Ltd. (''Armour'') and Xuzhou Hanbang Tyre Co., Ltd. (''Hanbang'') as a single entity for the purposes of this review and refer to the collapsed entity as ''Xugong'', collectively, for the purposes of these preliminary results.

[3] *See Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Partial Rescission of Antidumping Duty Administrative Review; 2013–2014,* 80 FR 9695 (February 24, 2015) (''*Notice of Partial Rescission*'').

[4] *See Initiation Notice.*

[5] *See* Memorandum to Christian Marsh entitled, ''Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Extension of Deadline for Preliminary Results of 2013–2014 Antidumping Duty Administrative Review,'' dated April 23, 2015.

[6] *See* Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, entitled ''Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Certain New Pneumatic Off-the-Road Tires from the People's Republic of China; 2013–2014'' (''Preliminary Decision Memorandum''), dated concurrently with and hereby adopted by this notice.

[7] For a complete description of the scope of the order, *see* the Preliminary Decision Memorandum.

[8] *See* Letter from TWS Hebei, entitled, ''Trelleborg Wheel Systems Hebei Co. Statement of No Shipments during the POR: New Pneumatic Off-The-Road Tires from the People's Republic of China,'' dated November 20, 2014.

[9] *See* Letter from Zhongce entitled, ''New Pneumatic Off-the Road Tires from the People's Republic of China (2013–2014): Zhongce Rubber Group Company Limited No Shipment Letter,'' dated December 26, 2014.

[10] *See* CBP Message Number 5141301, dated May 21, 2015.

[11] *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694, 65694–95 (October 24, 2011) and the ''Assessment Rates'' section, below.

[12] For further discussion of the Department's affiliation and collapsing decision, *see* the Preliminary Decision Memorandum and Memorandum to Erin Begnal, Director, Office III, entitled, ''2013–2014 Administrative Review of the Antidumping Duty Order on Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Preliminary Affiliation and Collapsing Memorandum for Xuzhou Xugong Tyres Co., Ltd.,'' dated concurrently with this notice.

establishment of a rate to be applied to respondents not selected for individual examination when the Department limits its examination of companies subject to the administrative review pursuant to section 777A(c)(2)(B) of the Act. Generally, the Department looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the rate for respondents not individually examined in an administrative review. Section 735(c)(5)(A) of the Act articulates a preference for not calculating an all-others rate using rates which are zero, *de minimis* or based entirely on facts available (''FA''). Accordingly, the Department's usual practice has been to determine the dumping margin for companies not individually examined by averaging the weighted-average dumping margins for the individually examined respondents, excluding rates that are zero, *de minimis,* or based entirely on facts available.[13] Consistent with this practice, in this review, we preliminarily calculated weighted-average dumping margins for Qihang and Xugong that are above *de minimis* and not based entirely on FA; therefore, the Department preliminarily assigns to Leviathan, Full-World, TWS Xingtai, and Zhongwei the average of the weighted-average margins calculated for Qihang and Xugong as the separate rate for this review.[14]

PRC-Wide Entity

The Department's change in policy regarding conditional review of the PRC-wide entity applies to this administrative review.[15] Under this policy, the PRC-wide entity will not be under review unless a party specifically requests, or the Department self-initiates, a review of the entity. Because no party requested a review of the PRC-wide entity in this review, the entity is not under review and the entity's rate (*i.e.,* 105.31 percent) is not subject to change.[16] Aside from the no shipments and separate rate companies discussed above and the companies for which the review was previously rescinded (except where previously determined to be a part of the PRC-wide entity, in the case of Double Coin Holdings), the Department considers all other companies for which a review was requested (*i.e.,* Qingdao Haojia (Xinhai) Tyre Co.), which did not file a separate rate application) to be part of the PRC-wide entity. For additional information, *see* the Preliminary Decision Memorandum.

Application of Facts Available and Use of Adverse Inference

Section 776(a) of the Act provides that the Department shall apply facts available if (1) necessary information is not on the record, or (2) an interested party or any other person (A) withholds information that has been requested, (B) fails to provide information within the deadlines established, or in the form and manner requested by the Department, subject to subsections (c)(1) and (e) of section 782 of the Act, (C) significantly impedes a proceeding, or (D) provides information that cannot be verified as provided by section 782(i) of the Act.

Section 776(b) of the Act further provides that the Department may use an adverse inference in applying facts available when a party has failed to cooperate by not acting to the best of its ability to comply with a request for information. Such an adverse inference may include reliance on information derived from the petition, the final determination, a previous administrative review, or other information placed on the record.

Based on findings at verification, pursuant to sections 776(a) and (b) of the Act, we are applying partial adverse facts available to a portion of Xugong's U.S. sales. For details regarding this determinations, see the Preliminary Decision Memorandum.[17]

Methodology

The Department is conducting this review in accordance with section 751(a)(1)(B) and 751(a)(2)(A) of the Act. Export and constructed export prices were calculated in accordance with sections 772(a) and (b) of the Act. Because the PRC is a nonmarket economy within the meaning of section 771(18) of the Act, NV has been calculated in accordance with section 773(c).

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (''ACCESS''). ACCESS is available to registered users at *http://access.trade.gov,* and is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Results of Review

The Department preliminarily determines that the following weighted-average dumping margins exist for the period September 1, 2013, through August 31, 2014:

Exporter	Weighted-average dumping margin (percent)
Xuzhou Xugong Tyres Co., Ltd., Armour Rubber Company Ltd., or Xuzhou Hanbang Tyre Co., Ltd	86.78
Qingdao Qihang Tyre Co., Ltd	99.36
Qingdao Free Trade Zone Full-World International Trading Co., Ltd	91.30
Tianjin Leviathan International Trade Co., Ltd	91.30
Trelleborg Wheel Systems (Xingtai) China, Co. Ltd	91.30
Weihai Zhongwei Rubber Co., Ltd	91.30

[13] *See Ball Bearings and Parts Thereof From France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews and Rescission of Reviews in Part,* 73 FR 52823, 52824 (September 11, 2008), and accompanying Issues and Decision Memorandum at Comment 16.

[14] *See* Memorandum to the File entitled ''2013–2014 Administrative Review of the Antidumping Duty Order on Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Preliminary Results Margin Calculation for Separate Rate Companies,'' dated concurrently with this notice.

[15] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

[16] *See Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Final Results of Antidumping Duty Administrative Review;* 2012–2013, 80 FR 20197 (April 15, 2015); *see also Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Amended Final Results of Antidumping Duty Administrative Review; 2012–2013,* 80 FR 26230 (May 7, 2015).

[17] *See* Memorandum from the Department entitled, ''2013–2014 Administrative Review of the Antiduping Duty Order on Certain New Pneumatic Off-the-Road Tires from the People's Rpublic of China: Verification of the Sales and Factors Response of Xuzhou Xugong Tyres Co., Ltd. And Affiliates,'' dated concurrently with this notice and Memorandum from the Department entitled, ''2013–2014 Administrative Review of the Antidumping Duty Order on Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Analysis of the Preliminary results Margin Calculation for Xuzhou Xugong Tyres Co., Ltd.,'' dated concurrently with this notice.

Disclosure, Public Comment and Opportunity To Request a Hearing

The Department intends to disclose the calculations used in our analysis to parties in this review within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Interested parties may submit case briefs within 30 days after the date of publication of these preliminary results of review in the **Federal Register**.[18] Rebuttals to case briefs, which must be limited to issues raised in the case briefs, must be filed within five days after the time limit for filing case briefs.[19] Parties who submit arguments are requested to submit with the argument (a) a statement of the issue, (b) a brief summary of the argument, and (c) a table of authorities.[20] Parties submitting briefs should do so pursuant to the Department's electronic filing system, ACCESS.[21]

Any interested party may request a hearing within 30 days of publication of this notice.[22] Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.[23]

The Department intends to issue the final results of this administrative review, which will include the results of our analysis of all issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuance of the final results, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.[24] The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

For assessment purposes, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*.[25] For any individually examined respondent whose weighted average dumping margin is above *de minimis* (*i.e.,* 0.50 percent) in the final results of this review, the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of sales, in accordance with 19 CFR 351.212(b)(1). Where an importer- (or customer-) specific *ad valorem* rate is greater than *de minimis,* the Department will instruct CBP to collect the appropriate duties at the time of liquidation.[26] Where either a respondent's weighted average dumping margin is zero or *de minimis,* or an importer- (or customer-) specific *ad valorem* rate is zero or *de minimis,* the Department will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[27] For the respondents that were not selected for individual examination in this administrative review and that qualified for a separate rate, the assessment rate will be based on the average of the mandatory respondents.[28]

Pursuant to the Department's practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during the administrative review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. Additionally, if the Department determines that an exporter had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.,* at that exporter's rate) will be liquidated at the PRC-wide rate.[29]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) For the companies listed above that have a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis,* then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: September 30, 2015.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix I—List of Topics Discussed in the Preliminary Decision Memorandum

[18] *See* 19 CFR 351.309(c)(1)(ii).

[19] *See* 19 CFR 351.309(d)(1)–(2).

[20] *See* 19 CFR 351.309(c)(2), (d)(2).

[21] *See* 19 CFR 351.303 (for general filing requirements).

[22] *See* 19 CFR 351.310(c).

[23] *See* 19 CFR 351.310(d).

[24] *See* 19 CFR 351.212(b).

[25] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012) in the manner described in more detail in the Preliminary Decision Memorandum.

[26] *See* 19 CFR 351.212(b)(1).

[27] *See* 19 CFR 351.106(c)(2).

[28] *See* Preliminary Decision Memorandum.

[29] For a full discussion of this practice, *see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011).

[FR Doc. 2015–25804 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–890]

Wooden Bedroom Furniture From the People's Republic of China: Preliminary Results of Changed Circumstances Review, and Intent To Revoke Antidumping Duty Order in Part

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

SUMMARY: On April 10, 2015, the Department of Commerce (the ''Department'') received a request for revocation, in part, of the antidumping duty (''AD'') order on wooden bedroom furniture from the People's Republic of China (''PRC'') [1] with respect to certain bed bases. We preliminarily determine that the producers accounting for substantially all of the production of the domestic like product to which the *Order* pertains lack interest in the relief provided by the *Order* with respect certain bed bases described below. Accordingly, we intend to revoke, in part, the *Order* as to certain bed bases. The Department invites interested parties to comment on these preliminary results.

DATES: *Effective Date:* October 9, 2015.

FOR FURTHER INFORMATION CONTACT: Cara Lofaro or Howard Smith, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–5720 or (202) 482–5193, respectively.

Background

On January 4, 2005, the Department published the *Order* in the **Federal Register**. On April 10, 2015, the Department received a request on behalf of Ololo, Inc. (''Ololo'') for a changed circumstances review to revoke, in part, the *Order* with respect to certain bed bases.[2] On April 27, 2015, the American Furniture Manufacturers Committee for Legal Trade and Vaughan-Bassett Furniture Company, Inc. (collectively, ''Petitioners'') stated that they agree with the scope exclusion language proposed by Ololo for certain bed bases.[3]

On June 1, 2015, the Department published the *Initiation Notice* for the requested changed circumstances review in the **Federal Register**.[4] Because the statement submitted by Petitioners in support of Ololo's Request did not indicate whether Petitioners account for substantially all of the domestic wooden bedroom furniture production, in the *Initiation Notice,* the Department invited interested parties to submit comments concerning industry support for the revocation in part, with respect to certain bed bases, as well as comments and/or factual information regarding the changed circumstances review. No parties commented.

Scope of the Order

The product covered by the order is wooden bedroom furniture. Wooden bedroom furniture is generally, but not exclusively, designed, manufactured, and offered for sale in coordinated groups, or bedrooms, in which all of the individual pieces are of approximately the same style and approximately the same material and/or finish. The subject merchandise is made substantially of wood products, including both solid wood and also engineered wood products made from wood particles, fibers, or other wooden materials such as plywood, strand board, particle board, and fiberboard, with or without wood veneers, wood overlays, or laminates, with or without non-wood components or trim such as metal, marble, leather, glass, plastic, or other resins, and whether or not assembled, completed, or finished.

The subject merchandise includes the following items: (1) Wooden beds such as loft beds, bunk beds, and other beds; (2) wooden headboards for beds (whether stand-alone or attached to side rails), wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds; (3) night tables, night stands, dressers, commodes, bureaus, mule chests, gentlemen's chests, bachelor's chests, lingerie chests, wardrobes, vanities, chessers, chifforobes, and wardrobe-type cabinets; (4) dressers with framed glass mirrors that are attached to, incorporated in, sit on, or hang over the dresser; (5) chests-on-chests,[5] highboys,[6] lowboys,[7] chests of drawers,[8] chests,[9] door chests,[10] chiffoniers,[11] hutches,[12] and armoires; [13] (6) desks, computer stands, filing cabinets, book cases, or writing tables that are attached to or incorporated in the subject merchandise; and (7) other bedroom furniture consistent with the above list.

The scope of the order excludes the following items: (1) Seats, chairs, benches, couches, sofas, sofa beds, stools, and other seating furniture; (2)

[1] *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Wooden Bedroom Furniture From the People's Republic of China,* 70 FR 329 (January 4, 2005) (''*Order*'').

[2] *See* submission from Ololo, ''Changed Circumstance Review Wooden Bedroom Furniture from the People's Republic of China'' dated April 10, 2015 (''Ololo's Request'').

[3] *See* April 27, 2015 letter from Petitioners Re: Wooden Bedroom Furniture From The People's Republic of China/Petitioners' Response to Ololo's Letter of April 10, 2015.

[4] *See Wooden Bedroom Furniture from the People's Republic of China: Notice of Initiation of Changed Circumstances Review, and Consideration of Revocation of the Antidumping Duty Order in Part,* 80 FR 31014 (June 1, 2015) (''*Initiation Notice*'').

[5] A chest-on-chest is typically a tall chest-of-drawers in two or more sections (or appearing to be in two or more sections), with one or two sections mounted (or appearing to be mounted) on a slightly larger chest; also known as a tallboy.

[6] A highboy is typically a tall chest of drawers usually composed of a base and a top section with drawers, and supported on four legs or a small chest (often 15 inches or more in height).

[7] A lowboy is typically a short chest of drawers, not more than four feet high, normally set on short legs.

[8] A chest of drawers is typically a case containing drawers for storing clothing.

[9] A chest is typically a case piece taller than it is wide featuring a series of drawers and with or without one or more doors for storing clothing. The piece can either include drawers or be designed as a large box incorporating a lid.

[10] A door chest is typically a chest with hinged doors to store clothing, whether or not containing drawers. The piece may also include shelves for televisions and other entertainment electronics.

[11] A chiffonier is typically a tall and narrow chest of drawers normally used for storing undergarments and lingerie, often with mirror(s) attached.

[12] A hutch is typically an open case of furniture with shelves that typically sits on another piece of furniture and provides storage for clothes.

[13] An armoire is typically a tall cabinet or wardrobe (typically 50 inches or taller), with doors, and with one or more drawers (either exterior below or above the doors or interior behind the doors), shelves, and/or garment rods or other apparatus for storing clothes. Bedroom armoires may also be used to hold television receivers and/or other audio-visual entertainment systems.

mattresses, mattress supports (including box springs), infant cribs, water beds, and futon frames; (3) office furniture, such as desks, stand-up desks, computer cabinets, filing cabinets, credenzas, and bookcases; (4) dining room or kitchen furniture such as dining tables, chairs, servers, sideboards, buffets, corner cabinets, china cabinets, and china hutches; (5) other non-bedroom furniture, such as television cabinets, cocktail tables, end tables, occasional tables, wall systems, book cases, and entertainment systems; (6) bedroom furniture made primarily of wicker, cane, osier, bamboo or rattan; (7) side rails for beds made of metal if sold separately from the headboard and footboard; (8) bedroom furniture in which bentwood parts predominate; [14] (9) jewelry armories; [15] (10) cheval mirrors; [16] (11) certain metal parts; [17] (12) mirrors that do not attach to, incorporate in, sit on, or hang over a dresser if they are not designed and marketed to be sold in conjunction with a dresser as part of a dresser-mirror set; (13) upholstered beds; [18] and (14) toy boxes.[19] Also excluded from the scope are certain enclosable wall bed units, also referred to as murphy beds, which are composed of the following three major sections: (1) A metal wall frame, which attaches to the wall and uses coils or pistons to support the metal mattress frame; (2) a metal frame, which has euro slats for supporting a mattress and two legs that pivot; and (3) wood panels, which attach to the metal wall frame and/or the metal mattress frame to form a cabinet to enclose the wall bed when not in use. Excluded enclosable wall bed units are imported in ready-to-assemble format with all parts necessary for assembly. Enclosable wall bed units do not include a mattress. Wood panels of enclosable wall bed units, when imported separately, remain subject to the order.

Also excluded from the scope are certain shoe cabinets 31.5–33.5 inches wide by 15.5–17.5 inches deep by 34.5–36.5 inches high. They are designed strictly to store shoes, which are intended to be aligned in rows perpendicular to the wall along which the cabinet is positioned. Shoe cabinets do not have drawers, rods, or other indicia for the storage of clothing other than shoes. The cabinets are not designed, manufactured, or offered for sale in coordinated groups or sets and are made substantially of wood, have two to four shelves inside them, and are covered by doors. The doors often have blinds that are designed to allow air circulation and release of bad odors. The doors themselves may be made of wood or glass. The depth of the shelves does not exceed 14 inches. Each shoe cabinet has doors, adjustable shelving, and ventilation holes.

Imports of subject merchandise are classified under subheadings 9403.50.9042 and 9403.50.9045 of the HTSUS as ''wooden . . . beds'' and under subheading 9403.50.9080 of the HTSUS as ''other . . . wooden furniture of a kind used in the bedroom.'' In addition, wooden headboards for beds, wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds may also be entered under subheading 9403.50.9042 or 9403.50.9045 of the HTSUS as ''parts of wood.'' Subject merchandise may also be entered under subheadings 9403.50.9041, 9403.60.8081, 9403.20.0018, or 9403.90.8041. Further, framed glass mirrors may be entered under subheading 7009.92.1000 or 7009.92.5000 of the HTSUS as ''glass mirrors . . . framed.'' The order covers all wooden bedroom furniture meeting the above description, regardless of tariff classification. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Scope of the Changed Circumstances Review

The scope of the *Order* currently does not exclude certain bed bases. Olollo proposes adding the following language in the scope of the *Order:* ''Also excluded from the scope are certain bed bases consisting of: (1) A wooden box frame, (2) three wooden cross beams and one perpendicular center wooden support beam, and (3) wooden slats over the beams. These bed bases are constructed without inner springs and/or coils and do not include a headboard, footboard, side rails, or mattress. The bed bases are imported unassembled.''

Preliminary Results of the Changed Circumstances Review, and Intent To Revoke the Order, in Part

Pursuant to section 751(d)(1) of the Tariff Act of 1930, as amended (the ''Act''), and 19 CFR 351.222(g), the Department may revoke an AD order, in whole or in part, based on a review under section 751(b) of the Act (*i.e.,* a changed circumstances review). Section 751(b)(1) of the Act requires a changed

[14] As used herein, bentwood means solid wood made pliable. Bentwood is wood that is brought to a curved shape by bending it while made pliable with moist heat or other agency and then set by cooling or drying. *See* CBP's Headquarters Ruling Letter 043859, dated May 17, 1976.

[15] Any armoire, cabinet or other accent item for the purpose of storing jewelry, not to exceed 24 inches in width, 18 inches in depth, and 49 inches in height, including a minimum of 5 lined drawers lined with felt or felt-like material, at least one side door or one front door (whether or not the door is lined with felt or felt-like material), with necklace hangers, and a flip-top lid with inset mirror. *See* Issues and Decision Memorandum from Laurel LaCivita to Laurie Parkhill, Office Director, concerning ''Jewelry Armoires and Cheval Mirrors in the Antidumping Duty Investigation of Wooden Bedroom Furniture from the People's Republic of China,'' dated August 31, 2004. *See also Wooden Bedroom Furniture From the People's Republic of China: Final Changed Circumstances Review, and Determination To Revoke Order in Part,* 71 FR 38621 (July 7, 2006).

[16] Cheval mirrors are any framed, tiltable mirror with a height in excess of 50 inches that is mounted on a floor-standing, hinged base. Additionally, the scope of the order excludes combination cheval mirror/jewelry cabinets. The excluded merchandise is an integrated piece consisting of a cheval mirror, *i.e.,* a framed tiltable mirror with a height in excess of 50 inches, mounted on a floor-standing, hinged base, the cheval mirror serving as a door to a cabinet back that is integral to the structure of the mirror and which constitutes a jewelry cabinet line with fabric, having necklace and bracelet hooks, mountings for rings and shelves, with or without a working lock and key to secure the contents of the jewelry cabinet back to the cheval mirror, and no drawers anywhere on the integrated piece. The fully assembled piece must be at least 50 inches in height, 14.5 inches in width, and 3 inches in depth. *See Wooden Bedroom Furniture From the People's Republic of China: Final Changed Circumstances Review and Determination To Revoke Order in Part,* 72 FR 948 (January 9, 2007).

[17] Metal furniture parts and unfinished furniture parts made of wood products (as defined above) that are not otherwise specifically named in this scope (*i.e.,* wooden headboards for beds, wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds) and that do not possess the essential character of wooden bedroom furniture in an unassembled, incomplete, or unfinished form. Such parts are usually classified under HTSUS subheadings 9403.90.7005, 9403.90.7010, or 9403.90.7080.

[18] Upholstered beds that are completely upholstered, *i.e.,* containing filling material and completely covered in sewn genuine leather, synthetic leather, or natural or synthetic decorative fabric. To be excluded, the entire bed (headboards, footboards, and side rails) must be upholstered except for bed feet, which may be of wood, metal, or any other material and which are no more than nine inches in height from the floor. *See Wooden Bedroom Furniture from the People's Republic of China: Final Results of Changed Circumstances Review and Determination to Revoke Order in Part,* 72 FR 7013 (February 14, 2007).

[19] To be excluded the toy box must: (1) Be wider than it is tall; (2) have dimensions within 16 inches to 27 inches in height, 15 inches to 18 inches in depth, and 21 inches to 30 inches in width; (3) have a hinged lid that encompasses the entire top of the box; (4) not incorporate any doors or drawers; (5) have slow-closing safety hinges; (6) have air vents; (7) have no locking mechanism; and (8) comply with American Society for Testing and Materials (''ASTM'') standard F963–03. Toy boxes are boxes generally designed for the purpose of storing children's items such as toys, books, and playthings. *See Wooden Bedroom Furniture from the People's Republic of China: Final Results of Changed Circumstances Review and Determination to Revoke Order in Part,* 74 FR 8506 (February 25, 2009). Further, as determined in the scope ruling memorandum ''Wooden Bedroom Furniture from the People's Republic of China: Scope Ruling on a White Toy Box,'' dated July 6, 2009, the dimensional ranges used to identify the toy boxes that are excluded from the wooden bedroom furniture order apply to the box itself rather than the lid.

circumstances review to be conducted upon receipt of a request which shows changed circumstances sufficient to warrant a review. Section 782(h)(2) of the Act gives the Department the authority to revoke an order if producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the order. 19 CFR 351.222(g) provides that the Department will conduct a changed circumstances review under 19 CFR 351.216, and may revoke an order (in whole or in part), if it concludes that: (i) Producers accounting for substantially all of the production of the domestic like product to which the order pertains have expressed a lack of interest in the relief provided by the order, in whole or in part, or (ii) if other changed circumstances sufficient to warrant revocation exist. Both the Act and the Department's regulations require that ''substantially all'' domestic producers express a lack of interest in the order for the Department to revoke the order, in whole or in part.[20] The Department has interpreted ''substantially all'' to represent producers accounting for at least 85 percent of U.S. production of the domestic like product.[21]

The Department's regulations do not specify a deadline for the issuance of the preliminary results of a changed circumstances review, but provide that the Department will issue the final results of review within 270 days after the date on which the changed circumstances review is initiated, or within 45 days if all parties to the proceeding agree to the outcome of the review.[22] The Department did not issue a combined notice of initiation and preliminary results because the statement provided by Petitioners and offered in support of Ololllo's Request did not indicate whether Petitioners account for substantially all domestic wooden bedroom furniture production.[23] Thus, the Department did not determine in the *Initiation Notice* that producers accounting for substantially all of the production of the domestic like product lacked interest in the continued application of the *Order* as to certain bed bases. Further, the Department invited interested parties to comment on the issue of domestic industry support of the proposed partial revocation.[24] Because the Department received no comments concerning a lack of industry support or opposing initiation of this changed circumstances review of the *Order,* the Department now preliminarily finds that producers accounting for substantially all of the production of the domestic like product lack interest in the relief afforded by the *Order* with respect to the bed bases described in Ololllo's Request. The Department will consider comments from interested parties on these preliminary results before issuing the final results of this review.[25]

As noted in the *Initiation Notice,* Ololllo requested revocation of the *Order,* in part, and supported its request. In light of Ololllo's Request, and the absence of any interested party comments during the comment period, we preliminarily conclude that changed circumstances warrant revocation of the *Order,* in part, with respect to certain bed bases because the producers accounting for substantially all of the production of the domestic like product to which the *Order* pertains lack interest in the relief provided by the *Order* with respect to the bed bases that are the subject of Ololllo's Request.

Accordingly, we are notifying the public of our intent to revoke the *Order,* in part, with respect to certain bed bases. We intend to revoke the *Order* as to certain bed bases by including the following language in the scope of the *Order:*

> Also excluded from the scope are certain bed bases consisting of: (1) A wooden box frame, (2) three wooden cross beams and one perpendicular center wooden support beam, and (3) wooden slats over the beams. These bed bases are constructed without inner springs and/or coils and do not include a headboard, footboard, side rails, or mattress. The bed bases are imported unassembled.

Public Comment

Interested parties are invited to comment on these preliminary results in accordance with 19 CFR 351.309(c)(1)(ii). Written comments may be submitted no later than 14 days after the date of publication of these preliminary results. Rebuttals to written comments, limited to issues raised in such comments, may be filed no later than seven days after the due date for comments. All submissions must be filed electronically using Enforcement and Compliance's AD and Countervailing Duty Centralized Electronic Service System (''ACCESS''). ACCESS is available to registered users at *http://access.trade.gov* and in the Central Records Unit, Room B8024 of the main Department of Commerce building. An electronically filed document must be received successfully in its entirety by ACCESS, by 5 p.m. Eastern Time on the day it is due.

The Department will issue the final results of this changed circumstances review, which will include its analysis of any written comments, no later than 270 days after the date on which this review was initiated.

If, in the final results of this review, the Department continues to determine that changed circumstances warrant the revocation of the *Order,* in part, with respect to certain bed bases, the Department will instruct U.S. Customs and Border Protection to liquidate without regard to antidumping duties, and to refund any estimated antidumping duties on, all unliquidated entries of the merchandise covered by the revocation that are not covered by the final results of an administrative review or automatic liquidation.

The current requirement for cash deposits of estimated antidumping duties on all entries of subject merchandise will continue unless it is modified pursuant to the final results of this changed circumstances review.

These preliminary results of review and notice are in accordance with sections 751(b) and 777(i) of the Act and 19 CFR 351.221 and 19 CFR 351.222.

Dated: October 2, 2015.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2015–25812 Filed 10–8–15; 8:45 am]

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[20] *See* section 782(h) of the Act and 19 CFR 351.222(g).

[21] *See Honey From Argentina; Antidumping and Countervailing Duty Changed Circumstances Reviews; Preliminary Intent to Revoke Antidumping and Countervailing Duty Orders,* 77 FR 67790, 67791 (November 14, 2012), unchanged in *Honey From Argentina; Final Results of Antidumping and Countervailing Duty Changed Circumstances Reviews; Revocation of Antidumping and Countervailing Duty Orders,* 77 FR 77029 (December 31, 2012)(''*Honey From Argentina*'').

[22] *See* 19 CFR 351.216(e).

[23] *See Initiation Notice.*

[24] *Id.*

[25] *See, e.g., Honey From Argentina; Antidumping and Countervailing Duty Changed Circumstances Reviews; Preliminary Intent to Revoke Antidumping and Countervailing Duty Orders, 77 FR 67790, 67791 (November 14, 2012); Aluminum Extrusions From the People's Republic of China: Preliminary Results of Changed Circumstances Reviews, and Intent to Revoke Antidumping and Countervailing Duty Orders in Part*, 78 FR 66895 (November 7, 2013); *see also* 19 CFR 351.222(g)(1)(v).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–904]

Certain Activated Carbon From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2013–2014

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

SUMMARY: The Department of Commerce (''Department'') published its

Preliminary Results of the seventh antidumping duty administrative review on certain activated carbon from the People's Republic of China (''PRC'') on May 5, 2015.[1] Based upon our analysis of the comments received, we made changes to the margin calculations for these final results of the antidumping duty administrative review. The final weighted-average dumping margins are listed below in the ''Final Results of the Review'' section of this notice. The period of review (''POR'') is April 1, 2013, through March 31, 2014.

DATES: *Effective date:* October 9, 2015.

FOR FURTHER INFORMATION CONTACT: Bob Palmer or Frances Veith, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–9068, or (202) 482–4295, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published the *Preliminary Results* on May 5, 2015.[2] In accordance with 19 CFR 351.309(c)(1)(ii), we invited parties to comment on our *Preliminary Results.*[3] In the *Preliminary Results,* the Department provided parties the opportunity to submit post-*Preliminary Results* comments on surrogate country lists and surrogate country selection. The Department extended this deadline based on requests from interested parties.[4] Additionally, the Department extended the deadlines for submission of case and rebuttal briefs three times based on requests from interested parties.[5] On June 22, 2015, Carbon Activated,[6] Datong,[7] Jacobi,[8] and Petitioners[9] submitted case briefs. On July 2, 2015, Carbon Activated, Datong, Jacobi, and Petitioners submitted rebuttal briefs. On June 26, 2015, pursuant to 19 CFR 351.302(d), we rejected Petitioners' case brief because it contained untimely new factual information, and instructed Petitioners to resubmit a redacted case brief, which they submitted on June 30, 2015. On July 31, 2015, the Department held a public hearing. On August 27, 2015, the Department partially extended the deadline for issuing the final results by 30 days.[10]

Scope of the Order

The merchandise subject to the *Order*[11] is certain activated carbon. The products are currently classifiable under the Harmonized Tariff Schedule of the United States (''HTSUS'') subheading 3802.1000. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the order remains dispositive.[12]

Analysis of Comments Received

In the Issues and Decision Memo, we addressed all issues raised in parties' case and rebuttal briefs. In an Appendix to this notice, we have provided a list of the issues raised by parties. The Issues and Decision Memo is a public document and is on file in the Central Records Unit (''CRU''), Room B8024 of the main Department of Commerce building, as well as electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (''ACCESS''). ACCESS is available to registered users at *https://access.trade.gov* and it is available to all parties in the CRU. In addition, parties can directly access a complete version of the Issues and Decision Memo on the internet at *http://enforcement.trade.gov/frn/index.html.* The signed Issues and Decision Memo and the electronic version of the Issues and Decision Memo are identical in content.

Changes Since the Preliminary Results

Based on our review of the record and comments received from interested parties regarding our *Preliminary Results,* we have made certain revisions to the margin calculations for Jacobi, Datong, and the non-examined, separate rate respondents.[13] Further, the Surrogate Values Memo[14] contains descriptions of our changes to the surrogate values.

Final Determination of No Shipments

In the *Preliminary Results,* the Department preliminarily determined that Sinoacarbon International Trading Co., Ltd. (''Sinoacarbon'') did not have any reviewable transactions during the POR.[15] We have not received any information to contradict this determination. Therefore, the Department determines that Sinoacarbon did not have any reviewable entries of subject merchandise during the POR, and will issue appropriate instructions that are consistent with our ''automatic assessment'' clarification, for these final results.[16]

Separate Rate Respondents

In our *Preliminary Results,* we determined that the following companies (including both mandatory respondents) met the criteria for separate rate status: Beijing Pacific

[1] *See Certain Activated Carbon From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2013–2014,* 80 FR 25669 (May 5, 2015), and accompanying Preliminary Decision Memorandum (''*Preliminary Results''*).

[2] *Id.*

[3] *Id.*

[4] *See* Memorandum to the File, from Frances Veith, Senior International Trade Compliance Analyst, Enforcement and Compliance, dated May 5, 2015; *see also* Memorandum to the File, from Frances Veith, Senior International Trade Compliance Analyst, Enforcement and Compliance, dated May 6, 2015.

[5] *See* Memorandum to the File, from Frances Veith, Senior International Trade Compliance Analyst, Enforcement and Compliance, dated May 26, 2015; *see also* Memorandum to the File, from Frances Veith, Senior International Trade Compliance Analyst, Enforcement and Compliance, dated June 15, 2015, *see also* Memorandum to the File, from Frances Veith, Senior International Trade Compliance Analyst, Enforcement and Compliance, dated June 24, 2015.

[6] Carbon Activated Tianjin Co. Ltd. (''Carbon Activated'').

[7] Datong Juqiang Activated Carbon Co., Ltd. (''Juqiang'').

[8] Jacobi Carbons AB (''Jacobi'').

[9] Calgon Carbon Corporation and Cabot Norit Americas, Inc. (collectively, ''Petitioners'').

[10] *See* Memorandum to Gary Taverman, Associate Deputy Assistant Secretary, through James C. Doyle, Director, Office V, from Bob Palmer International Trade Compliance Analyst, Office V, regarding ''Certain Activated Carbon from the People's Republic of China (''PRC''): Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated August 27, 2015.

[11] *See Notice of Antidumping Duty Order: Certain Activated Carbon from the People's Republic of China,* 72 FR 20988 (April 27, 2007) (''*Order*'').

[12] *See* Memorandum to Ronald Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, regarding ''Certain Activated Carbon from the People's Republic of China: Issues and Decision Memorandum for the Final Results of the Seventh Antidumping Duty Administrative Review,'' dated concurrently with and hereby adopted by this notice, (''Issues and Decision Memo'') for a complete description of the Scope of the *Order.*

[13] *See* Issues and Decision Memo and the company-specific analysis memoranda for further explanation regarding these changes.

[14] *See* Memorandum to the File, through Catherine Bertrand, Program Manager, Office V, from Bob Palmer, Case Analyst, Office V, Certain Activated Carbon from the People's Republic of China (''PRC''): Surrogate Values for the Final Results,'' dated concurrently with this notice (''Surrogate Values Memo'').

[15] With respect to one company under review, Ningxia Guanghua Activated Carbon Co., Ltd. (''Guanghua''), we preliminarily determined not to consider the company's statement of no shipments because we determined that Guanghua is part of a single entity with Ningxia Guanghua Cherishmet Activated Carbon Co., Ltd. No party commented on that determination, and we continue to find that Guanghua's exports are subject to the cash deposit rate established for the single entity in this review.

[16] *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 4, 2011) (''*Assessment Practice Refinement*'').

Activated Carbon Products Co., Ltd.,[17] Calgon Carbon (Tianjin) Co., Ltd.; Carbon Activated Tianjin Co., Ltd.; Datong Municipal Yunguang Activated Carbon Co., Ltd.; Datong Juqiang Activated Carbon Co., Ltd.; Jacobi Carbons AB; Jilin Bright Future Chemicals Company, Ltd.; Ningxia Guanghua Cherishmet Activated Carbon Co., Ltd.; Ningxia Huahui Activated Carbon Co., Ltd.; Ningxia Mineral & Chemical Limited; Shanxi DMD Corporation; Shanxi Industry Technology Trading Co., Ltd.; Shanxi Sincere Industrial Co., Ltd.; Tancarb Activated Carbon Co., Ltd.; Tianjin Channel Filters Co., Ltd.; and Tianjin Maijin Industries Co., Ltd.[18] We have received no comments or argument since the issuance of the *Preliminary Results* that provides a basis for reconsideration of these determinations. Therefore, the Department continues to find that the companies listed above meet the criteria for a separate rate.

Rate for Non-Examined Separate Rate Respondents

In the *Preliminary Results,* we assigned Jacobi's rate to the non-individually examined companies that are eligible for a separate rate because only Jacobi had a preliminary estimated weighted-average dumping margin which was not zero, *de minimis* or based entirely on FA.[19] In this final results of review, Jacobi continues to be the only individually examined company that has an estimated weighted-average dumping margin which is not zero, *de minimis* or based entirely on FA. Therefore, we will use the rate calculated for Jacobi, which is 1.05 U.S. Dollars per kilogram, as the rate for those companies which were not examined and which are eligible for a separate rate. The Separate-Rate Applicants receiving this rate are identified by name in the below ''*Final Results of the Review*'' section of this notice. No parties have commented on the methodology for calculating this separate rate.

Final Results of the Review

The Department continues to find that the four companies not eligible for a separate rate are part of the PRC-wide entity. Those four companies are Ningxia Guanghua A/C Co., Ltd., Shanghai Astronautical Science Technology Development Corporation, Tangshan Solid Carbon Co., Ltd., and Zhejiang Xingda Activated Carbon Co., Ltd. Because no party requested a review of the PRC-wide entity and the Department no longer considers the PRC-wide entity as an exporter conditionally subject to administrative reviews,[20] we did not conduct a review of the PRC-wide entity. Thus, the rate for the PRC-wide entity is not subject to change as a result of this review.[21]

For companies subject to this review which established their eligibility for a separate rate,[22] the Department determines that the following weighted-average dumping margins exist for the POR from April 1, 2013, through March 31, 2014:[23]

Exporter	Weighted-average dumping margin (U.S. dollars per kilogram)[21]
Jacobi Carbons AB[22]	1.05
Datong Juqiang Activated Carbon Co., Ltd	0.00
Carbon Activated Tianjin Co., Ltd	1.05
Calgon Carbon (Tianjin) Co., Ltd	1.05
Datong Municipal Yunguang Activated Carbon Co., Ltd	1.05
Jilin Bright Future Chemicals Company, Ltd	1.05
Ningxia Guanghua Cherishmet Activated Carbon Co., Ltd[23]	1.05
Ningxia Huahui Activated Carbon Co., Ltd	1.05
Ningxia Mineral and Chemical Limited	1.05
Shanxi DMD Corporation	1.05
Shanxi Industry Technology Trading Co., Ltd	1.05
Shanxi Sincere Industrial Co., Ltd	1.05
Tancarb Activated Carbon Co., Ltd	1.05
Tianjin Channel Filters Co., Ltd	1.05
Tianjin Maijin Industries Co., Ltd	1.05

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), the Department has determined, and U.S. Customs and Border Protection (''CBP'') shall assess, antidumping duties on all appropriate entries covered by this review. The Department intends to issue assessment instructions to CBP 15 days after the publication date of these final results of this review. In accordance with 19 CFR 351.212(b)(1), we are calculating importer- (or customer-) specific assessment rates for the merchandise subject to this review. As the Department stated in the most recent administrative review,[24] we will continue to direct CBP to assess importer-specific assessment rates based on the resulting per-unit (*i.e.,* per-kilogram) rates by the weight in kilograms of each entry of the subject merchandise during the POR. Specifically, we calculated importer-specific duty assessment rates on a per-unit rate basis by dividing the total amount of dumping for each importer by the total sales quantity of subject merchandise sold to that importer during the POR. For any individually

[17] In the first administrative review, the Department found Beijing Pacific Activated Carbon Products Co., Ltd., Ningxia Guanghua Cherishmet Activated Carbon Co., Ltd., and Guanghua are a single entity and there is no information on the record to indicate the facts have changed. Therefore, we continue to treat these companies as a single entity. *See Certain Activated Carbon From the People's Republic of China: Notice of Preliminary Results of the Antidumping Duty Administrative Review and Extension of Time Limits for the Final Results,* 74 FR 21317 (May 7, 2009), unchanged in *First Administrative Review of Certain Activated Carbon from the People's Republic of China: Final Results of Antidumping Duty Administrative Review,* 74 FR 57995 (November 10, 2009) (''AR1 Carbon''); *AR5 PRC Carbon Final,* 78 FR at 70535; *Certain Activated Carbon From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012–2013,* 79 FR 70163, 70165 (November 26, 2013) at footnote 33.

[18] *See Preliminary Results,* 80 FR 25669; Preliminary Decision Memorandum at 6–11.

[19] *See* Preliminary Decision Memorandum at 11–12.

[20] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963, 65969–70 (November 4, 2013).

[21] In the second administrative review of the *Order,* the Department determined that it would calculate per-unit weighted-average dumping margins and assessment rates for all future reviews. *See Certain Activated Carbon From the People's Republic of China: Final Results and Partial Rescission of Second Antidumping Duty Administrative Review,* 75 FR 70208, 70211 (November 17, 2010). *See also Notice of Antidumping Duty Order: Certain Activated Carbon From the People's Republic of China,* 72 FR 20988 (April 27, 2007) (''*Order*'').

[22] In the third administrative review, the Department found that Jacobi Carbons AB, Tianjin Jacobi International Trading Co. Ltd., and Jacobi Carbons Industry (Tianjin) are a single entity and, because there were no changes to the facts which supported that decision since that determination was made, we continue to find that these companies are part of a single entity for this administrative review. *See Certain Activated Carbon From the People's Republic of China: Final Results and Partial Rescission of Third Antidumping Duty Administrative Review,* 76 FR 67142 (October 31, 2011); *Certain Activated Carbon From the People's Republic of China; 2010–2011; Final Results of Antidumping Duty Administrative Review,* 77 FR 67337, 67338 (November 9, 2012); *Certain Activated Carbon From the People's Republic of China; 2011–2012; Final Results of Antidumping Duty Administrative Review,* 78 FR 70533, 70535 (November 26, 2013); *Certain Activated Carbon From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012–2013,* 79 FR 70163, 70165 (November 25, 2014).

[23] As noted above, Beijing Pacific Activated Carbon Products Co., Ltd., Ningxia Guanghua Cherishmet Activated Carbon Co., Ltd., and Ningxia Guanghua Activated Carbon Co., Ltd. comprise a single entity.

[24] *See AR6 Carbon,* 79 FR at 70165.

examined respondent whose weighted-average dumping margin is above *de minimis* (*i.e.,* 0.50 percent), the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of sales.[25] We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate is above *de minimis.* Where either the respondent's weighted-average dumping margin is zero or *de minimis,* or an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Pursuant to a refinement in the Department's non-market economy (''NME'') practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.,* at that exporter's rate) will be liquidated at the PRC-wide rate.[26]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For Jacobi, Datong, and the non-examined, separate rate respondents, the cash deposit rate will be equal to their weighted-average dumping margins established in the final results of this review; (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed segment of this proceeding in which they were reviewed; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be equal to the weighted-average dumping margin for the PRC-wide entity (*i.e.,* 2.42 U.S. Dollars per kilogram); and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

We intend to disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

Notification to Importers Regarding the Reimbursement of Duties

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

Notification Regarding Administrative Protective Order

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

We are issuing and publishing these final results of administrative review and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: October 2, 2015.

Ronald Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix—Issues and Decision Memorandum

[FR Doc. 2015–25810 Filed 10–8–15; 8:45 am]

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

[26] For a full discussion of this practice, *see Assessment Practice Refinement,* 76 FR at 65694.

DEPARTMENT OF COMMERCE

Patent and Trademark Office

International Work Sharing

ACTION: Proposed collection; comment request.

SUMMARY: The United States Patent and Trademark Office (USPTO), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the extension of a continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before December 8, 2015.

ADDRESSES: Written comments may be submitted by any of the following methods:

- *Email: InformationCollection@uspto.gov.* Include ''0651–0079 comment'' in the subject line of the message.
- *Federal Rulemaking Portal: http://www.regulations.gov.*
- *Mail:* Marcie Lovett, Records Management Division Director, 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 Amber Ostrup, Program Manager, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450; by telephone at 571–272–7984; or by email

at *Amber.Ostrup@USPTO.GOV* with ''0651–0079 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) established a Work Sharing Pilot Program in conjunction with the Japan Patent Office (JPO) and the Korean Intellectual Property Office (KIPO) to study how the exchange of search results between offices for corresponding counterpart applications improves patent quality and facilitates the examination of patent applications in both offices. Under this Work Sharing Pilot Program, two Collaborative Search Pilot (CSP) programs—USPTO–JPO and USPTO–KIPO—have been implemented. Through their respective CSP(s), each office concurrently conducts searches on corresponding counterpart applications. Each office's search results are exchanged following these concurrent searches, which provides examiners with a comprehensive set of art before them at commencement of examination.

Work sharing between Intellectual Property (IP) offices is critical for increasing the efficiency and quality of patent examination worldwide. The exchange of information and documents between IP offices also benefits applicants by promoting compact prosecution, reducing pendency, and supporting patent quality by reducing the likelihood of inconsistencies in patentability determinations among IP offices when considering corresponding counterpart applications. The gains in efficiency and quality are achieved through a collaborative work sharing approach to the evaluation of patent claims. As a result of this exchange of search reports, the examiners in both offices may have a more comprehensive set of references before them when making an initial patentability determination.

II. Method of Collection

The forms associated with this collection may be downloaded from the USPTO Web site in Portable Document Format (PDF) and filled out electronically. Requests to participate in the International Work Sharing Program must be submitted online using EFS-Web, the USPTO's web-based electronic filing system.

III. Data

OMB Number: 0651–0079.

IC Instruments: The individual instruments in this collection, as well as their associated forms, are listed in the table below.

Type of Review: Revision of a currently previously existing Information Collection.

Affected Public: Individuals or households; businesses or other for-profits; and not-for-profit institutions.

Estimated Number of Respondents: 900 responses per year. The USPTO estimates that 100 percent of the annual responses for this collection will be submitted electronically via EFS-Web, which customers may access through the USPTO Web site.

Estimated Time per Response: The USPTO estimates that it will take the public approximately between 5 minutes (.083 hours) and 3 hours to complete the information in this collection, including the time to gather the necessary information, prepare the forms or documents, and submit the completed request to the USPTO.

Estimated Total Annual Respondent Burden Hours: 1,533.33 hours.

Estimated Total Annual Respondent (Hourly) Cost Burden: $628,530.00. The USPTO expects that an attorney will complete the instruments associated with this information collection. The professional hourly rate for an attorney is $410. Using this hourly rate applied to the total annual hour burden estimation of 1,533.33 hours, the USPTO estimates $628,530.00 per year for the total hourly costs associated with respondents.

The time per response, estimated annual responses, and estimated annual hour burden associated with each instrument in this information collection is shown in the table below.

IC No.	Information collection instrument	Estimated time for responses (minutes) (a)	Estimated annual responses (b)	Estimated annual burden hours (a) × (b)/60 = (c)	Rate ($/hr) (d)
1	Petition for Participation in the Collaborative Search Pilot (CSP) Program Between the Japan Patent Office (JPO) and the USPTO (PTO/SB/437JP).	180	250	750	$410.00
2	Petition for Participation in the Collaborative Search Pilot (CSP) Program Between the Korean Intellectual Property Office (KIPO) and the USPTO (PTO/SB/437KR).	180	250	750	410.00
3	CSP Survey (PTO/SB/CSP Survey 1)	5	400	33.33	410.00
Total				900	1,533.33

Estimated Total Annual (Non-hour) Respondent Cost Burden: $0. There are no estimated filing fees or postage costs for this 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, including the validity of the methodology and assumptions used;

(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, *e.g.,* permitting electronic submission of responses.

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they will also become a matter of public record.

Dated: October 2, 2015.

Marcie Lovett,

Records Management Division Director, USPTO, Office of the Chief Information Officer.

[FR Doc. 2015–25828 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Patents External Quality Survey

ACTION: Proposed collection; comment request.

SUMMARY: The United States Patent and Trademark Office (USPTO), 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 this extension of a continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before December 8, 2015.

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

- *Email: InformationCollection@uspto.gov.* Include '0651–0057 comment' in the subject line of the message.
- *Federal Rulemaking Portal: http://www.regulations.gov.*
- *Mail:* Marcie Lovett, Records Management Division Director, 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 Martin Rater, Management Analyst, Office of Patent Quality Assurance, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313– 1450; by telephone at 571–272–5966; or by email to *Martin.Rater@USPTO.GOV,* with ''0651–0057 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 USPTO developed the Patents External Quality Survey in 2006 as part of its quality improvement efforts. This survey narrows the focus of customer satisfaction to examination quality and uses a longitudinal, rotating panel design to assess changes in customer perceptions and to identify key areas for examiner training and opportunities for improvement. The USPTO plans to survey patent agents, attorneys, and other individuals from large domestic corporations (including those with 500+ employees), small and medium-size businesses, and universities and other non-profit research organizations. In addition, the USPTO also plans to survey independent inventors. The USPTO does not plan to survey foreign entities.

The USPTO will draw a random sample of these customers from their database. Due to the rotating panel design, some sample members will be surveyed twice in order to measure change over a period of time. Each year of the survey will include two waves of data collection.

The Patents External Quality Survey is a mail survey, although respondents can also complete the survey electronically on the Web. The content of both versions will be identical. A survey packet containing the questionnaire, a separate cover letter prepared by the Deputy Commissioner of Patent Quality, a postage-paid, pre-addressed return envelope, and instructions for completing the survey electronically will be mailed to all sample members. A pre-notification letter, reminder/thank you postcards, and telephone calls will be used to encourage response from sample members.

This is a voluntary survey and all responses will remain confidential. The collected data will not be linked to the respondent and contact information that is used for sampling purposes will be maintained in a separate file from the quantitative data. Respondents are not required to provide any identifying information such as their name, address, or Social Security Number. In order to access and complete the online survey, respondents will need to use the username, password, and survey ID number provided by the USPTO.

II. Method of Collection

Electronically via email; by postal mail, facsimile, or hand delivery in paper form.

III. Data

OMB Number: 0651–0057.

IC Instruments and Forms: No form numbers.

Type of Review: Revision of a currently previously existing Information Collection.

Affected Public: Individuals or households; businesses or other for-profits; and non-profit institutions.

Estimated Number of Respondents: 3,100 responses per year.

Estimated Time per Response: The USPTO estimates that it will take the public 10 minutes (.17 hours) to submit a single item in this collection, including: The time to gather the necessary information, prepare the appropriate form or petition, and submit the completed request to the USPTO. The time per response, estimated annual responses, and estimated annual hour burden associated with each instrument in this collection are shown in the table below.

Estimated Total Annual Respondent Burden Hours: 516.67 hours.

Estimated Total Annual Respondent (Hourly) Cost Burden: $211,834.70. The USPTO expects that attorneys will complete these applications. The professional hourly rate for attorneys is $410. Using this hourly rate, the USPTO estimates that the total respondent cost burden for this collection is $211,834.70 per year.

IC No.	Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) × (b)	Rate ($/hr) (d)
1	Patents External Quality Survey	0.17	465	77.5	$410.00
2	Electronic Patents External Quality Survey	0.17	2,635	439.17	410.00
Total			3,100	516.67	

Estimated Total Annual (Non-hour) Respondent Cost Burden: $0. There are no annual (non-hour) costs associated with this information collection. Respondents do not need to submit filing fees with these surveys. The USPTO covers the costs of all survey materials and provides postage-paid, pre-addressed return envelopes for the completed mail surveys so there are no postage 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.

Dated: October 2, 2015.

Marcie Lovett,

Records Management Division Director, USPTO, Office of the Chief Information Officer.

[FR Doc. 2015–25826 Filed 10–8–15; 8:45 am]

BILLING CODE 3510–16–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed Deletions From the Procurement List.

SUMMARY: The Committee is proposing to delete products from the Procurement List that was previously furnished by the nonprofit agency employing persons who are blind or have other severe disabilities.

Comments Must Be Received on or Before: 11/8/2015.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia 22202–4149.

For Further Information or To Submit Comments Contact: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Deletions

The following products are proposed for deletion from the Procurement List:

Products

Product Name(s)—NSN(s):

Skirt, Service, Coast Guard, Women's, Dress Blue
- 8410–01–452–3387—10 Junior Long
- 8410–01–452–3388—6 Misses Short
- 8410–01–452–3389—6 Women's Regular
- 8410–01–452–3390—10 Misses Short
- 8410–01–452–3391—6 Misses Regular
- 8410–01–452–3393—4 Misses Regular
- 8410–01–452–3394—8 Misses Regular
- 8410–01–452–3395—8 Misses Long
- 8410–01–452–3396—8 Women's Short
- 8410–01–452–3397—8 Women's Regular
- 8410–01–452–3398—10 Junior Regular
- 8410–01–452–3399—10 Women's Short
- 8410–01–452–3400—8 Misses Short
- 8410–01–452–3402—10 Misses Regular
- 8410–01–452–3404—10 Misses Long
- 8410–01–452–3653—12 Junior Long
- 8410–01–452–3654—12 Misses Short
- 8410–01–452–3655—20 Misses Regular
- 8410–01–452–3656—12 Misses Regular
- 8410–01–452–3657—12 Misses Long
- 8410–01–452–3658—10 Women's Long
- 8410–01–452–3659—12 Women's Long
- 8410–01–452–3660—10 Women's Regular
- 8410–01–452–3661—12 Junior Regular
- 8410–01–452–3662—12 Women's Short
- 8410–01–452–3663—14 Misses Short
- 8410–01–452–3664—14 Junior Short
- 8410–01–452–3665—14 Women's Short
- 8410–01–452–3666—14 Misses Long
- 8410–01–452–3667—14 Misses Regular
- 8410–01–452–3668—16 Junior Short
- 8410–01–452–3669—16 Junior Regular
- 8410–01–452–3670—16 Misses Long
- 8410–01–452–3671—14 Junior Long
- 8410–01–452–3672—14 Women's Regular
- 8410–01–452–3673—14 Junior Regular
- 8410–01–452–3674—18 Women's Regular
- 8410–01–452–3675—20 Women's Regular
- 8410–01–452–3676—22 Women's Regular
- 8410–01–452–3677—14 Women's Long
- 8410–01–452–3678—18 Misses Regular
- 8410–01–452–3679—16 Junior Long
- 8410–01–452–3680—18 Misses Short
- 8410–01–452–3681—16 Women's Regular
- 8410–01–452–3682—16 Misses Regular

Skirt, Dress, Coast Guard, Women's, Dress Blue
- 8410–01–452–6191—6 Women's Short
- 8410–01–452–6195—12 Women's Regular
- 8410–01–452–6197—16 Women's Long

Skirt, Air Force, Women's, Blue
- 8410–01–375–8495—4MR
- 8410–01–375–8496—6MR
- 8410–01–375–8497—6WR
- 8410–01–375–8498—8MR
- 8410–01–375–8499—8WR
- 8410–01–375–8500—10MR
- 8410–01–375–8501—10WR
- 8410–01–375–8502—12MR
- 8410–01–375–8503—12WR
- 8410–01–375–8504—14MR
- 8410–01–375–8505—14WR
- 8410–01–375–8506—16MR
- 8410–01–375–8507—16WR
- 8410–01–375–8508—18MR
- 8410–01–375–8509—18WR
- 8410–01–375–8510—20MR
- 8410–01–377–9345—6WL
- 8410–01–377–9442—16WL
- 8410–01–377–9464—4WR
- 8410–01–377–9487—6MS
- 8410–01–377–9491—6ML
- 8410–01–377–9500—14WS
- 8410–01–377–9536—12WL
- 8410–01–377–9581—10MS
- 8410–01–377–9598—10ML
- 8410–01–377–9642—10WL
- 8410–01–377–9719—16MS
- 8410–01–377–9747—12WS
- 8410–01–377–9812—14WL
- 8410–01–377–9899—12MS
- 8410–01–377–9906—12ML
- 8410–01–377–9934—8WL
- 8410–01–377–9938—8ML
- 8410–01–377–9943—18WL
- 8410–01–377–9953—6WS
- 8410–01–377–9964—2MS
- 8410–01–377–9968—2MR
- 8410–01–377–9981—4WS
- 8410–01–377–9982—8WS
- 8410–01–377–9998—10WS
- 8410–01–378–0012—4MS
- 8410–01–378–0020—14MS
- 8410–01–378–0067—6ML

Skirt, Commissioned and Enlisted, Air Force, Women's, Blue
- 8410–01–377–9383—16ML
- 8410–01–377–9399—8MS
- 8410–01–377–9416—16WS
- 8410–01–377–9422—8ML

Mandatory Source of Supply: VGS, Inc., Cleveland, OH.

Contracting Activity: Defense Logistics Agency Troop Support, Philadelphia, PA.

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2015–25754 Filed 10–8–15; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Addition

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Addition to the Procurement List.

SUMMARY: This action adds a service to the Procurement List that will be provided by nonprofit agency employing persons who are blind or have other severe disabilities.

DATES: *Effective Date:* 11/8/2015.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia, 22202–4149.

FOR FURTHER INFORMATION CONTACT: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov*.

SUPPLEMENTARY INFORMATION:

Addition

On 7/17/2015 (80 FR 42481–42483), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed addition to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agency to provide the service and impact of the addition on the current or most recent contractors, the Committee has determined that the service listed below is suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entity other than the small organization that will provide the service to the Government.

2. The action will result in authorizing small entity to provide the service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the service proposed for addition to the Procurement List.

End of Certification

Accordingly, the following service is added to the Procurement List:

Service

Service Type: Inbound Mail Management Service.

Service Mandatory For: Defense Finance and Accounting Service R & A, 1240 E. 9th Street, Cleveland, OH.

Mandatory Source of Supply: Anthony Wayne Rehabilitation Ctr for Handicapped and Blind, Inc., Fort Wayne, IN.

Contracting Activity: Defense Finance and Accounting Service (DFAS), Defense Finance and Accounting Svc, Columbus, OH.

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2015–25755 Filed 10–8–15; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2014–0017]

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Air Force, Director of Bases, Ranges, and Airspace, Directorate of Operations, Deputy Chief of Staff, Operations, Plans and Requirements, announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the HQ USAF/A3O–B, 1480 Air Force Pentagon, Washington DC 20330–1480, ATTN: Mr. Tim Bennett, or call 703–695–2986.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Civil Aircraft Certificate of Insurance, DD Form 2400; Civil Aircraft Landing Permit, DD Form 2401; and DD Form 2402, Civil Aircraft hold Harmless Agreement, OMB Control Number 0701–0050.

Needs and Uses: The information collection requirement is necessary to ensure that the security and operational integrity of military airfields are maintained; to identify the aircraft operator and the aircraft to be operated; to avoid competition with the private sector by establishing the purpose for use of military airfields; and to ensure the U.S. government is not held liable if the civil aircraft becomes involved in an accident or incident while using military airfields, facilities, and services.

Affected Public: Individuals or households.

Annual Burden Hours: 1,800.

Number of Respondents: 3,600.

Responses per Respondent: 3.

Average Burden per Response: 10 minutes.

Frequency: On occasion.

Respondents are civil aircraft owners/operators who are requesting authorized landings at DoD airfields. These requestors are required to submit the indicated DD Forms (2400, 2401, and 2402). The completed forms are included are maintained by HQ USAF/A3O–B for 2 years for any required review. These forms ensure only authorized civil aircraft owners/operators are authorized access to DoD airfields.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25794 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2014–0018]

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Headquarters Air Force Space Command Nuclear C2 Systems Branch announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the HQ AFSPC/A4MC, ATTN: SMSgt. John Storm, 150 Vadenberg St., Ste 1105, Peterson AFB CO 80914, or call HQ AFSPC/A4MC Nuclear C2 Systems Branch at (719) 554–4057.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Intercontinental Ballistic Missile Hardened Intersite Cable Right-of-Way Landowner Questionnaire; AF Form 3951; OMB Control Number 0701–0141.

Needs and Uses: The information collection requirement is necessary to report changes in ownership/lease information, conditions of missile cable route and associated appurtenances, and projected building/excavation projects. The information collected is used to ensure system integrity and to maintain a close contact public relations program with involved personnel and agencies.

Affected Public: Business or other for profit; Not-for-profit institutions.

Annual Burden Hours: 2,000.

Number of Respondents: 8,000.

Responses per Respondent: 1.

Annual Responses: 8,000.

Average Burden per Response: 15 minutes.

Frequency: On occasion.

Respondents are landowners/tenants. This form collects updated landowner/tenant information as well as data on local property conditions which could adversely affect the Hardened Intersite Cable System (HICS) such as soil erosion, projected/building projects, evacuation plans, etc. This information also aids in notifying landowners/tenants when HCIS preventative or corrective maintenance becomes necessary to ensure uninterrupted Intercontinental Ballistic Missile command and control capability.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25800 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2014–0015]

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Air Force announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Air Force Office of Scientific Research, ATTN: AFOSR/RSPE, 875 North Randolph Street, Suite 325, Room 3112, Arlington, VA 22203 or AFOSR/IO at 703–696–7316.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Summer Faculty Fellowship Program (SFFP and the USAF/NRC Resident Research Associateships Program on-line application and associated acceptance forms; OMB Control Number 0701–0155.

Needs and Uses: The Air Force Office of Scientific Research (AFOSR) manages the entire basic research investment for the U.S. Air Force. As part of the Air Force Research Laboratory (AFRL), AFOSR's technical experts support and fund research programs within the AFRL and other Air Force research activities. Applications for fellowships and associateships at AFRL research sites and the research activities at the U.S. Air Force Academy, and Air Force Institute of Technology (AFIT) and the associated award forms provide information used to identify some of the nation's most talented scientific personnel for award of fellowships and associateships at Air Force research activities. Summer fellowships provide research opportunities for 8–14 weeks at an Air Force research site. Research Associates generally spend 1 to 3 years at an Air Force research site. SFFP and NRC/RRA provide postdoctoral and senior scientists and engineers of unusual promise and ability, opportunities for conducting research on problems that are defense requirements. Application information will be used for evaluation and selection of scientists and engineers to be awarded fellowships and associateships. Failure to respond renders the applicant ineligible for a fellowship.

Affected Public: Individuals or households.

Annual Burden Hours: 5,760 hours.

Number of Respondents: 360.

Responses per Respondent: 1.

Annual Responses: 360.

Average Burden per Response: 16 hours.

Frequency: Annually (SFFP) and quarterly (NCR/RRA).

Respondents are postdoctoral, senior, and university scientists and engineers desiring to conduct stimulating research projects and activities at Air Force research sites. The on-line, electronic application process provides information necessary for evaluation and selection of researchers. Associated award forms provide required information for direct deposit of stipends and reporting to the IRS.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25796 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2014–0013]

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Air Force announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to AFROTC/HQ 551 E. Maxwell Blvd. Maxwell AFB, AL 36112 or call 334–953–0266.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Application for AFROTC Membership, OMB Control Number 0701–0105.

Needs and Uses: The information collection requirement is necessary to determine whether or not an applicant is eligible to join the Air Force ROTC program and, if accepted, the enrollment status of the applicant within the program. Upon acceptance into the program, the collected information is used to establish personal records for Air Force ROTC cadets. Eligibility for membership cannot be determined if this information is not collected.

Affected Public: Individuals or households.

Annual Burden Hours: 4,000.

Number of Respondents: 12,000.

Responses per Respondent: 1.

Annual Responses: 12,000.

Average Burden per Response: 20 minutes.

Frequency: On occasion.

Respondents are college students desiring to join the Air Force ROTC program. AFROTC Form 20 provides vital information needed by detachment personnel to determine their eligibility to participate in that program.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25805 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2014–OS–0063]

Proposed Collection; Comment Request

AGENCY: Washington Headquarters Service (WHS), DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Washington Headquarters Service (WHS), announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Pentagon Force Protection Agency ATTN: Parking Management Branch, Room 2D1039, 9000 Defense Pentagon, Washington, DC 20301–9000.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Pentagon Reservation Parking Permit Application; DD Form 1199; OMB Control Number 0704–0395.

Needs and Uses: To administer the Pentagon, Mark Center, and Suffolk Building Vehicle Parking Program where individuals are allocated parking spaces and to ensure that unless authorized to do so, parking permit applicants do not also receive the DoD National Capital Region Public Transportation fare subsidy benefit.

Affected Public: Individuals or Households.

Annual Burden Hours: 350.

Number of Respondents: 4200.

Responses per Respondent: 1.

Annual Responses: 4200.

Average Burden per Response: 5 minutes.

Frequency: On occasion.

Respondents are Department of Defense and non-DoD personnel who utilize designated parking areas on the Pentagon Reservation. The Pentagon Reservation Parking Permit Application (PRPPA), DD Form 1199, is a handwritten or electronic form that includes information, such as name, rank or grade, Social Security Number (SSN), and vehicle license plate number, required for the issuance and control of the parking permit. The DD Form 1199 data is entered or completed in a secured computerized database designed for the administration of the Pentagon, Mark Center, and Suffolk Building Vehicle Parking Program. Each member of an authorized van/car pool or single occupancy vehicle parking permit is required to complete and submit the DD Form 1199 upon initial application and upon renewal period thereafter.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25807 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2013–OS–0161]

Proposed Collection; Comment Request

AGENCY: Defense Finance and Accounting Service (DFAS), DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Finance and Accounting Service (DFAS) announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Finance and Accounting Services—Cleveland, 1240 East 9th Street, NP 7th Floor, Cleveland, OH 44199, ATTN: Ms. Laurie Eldridge,

laurie.eldridge@dfas.mil, 216–204–3631.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Claim Certification and Voucher for Death Gratuity Payment; DD Form 397; OMB Control Number 0730–0017.

Needs and Uses: The information collection requirement allows the government to collect the signatures and information needed to pay a death gratuity. Pursuant to 10 U.S.C. 1475–1480, a designated beneficiary(ies) or next-of-kin can receive a death gratuity payment for a deceased service member. This form serves as a record of the disbursement. The DoD Financial Management Regulation (FMR), Volume 7A, Chapter 36, defines the eligible beneficiaries and procedures for payment. To provide internal controls for this benefit, and to comply with the above-cited statutes, the information requested is needed to substantiate the receipt of the benefit.

Affected Public: Individuals or Households.

Annual Burden Hours: 230.5 hours.

Number of Respondents: 461.

Responses per Respondent: 1.

Average Burden per Response: 30 minutes.

Frequency: On occasion.

The service Casualty Office completes the upper portion of the DD Form 397 and provides the form to the beneficiaries. The beneficiaries complete their portion of the form and then sign and have it witnessed. Once the documents are completed, they are forwarded to DFAS for payment.

Dated: October 6, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25780 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Board of Regents, Uniformed Services University of the Health Sciences; Notice of Federal Advisory Committee Meeting

AGENCY: Uniformed Services University of the Health Sciences (''the University''), Department of Defense.

ACTION: Quarterly meeting notice.

SUMMARY: The Department of Defense is publishing this notice to announce the following meeting of the Board of Regents, Uniformed Services University of the Health Sciences (''the Board'').

DATES: Tuesday, November 3, 2015, from 8:00 a.m. to 10:40 a.m. (Open Session) and 10:40 a.m. to 11:10 a.m. (Closed Session).

ADDRESSES: Uniformed Services University of the Health Sciences, 4301 Jones Bridge Road, Everett Alvarez Jr. Board of Regents Room (D3001), Bethesda, Maryland 20814.

FOR FURTHER INFORMATION CONTACT: Jennifer Nuetzi James, Designated Federal Officer, 4301 Jones Bridge Road, D3002, Bethesda, Maryland 20814; telephone 301–295–3066; email *jennifer.nuetzi-james@usuhs.edu.*

SUPPLEMENTARY INFORMATION: This meeting notice is being published under the provisions of the Federal Advisory Committee Act 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 102–3.150.

Purpose of the Meeting: The purpose of the meeting is to provide advice and recommendations to the Secretary of Defense through the Under Secretary of Defense for Personnel and Readiness, on academic and administrative matters critical to the full accreditation and successful operation of the University. These actions are necessary for the University to pursue its mission, which is to educate, train and comprehensively prepare uniformed services health professionals, officers, scientists and leaders to support the Military and Public Health Systems, the National Security and National Defense Strategies of the United States, and the readiness of the Uniformed Services.

Agenda: The actions scheduled to occur include the approval of the minutes from the Board meeting held on August 5, 2015; recommendations regarding the awarding of post-baccalaureate degrees; recommendations regarding the approval of faculty appointments and promotions; and recommendations regarding award nominations. The Board Chair will present information on the University Presidential Search Subcommittee. The USU President will provide a report on recent actions affecting academic and operational aspects of the University. The Dean for the F. Edward Hébert School of Medicine and the Dean for the Daniel K. Inouye Graduate School of Nursing will provide incoming class information. The Executive Dean of the Postgraduate Dental College will report on academic program information. Member reports will include updates from the Armed Forces Radiobiology Research Institute, Henry M. Jackson Foundation, the Vice President for Finance and Administration and the Vice President for External Affairs. The University Faculty Senate will report on relevant faculty issues. The University Inspector General (IG) will provide an update on IG issues. An overview of the Measures of Effectiveness in Defense Engagement and Learning (MODEL) and global health impacts will be presented. A brief overview of the Tri-Service Center for Oral Health Studies will be presented. A closed session will be held, after the open session, to discuss active investigations and personnel actions.

Meeting Accessibility: Pursuant to Federal statute and regulations (5 U.S.C. Appendix, 5 U.S.C. 552b, and 41 CFR 102–3.140 through 102–3.165) and the availability of space, the meeting is open to the public from 8:00 a.m. to 10:40 a.m. Seating is on a first-come basis. Members of the public wishing to attend the meeting should contact Jennifer Nuetzi James five business days prior to the meeting, at the address and phone number noted in the **FOR FURTHER INFORMATION CONTACT** section.

Pursuant to 5 U.S.C. 552b(c) (2, 5–7), the Department of Defense has determined that the portion of the meeting from 10:40 a.m. to 11:10 a.m. shall be closed to the public. The Under Secretary of Defense (Personnel and Readiness), in consultation with the Office of the DoD General Counsel, has determined in writing that a portion of the committee's meeting will be closed as the discussion will disclose sensitive personnel information, will include matters that relate solely to the internal personnel rules and practices of the agency, will involve allegations of a person having committed a crime or censuring an individual, and may disclose investigatory records compiled for law enforcement purposes.

Written Statements: Pursuant to 41 CFR 102–3.140 and section 10(a)(3) of the Federal Advisory Committee Act of 1972, the public or interested organizations may submit written comments to the Board about its approved agenda pertaining to this meeting or at any time regarding the Board's mission. Individuals submitting a written statement must submit their statement to the Designated Federal Officer at the address listed in **FOR FURTHER INFORMATION CONTACT**. Written statements that do not pertain to a scheduled meeting of the Board may be submitted at any time. However, if individual comments pertain to a specific topic being discussed at the planned meeting, then these statements must be received at least 5 calendar days prior to the meeting, otherwise, the comments may not be provided to or

considered by the Board until a later date. The Designated Federal Officer will compile all timely submissions with the Board's Chair and ensure such submissions are provided to Board Members before the meeting.

Dated: October 6, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25762 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2013–OS–0128]

Proposed Collection; Comment Request

AGENCY: Defense Finance and Accounting Service, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Finance and Accounting Service (DFAS) announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Finance and Accounting Services—Indianapolis, DFAS–ZPR. ATTN: La Zaleus D. Leach, 8899 E. 56th St., Indianapolis, IN 46249, *Lazaleus.Leach@DFAS.MIL,* 317–212–6032.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Request for Information Regarding Deceased Debtor, DD Form 2840, OMB Number 0730–0015.

Needs and Uses: The information collection requirement is necessary to obtain information on deceased debtors from probate courts. Probate courts review their records to see if an estate was established. They provide the name and address of the executor or lawyer handling the estate. From the information obtained, DFAS submits a claim against the estate for the amount due the United States.

Affected Public: State, local, or tribal government.

Annual Burden Hours: 167.

Number of Respondents: 2,000.

Responses per Respondent: 1.

Annual Responses: 2,000.

Average Burden per Response: 5 minutes.

Frequency: On occasion.

DFAS maintains updated debt accounts and initiates debt collection action for separated military members, out-of-service civilian employees, and other individuals not on an active federal government payroll system. When notice is received that an individual debtor is deceased, an effort is made to ascertain whether the decedent left an estate by contacting clerks of probate courts. If it is determined that an estate was established, attempts are made to collect the debt from the estate. If no estate appears to have been established, the debt is written off as uncollectible.

Dated: October 6, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25778 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2014–OS–0075]

Proposed Collection; Comment Request

AGENCY: Defense Finance and Accounting Service (DFAS), DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* DFAS announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments.

• Mail: Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this

same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Finance and Accounting Services-Indianapolis, 8899 E. 56th Street, Indianapolis, IN 46249–0201. ATTN: Mr. Dick Dahoney, *dick.dahoney@dfas.mil,* 317–212–3473.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Personal Check Cashing Agreement, DD Form 2761, OMB 0730–0005.

Needs and Uses: The information collection requirement is necessary to meet the Department of Defense's (DoD) requirement for cashing personal checks overseas and afloat by DoD disbursing activities, as provided in 31 U.S.C. 3342. The DoD Financial Management Regulation, Volume 5, provides guidance to DoD disbursing officers in the performance of this information collection. This allows the DoD disbursing officer or authorized agent the authority to offset the pay without prior notification in cases where this form has been signed subject to conditions specified within the approved procedures.

Affected Public: Individuals or households.

Annual Burden Hours: 1187.

Number of Respondents: 4748.

Responses per Respondent: 1.

Annual Responses: 4748.

Average Burden per Response: 15 minutes.

Frequency: On occasion.

The Personal Check Cashing Agreement form is designed exclusively to help the DoD disbursing offices expedite the collection process of dishonored checks. The front of the form will be completed and signed by the authorized individual requesting check cashing privileges. By signing the form, the individual is freely and voluntarily consenting to the immediate collection from their current pay, without prior notice, for the face value of any check cashed, plus any charges assessed against the government by a financial institution, in the event the check is dishonored. In the event the check is dishonored, the disbursing office will complete and certify the reverse side of the form and forward the form to the applicable payroll office for collection from the individual's current pay.

Dated: October 6, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25774 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2014–OS–0074]

Proposed Collection; Comment Request

AGENCY: Defense Finance and Accounting Service (DFAS), DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Finance and Accounting Service (DFAS) announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Finance and Accounting Services-Cleveland, Retired and Annuitant Pay, 1240 East 9th Street, Cleveland, OH 44199, ATTN: Mr. Charles Moss, *charles.moss@dfas.mil,* 216–204–4426.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Application for Trusteeship, DD Form 2827, OMB License 0730–0013.

Needs and Uses: The information collection requirement is necessary for individuals to apply for appointment as a trustee on behalf of a mentally incompetent member of the uniformed services pursuant to 37 U.S.C. 602–604.

Affected Public: Individuals or Households, Business and Other for Profit.

Annual Burden Hours: 75.

Number of Respondents: 75.

Responses per Respondent: 1.

Annual Responses: 75.

Average Burden per Response: 1 hour.

Frequency: On occasion.

When members of the uniformed services are declared mentally incompetent, the need arises to have a trustee appointed to act on their behalf with regard to military pay matters. Individuals will complete this form to apply for appointment as a trustee on behalf of the member. The requirement to complete this form helps alleviate the opportunity for fraud, waste, and abuse of government funds and member's benefits.

Dated: October 6, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25773 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2014–OS–0076]

Proposed Collection; Comment Request

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Security Service (DSS) announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Industrial Security Clearance Office (DISCO), 2780 Airport Drive, Suite 400, Columbus, OH 43219–2268, or call DISCO at (614) 827–1530/1528.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Personnel Security Clearance Change Notification; NISCO Form 562; OMB Control Number 0704–0418.

Needs and Uses: DISCO Form 562 is used by contractors participating in the National Industrial Security Program to report various changes in employee personnel clearance status or identification information, *e.g.,* reinstatements, conversions, terminations, changes in name or other previously submitted information.

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

Annual Burden Hours: 45,816 hours.

Number of Respondents: 11,454.

Responses per Respondent: 20.

Annual Responses: 229,080.

Average Burden per Response: 12 minutes.

Frequency: On occasion.

The execution of the DISCO Form 562 is a factor in making a determination as to whether a contractor employee is eligible to have a security clearance. These requirements are necessary in order to preserve and maintain the security of the United States through establishing standards to prevent the improper disclosure of classified information.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25799 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2014–OS–0077]

Proposed Collection; Comment Request

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Security Service (DSS) announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Security Service, ATTN: Ms. Helmut Hawkins, Industrial Security Program Policy, Clearance Oversight Office, 1340 Braddock Place, Alexandria, VA 22314.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Industry Cost Collection Report Survey; OMB Control Number 0704–0458.

Needs and Uses: Executive Order 12829, ''National Industrial Security Program'' requires the Department of Defense to account each year for the costs associated with implementation of the National Industrial Security Program and report those costs to the Director of the Information Security Oversight Office (ISOO). In furtherance of this requirement, and pursuant with 32 CFR, Subpart F, section 2001.61(b); Classified National Security Information; Final Rule, the Secretary of Defense, acting as executive agent for NISP, is obligated to collect cost estimates for classification-related activities of contractors, licensees, certificate holders, and grantees and report them to ISOO annually. The cost collection methodology employed since 1996 was validated with the ISOO in December 2007. Participation in the survey is strictly voluntary. Input is integrated into total cost figure for the President and is never associated with a specific facility.

Affected Public: A statistical sample of active and cleared businesses, or other profit and non-profit organizations under Department of Defense Security Cognizance, approved for storage of classified materials.

Annual Burden Hours: 125 hours.

Number of Respondents: 749.

Responses per Respondent: 1.

Annual Responses: 749.

Average Burden per Response: 10 minutes.

Frequency: Annually.

Collection of this data is required to comply with the reporting requirements of Executive Order 12829, ''National Industrial Security Program.'' This collection of information requests the assistance of the Facility Security Officer to provide estimates of annual security labor cost in burdened, current year dollars and the estimated percentage of security labor dollars to the total security costs for the facility. Security labor is defined as personnel whose positions exist to support operations and staff in the implementation of government security requirements for the protection of classified information. Guards who are required as supplemental controls are included in security labor. This data will be incorporated into a report produced to ISOO for the estimated cost of securing classified information within industry. The survey will be distributed electronically via a Web-based commercial survey tool.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25797 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army, U.S. Army Corps of Engineers

Notice of Availability of Supplemental Information Report for Berryessa Creek Element, Coyote and Berryessa Creek, Flood Control Project, Santa Clara County, CA

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DOD.

ACTION: Public notice.

SUMMARY: The U.S. Army Corps of Engineers (Corps) has prepared a Supplemental Information Report (SIR) to provide an update to the General Re-evaluation Report/Environmental Impact Statement (GRR/EIS) for the Berryessa Creek Element of the Coyote and Berryessa Creek, California, Flood Control Project (Project), that the Corps may be invoking the Clean Water Act (CWA) § 404(r) exemption. The Project initially sought to obtain a water quality certification from the Regional Water Quality Control Board, San Francisco Region (RWQCB) pursuant to the CWA § 401(a) (401 Certification). During the course of extensive coordination over the last six months, the RWQCB has stated that it may be unable or unwilling to issue a 401 Certification for the Project. Therefore, in an effort to preserve the ability to improve flood risk management in this area without excessive delay, the Corps may invoke 404(r) exemption in lieu of obtaining a 401 Certification from the RWQCB.

FOR FURTHER INFORMATION CONTACT: Amanda Cruz, U.S. Army Corps of Engineers, San Francisco District, Plan Formulation Section, 1455 Market Street, 17th Floor, San Francisco, CA 94103–1398, (415) 503–6955, *Amanda.b.cruz@usace.army.mil.*

SUPPLEMENTARY INFORMATION: The March 2014 Final GRR/EIS of the Project, and its accompanying CWA § 404(b)(1) alternatives analysis, recommended the proposed design of a earthen trapezoidal channel section with varying bottom width and 2H:1V side slopes that provides protection against the one-percent annual chance exceedance flood event from I–680 in San Jose to Calaveras Boulevard in Milpitas (hereinafter ''Project''). These environmental analyses determined the Project to be the National Economic Development Plan (NED), the National Environmental Policy Act (NEPA) environmentally preferable alternative, the California Environmental Quality Act (CEQA) § 15126.6(e)(2) environmentally superior alternative, and the CWA § 404 Least Environmental Damaging Practicable Alternative (LEDPA). The Corps' Director of Civil Works signed the Record of Decision (ROD) on May 29, 2014.

With the goal of promoting partnership, it has been the Corps' position to obtain 401 Certification for all its projects, regardless of the availability of 404(r) exemption. However, if the RWQCB is unable or unwilling to provide such a certification then the Corps will initiate 404(r) exemption procedures and acknowledge this in the appropriate NEPA document, which has been determined to be an SIR.

Section 404(r) creates an exemption from the water quality certification requirement under Section 401(a) for projects (1) specifically authorized by Congress for which (2) an environmental impact statement has been created that (3) includes consideration of the 404(b)(1) guidelines, which (4) has been transmitted to Congress prior to the appropriation of construction funds. Congress authorized construction of the Project in the Water Resources Development Act of 1990, Public Law 101–640, § 101(a)(5), 103 Stat. 4604 (1990) and as stated above, the Corps completed the GRR/EIS in March 2014. The 404(b)(1) Alternatives Analysis was included in the GRR/EIS as Appendix A: Part V. With the completion of this SIR, the Corps will officially transmit the updated GRR/EIS to Congress prior to the appropriation of construction funding. Once done, the Corps will have met all the requirements to utilize 404(r) exemption.

The Corps is confident that the Project is fully conforming to all Federal and State laws, regulations, and requirements. In the absence of RWQCB issuing a 401 Certification, the Corps may use 404(r) exemption. In light of the fact that the Project meets all requirements of 404(r) exemption without any modifications, there are no substantial changes or new significant circumstances or information that would trigger the need for a supplement

to the GRR/EIS, as defined in section 1502.9(c) of the CEQ Regulations.

John C. Morrow,

Lieutenant Colonel, U.S. Army, District Engineer.

[FR Doc. 2015–25859 Filed 10–8–15; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Notice of Availability of the Draft Environmental Impact Statement for the Nebraska Highway 12 Niobrara East and West Project, Knox County, NE

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of availability.

SUMMARY: The U.S. Army Corps of Engineers (Corps), Omaha District, has prepared a Draft Environmental Impact Statement (EIS) to analyze the direct, indirect and cumulative effects of a proposed Nebraska State Highway project, Nebraska Highway 12 Niobrara East and West Project by the Nebraska Department of Roads (NDOR). The Applied-for Project is the relocation and elevation (including additional bridges) of two segments of existing Nebraska Highway 12 (N–12) that are frequently flooded and have incurred damage due to high water levels associated with the Missouri River.

DATES: Written comments on the Draft EIS will be accepted on or after October 9, 2015, through November 23, 2015. Oral and/or written comments may also be presented at the Public Hearing to be held at 6:00 p.m. on Monday, November 9, 2015, at the Niobrara Secondary School, located at 247 NE–12, Niobrara, NE 68760.

ADDRESSES: Send written comments regarding the Applied-for Project and Draft EIS to Rebecca J. Latka, Project Manager, U.S. Army Corps of Engineers, Omaha District, Regulatory Branch, 1616 Capitol Avenue, Omaha, NE 68102–4901, or via email at *Rebecca.J.Latka@usace.army.mil.* Requests to be placed on or removed from the mailing list should also be sent to this address.

Copies of the Draft EIS will be available for review at the addresses listed in the **SUPPLEMENTARY INFORMATION** section.

Electronic copies of the Draft EIS may be obtained from the Nebraska Regulatory Office or its Web site at *http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Nebraska/EISHighway12.aspx.*

FOR FURTHER INFORMATION CONTACT: Rebecca J. Latka, Project Manager, U.S. Army Corps of Engineers, at 402–995–2681; fax 402–996–3842.

SUPPLEMENTARY INFORMATION: The purpose of the Draft EIS is to provide a full and fair discussion of the Applied-for Project and other reasonable alternatives to inform decision makers and the public of the environmental impacts of the Applied-for Project and the reasonable alternatives. NDOR has submitted a Section 404 (Clean Water Act) permit application containing a roadway design for Alternative A7 (the Applied-for Project) to the U.S. Army Corps of Engineers (Corps). NDOR proposes to relocate N–12 east and west of Niobrara, NE., south of its existing location and construct a new roadway at a higher elevation with enhanced bridged sections to withstand existing and future flood events. The segment of N–12 that is in the bluffs, including the segment that goes through the Village of Niobrara, will remain the same. Two segments of N–12 within the existing Missouri River floodplain would be relocated. The west segment is approximately 6.2 miles long and extends from just east of Verdel, Nebraska, on the west end to 2 miles west of the bridge over the Niobrara River. The Applied-for Project would deviate from the existing alignment just east of Ponca Creek and would rejoin the existing alignment just north of County Road 892. The east segment is approximately 6 miles long and extends from just east of Spruce Avenue in Niobrara, NE., to approximately 1 mile east of Spur 54D (S–54D). In the east segment, the alignment would deviate from the existing alignment east of 4th Avenue in Niobrara, NE., and would reconnect with existing N–12 at approximately S–54D. A new connection to the Chief Standing Bear Memorial Bridge (N–14) and SD–37 would be developed, tying into the existing Highway 14 connection (which will be elevated as part of the project). Once the roads are completed, the existing N–12 roadway would be removed to the existing ground level. In addition to the Applied-for Project, the Draft EIS analyzes three alternatives: (1) Elevation Raise on Existing Alignment, (2) Elevation Raise on Parallel Alignment, (3) Base of Bluffs Alignment. The National Park Service, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, Federal Highway Administration, and Knox County are serving as cooperating agencies. The Nebraska Game and Parks Commission and Nebraska Department of Environmental Quality are participating as review agencies. Copies of the document are available at the following addresses:

1. Niobrara Public Library/Niobrara Civic Center, 25414 Park Avenue Ste 3, Niobrara, NE 68760–0015
2. Tyndall City Library, 110 W 17th Avenue, Tyndall, SD 57066
3. Verdel City Office, 202 Second St., Verdel, NE 68760
4. Verdigre City Public Library, 101 E 3rd Street, Verdigre, NE 68783
5. Springfield City Library, 605 8th Street, Springfield, SD 57062
6. Knox County Extension Office, 308 Bridge Street, Center, NE 68724
7. U.S. Army Corps of Engineers, Lewis and Clark Visitor Center, 55245 Hwy 121, Croften, NE 68730
8. U.S. Army Corps of Engineers, Nebraska Regulatory Office, Lake Wehrspann Field Office, 8901 S. 154th Street, Omaha, NE 68138–3621
9. Corps of Discovery Welcome Center, 89705 Highway 81, Crofton, NE 68730

Dated: September 30, 2015.

Joseph McMahan,

Chief Regulatory Field Support, Omaha District.

[FR Doc. 2015–25845 Filed 10–8–15; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Notice of Intent To Prepare an Integrated Feasibility Report & Draft Environmental Impact Statement for the Yuba River, California, Ecosystem Restoration Feasibility Study

AGENCY: Department of the Army, U.S. Army Corps of Engineers; DOD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers, Sacramento District (Corps), intends to prepare an integrated Feasibility Report & Draft Environmental Impact Statement (DEIS) for the Yuba River Ecosystem Restoration Feasibility Study. The Corps will serve as the lead agency for compliance with the National Environmental Policy Act. The Yuba County Water Agency (YCWA) will serve as the non-federal sponsor. The feasibility study is evaluating opportunities for ecosystem restoration in the Yuba River watershed, located in portions of Sierra, Placer, Yuba, and Nevada counties.

DATES: Written comments should be submitted by November 9, 2015.

ADDRESSES: Written comments should be sent to U.S. Army Corps of Engineers,

Sacramento District, Attn: Michael Fong, CESPK–PD–RP, 1325 J Street, Sacramento, CA 95814–2922.

FOR FURTHER INFORMATION CONTACT: Questions about the feasibility study and the DEIS may be addressed to U.S. Army Corps of Engineers, Sacramento District, Attn: Michael Fong, CESPK–PD–RP, 1325 J Street, Sacramento, CA, 95814–2922 or submitted by email to *Michael.R.Fong@usace.army.mil.* Requests to be placed on the mailing list should also be sent to this address.

SUPPLEMENTARY INFORMATION:

1. *Study Purpose.* The Corps, in cooperation with YCWA, is conducting a cost-shared feasibility study to identify and respond to problems and opportunities associated with ecosystem restoration in the Yuba River watershed. The authority to study the Sacramento River Basin, including the Yuba River watershed, for flood control and allied purposes, was granted in the Rivers and Harbors Act of 1962, Public Law 87–874, Section 209. A reconnaissance study of ecosystem restoration opportunities in the Yuba River watershed was conducted in 2014 under the authorization of the Energy and Water Development Appropriations Act of 2014, Division D of Public Law 113–76, the Consolidated Appropriations Act, 2014. The Civil Works study process provides a systematic and rational framework for developing and analyzing alternative plans. This feasibility study will be conducted under the SMART Planning framework, an efficient, risk-informed process.

2. *Study Area.* The Yuba River Watershed is located in northern California on the western slopes of the Sierra Nevada Mountain Range. The watershed encompasses 1,340 square miles in portions of Sierra, Placer, Yuba, and Nevada counties. The Yuba River is a tributary of the Feather River which, in turn, flows into the Sacramento River near the town of Verona, California. The study area begins in the city of Marysville and extends upstream approximately 90 miles, past Sierra City, California, in Sierra County.

The Yuba River flows through forest, foothill chaparral, and agricultural lands. Levees are absent from most of its course except for near the river's confluence with the Feather River. At that point, the Yuba River is bounded by setback levees for approximately six miles.

The primary watercourses of the upper Yuba River watershed are the South, Middle, and North Yuba rivers. The Middle Yuba River flows into the North Yuba River and together they are referred to as the upper Yuba River. Current conditions in the Yuba River watershed are largely defined by the legacy of historic gold mining and presence of dams.

3. *Scoping Process.* A series of public Scoping meetings will be held in October and November 2015 to present information and receive comments from the public. These meetings are intended to initiate the process to involve concerned individuals, non-governmental organizations, interested parties, and local, State, and Federal agencies. Public Scoping meetings will be held as follows:

Meeting #1—Wednesday, October 28, 2015, 1:00 p.m.–3:00 p.m. at John E. Moss Federal Building Stanford Room (650 Capitol Mall, Sacramento, CA 95814).

Meeting #2—Thursday, October 29, 2015, 5:00 p.m.–7:00 p.m. at Nevada County Library Community Room (980 Helling Way, Nevada City, CA 95959).

Meeting #3—Wednesday, November 4, 2015, 5:00 p.m.–7:00 p.m. at Yuba County Government Center Marysville and Wheatland Conference Room (915 8th Street, Marysville, CA 95901).

Significant issues to be analyzed in depth in the integrated Feasibility Report & DEIS include effects on hydraulics, wetlands and other waters of the U.S., vegetation and wildlife resources, special-status species, aesthetics, cultural resources, recreation, land use, fisheries, water quality, air quality, noise, transportation, socioeconomics, and cumulative effects of related projects in the study area.

The Corps will coordinate with State and Federal resource agencies in order to comply with all pertinent environmental laws, regulations, and policies. Moreover, the Corps will coordinate with effected Native American Tribes to address their concerns and to ensure compliance with all applicable Federal statutes, executive orders, and Corps policies.

4. *Availability.* The integrated feasibility report & DEIS is scheduled to be available for public review and comment in December 2016. A 45-day public review period will be provided for individuals and agencies to review and comment on the DEIS. All interested parties are encouraged to respond to this notice and provide a current address if they wish to be notified of the DEIS circulation.

Dated: October 1, 2015.

Michael J. Farrell,

COL, U.S. Army, District Commander .

[FR Doc. 2015–25855 Filed 10–8–15; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2013–0032]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Navy announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Commandant of Midshipmen, Operations Office, United States Naval Academy, 101 Buchanan Road, Annapolis, MD 21402–5101, or contact Commandant's Operations Officer, telephone (410) 293–7125.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: United States Naval Academy Sponsor Application contained within the USNA Admission's Web site; OMB Control Number 0703–0054.

Needs and Uses: This collection of information is necessary to determine the eligibility and overall compatibility between sponsor applicants and Fourth Class Midshipmen at the United States Naval Academy. An analysis of the information collection is made by the Sponsor Program Director during the process in order to best match sponsors with Midshipmen.

Affected Public: Individuals or households; Federal Government.

Annual Burden Hours: 800.

Number of Respondents: 800.

Responses per Respondent: 1.

Average Burden per Response: 1 hour.

Frequency: Annually.

The sponsor program matches first year students with families in the community for a semblance of home away from the rigors of the academy. The application is used to evaluate and match sponsor families with incoming midshipmen of similar interests.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25779 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID USN–2014–0014]

Proposed Collection; Comment Request

AGENCY: Marine Corps Recruiting Command, Marine Corps Base Quantico, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the U.S. Marine Corps announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Commanding General, Marine Corps Recruiting Command (G3), Officer Programs, 3280 Russell Road, Quantico, VA 22134–5103, or contact Head, Officer Programs or Deputy, Officer Programs at (703) 784–9449/50/51.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and Omb Number: Personal Information Questionnaire; NAVMC 100064; OMB Control Number 0703–0012.

Needs and Uses: The Officer Selection Officer will forward a Personal Information Questionnaire (PIQ) form to individuals to be named by the applicant for completion and return as character references. The questionnaire establishes a pattern of moral character on individuals applying for the Marine Corps Officer Program.

Affected Public: Individuals or Households.

Annual Burden Hours: 4,175 hours.

Number of Respondents: 16,700.

Responses per Respondent: 1.

Annual Responses: 16,700.

Average Burden per Response: 15 minutes.

Frequency: On occasion.

The OSO will forward a Personal Information Questionnaire (PIQ) form to individuals to be named by the applicant for completion and return as character references. The PIQ is used to provide Headquarters, U.S. Marine Corps with a standardized method in rating officer program applicants in the areas of character, leadership, ability, and suitability for a service as a commissioned officer. The OSO must ensure the integrity of the PIQ process by not allowing applicants to directly handle PIQ forms. All PIQs will be dated and are valid for one year. Individuals completing the form have volunteered to complete the form prior to being sent the questionnaire.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25776 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2014–0012]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Commander, Naval Service Training Command announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c)

ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Commander, Naval Service Training Command, 2601A Paul Jones Street, Great Lakes, IL 60088, or call at (847) 688–7828.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Application Forms and Information Guide, Naval Reserve Officers Training Corps (NROTC) Scholarship Program; OMB Control Number 0703–0026.

Needs and Uses: This collection of information is used to make a determination of an applicant's academic and/or leadership potential and eligibility for an NROTC scholarship. The information collected is used to select the best-qualified candidates.

Affected Public: Individuals or Households.

Annual Burden Hours: 56,000 hours.

Number of Respondents: 14,000.

Responses per Respondent: 1.

Annual Responses: 14,000.

Average Burden per Response: 4 hours.

Frequency: Annually.

Applicant submits application via Web site. *https://www.nrotc.navy.mil/apply.aspx*. Application data is stored on secure servers located at Saufley Data Center, Naval Air Station Pensacola, FL. Applicant accesses the application via registration on Web site and password. Once application has been submitted it is a locked document. Data is accessed for selection board review by authorized need to know processers and board members.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25784 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2014–0017]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the United States Naval Academy announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Admissions Office, United States Naval Academy, 117 Decatur Road, Annapolis, MD 21402–5017, or contact LCDR Eric Brown at telephone number (410) 293–1822.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Candidate Application Procedures for the United States Naval Academy; USN GRB 1110/11, 1110/12, 1110/14, 1110/15, 1110/91, 1110/92, and 1531/34; OMB Control Number 0703–0036.

Needs and Uses: This collection of information is necessary to determine the eligibility and evaluate overall competitive standing of candidates for appointment to the United States Naval Academy. An analysis of the information collected is made by the Admissions Board during the process in order to gauge the qualifications of individual candidates.

Affected Public: Individuals or Households; Federal Government.

Annual Burden Hours: 56,000 hours.

Number of Respondents: 14,000.

Responses per Respondent: 1.

Annual Responses: 14,000.

Average Burden per Response: 4 hours.

Frequency: On occasion.

This collection of information is necessary to determine the eligibility

and evaluate overall competitive standing of candidates for appointment to the United States Naval Academy. An analysis of the information collected is made by the Admissions Board during the process in order to gauge the qualifications of individual candidates.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25808 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2014–0013]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, COMNAVSEASYSCOM, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Navy announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• Mail: Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Commander, Naval Sea Systems Command (West), 2100 2nd Street SW., Washington DC 20746. The point of contact is Mr. Russell E. Tomaselli, 202–781–2320, SEA 00P1, *Russell.Tomaselli@navy.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Naval Sea Systems Command and Field Activity Visitor Access for Washington Navy Yard Washington DC; NAVSEA 5500/1 NAVSEA Visitor Sign In/Out Sheet; OMB Control Number 0703–0055.

Needs and Uses: This information collection is necessary for Naval Sea Systems Command and Naval Sea Systems Command Field Activity's at Washington Navy Yard, Washington, DC to verify visitors have appropriate credentials, clearance level and need-to-know are granted access to NAVSEA spaces, if they have clearance for classified information, and allow NAVSEA Security to keep record of vistors to NAVSEA spaces. Respondents are Navy business personnel, support contractors, individuals from other agencies visiting the Command and Field Activities, various members of the public.

Affected Public: Individual and households; Business or other for profit; Not-for-profit institutions.

Annual Burden Hours: 1,300.

Number of Respondents: 5,200.

Responses er Respondent: 1.

Average Burden per Response: 15 minutes.

Frequency: On occasion.

Respondents are Navy business personnel, support contractors, vendors, individuals from other agencies, family members of NAVSEA personnel (military/civilian) who want to visit/access the NAVSEA Command and Field Activities at Washington Navy Yard, Washington, DC. Visitors enters the NAVSEA Visitor Control Center. Once the visitor is called to the counter by the Visitor Control Technician (VCT), fills in the next available line on NAVSEA 5500/1. The VCT ask the visitor if he or she has a clearance, if the visitor states, yes, then the VCT ask for their SSN. The visitor has the option to either provide it on a piece of paper or verbally communicate it to the VCT. If the visitor writes their SSN down on a piece of paper, the visitor is given the piece of paper back. If visitor states no, the visitor will need to show the VTC a pictured ID.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25793 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2014–0015]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Navy announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and

Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Commanding General, Marine Corps Recruiting Command (G3), Officer Programs, 3280 Russell Road, Quantico, VA 22134–5103, or contact Head, Officer Programs or Deputy, Officer Programs at (703) 784–9449/50/51.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Academic Certification for Marine Corps Officer Candidate Program; NAVMC Form 10469; OMB Control Number 0703–0011.

Needs and Uses: The Marine Corps Officer Selection Officer (OS) will submit the completed original NAVMC Form 10469 with the officer applications for the Platoon Leaders Class and Officer Candidate Course (OCC) Programs when the applicant has not yet completed the requirements for a degree. This form is to be completed by a school official of the applicant's college or university and verified by the OSO. Use of this form is the only accurate and specific method to determine an applicant's academic qualifications.

Affected Public: Individuals or Households.

Annual Burden Hours: 875 hours.

Number of Respondents: 3,500.

Responses per Respondent: 1.

Annual Responses: 3,500.

Average Burden per Response: 15 minutes.

Frequency: On occasion.

The Marine Corps Officer Selection Officer (OSO) will submit the completed original NAVMC Form 10469 with the officer applications for the Platoon Leaders Class and Officer Candidate Course (OCC) Programs, when the applicant has not yet completed the requirements for a degree. This form is to be completed by a school official of the applicant's college or university and verified by the OSO. Use of this form is the only accurate and specific method to determine an officer applicant's academic qualifications.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25789 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2014–0018]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Navy Recruiting Command announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please contact Mr. Kenneth Saxion at (901) 874–9045.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Application Processing and Summary Record; NAVCRUIT Form 1131/238 replacing the Application for Commission in the U.S. Navy/U.S. Navy Reserve; OMB Control Number 0703–0029.

Needs and Uses: All persons interested in entering the U.S. Navy or U.S. Navy Reserve, in a commissioned status must provide various personal data in order for a Selection Board to determine their qualifications for naval service and for specific fields of endeavor which the applicant intends to pursue. This information is used to recruit and select applicants who are qualified for commission in the U.S. Navy or U.S. Navy Reserve.

Affected Public: Individuals or Households.

Annual Burden Hours: 12,000 hours.

Number of Respondents: 12,000.

Responses per Respondent: 1.

Annual Responses: 12,000.

Average Burden per Response: 60 minutes.

Frequency: On occasion.

The reason for the extension of this form is that even though most of the information is already gathered by the Standard Form 86, Questionnaire for National Security Positions, OMB Control Number 3206–0005, and is already in the system there are still several bits of information needed for the boards to base their selection decisions on.

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25788 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2013–0040]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Navy announces a proposed public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by December 8, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments.
- Mail: Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Headquarters Marine Corps, Attn: Dr. Tim Foresman, 3000 Marine Corps Pentagon, Room 2D153A, or call (703) 614–8348.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Camp Lejeune Notification Database; OMB Control Number 0703–0057.

Needs and Uses: The information collection requirement is used to obtain and maintain contact information of people who may have been exposed to contaminated drinking water in the past aboard Marine Corps Base Camp Lejeune, NC, as well as other persons interested in the issue. The information will be used to provide notifications and updated information as it becomes available. The information will also be used to correspond with registrants, as necessary (*e.g.* respond to voicemails or letters).

Affected Public: Individuals or households; Federal government.

Annual Burden Hours: 1,000.

Number of Respondents: 10,000.

Responses per Respondent: 1.

Average Burden per Response: 6 minutes.

Frequency: On occasion.

The Camp Lejeune Notification Registry contains contact information of people who may have been exposed to contaminated drinking water in the past aboard Marine Corps Base Camp Lejeune, NC, as well as other persons interested in the issue. The information will be used to provide notifications and updated information as it becomes available. The information will also be used to correspond with registrants, as necessary (*e.g.* respond to voicemails or letters).

Dated: October 5, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–25782 Filed 10–8–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

Applications for New Awards; Personnel Development To Improve Services and Results for Children With Disabilities—Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice.

Overview Information: Personnel Development to Improve Services and Results for Children with Disabilities—Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel.

Notice inviting applications for new awards for fiscal year (FY) 2016.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.325D.

DATES: *Applications Available:* October 9, 2015.

Deadline for Transmittal of Applications: December 8, 2015.

Deadline for Intergovernmental Review: February 8, 2016.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purposes of this program are to (1) help address State-identified needs for personnel preparation in special education, early intervention, related services, and regular education to work with children, including infants and toddlers, with disabilities; and (2) ensure that those personnel have the necessary skills and knowledge, derived from practices that have been determined through scientifically based research and experience, to be successful in serving those children.

Priority: In accordance with 34 CFR 75.105(b)(2)(iv), this priority is from allowable activities specified in the statute (see sections 662 and 681 of the Individuals with Disabilities Education Act (IDEA)).

Absolute Priority: For FY 2016 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority.

This priority is:

Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel.

Background: The purpose of the Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel priority is to

support pre-existing programs that prepare special education, early intervention, and related services personnel at the doctoral level who are well-qualified for, and can act effectively in, leadership positions in universities, State educational agencies (SEAs), lead agencies (LAs), local educational agencies (LEAs), early intervention services programs (EIS programs), or schools.

There is a well-documented need for leadership personnel who are prepared at the doctoral and postdoctoral levels to fill faculty and leadership positions in special education, early intervention, and related services (Montrosse & Young, 2012; Robb, Smith, & Montrosse, 2012; Smith, Montrosse, Robb, Tyler, & Young, 2011; Smith, Robb, West, & Tyler, 2010; Woods & Snyder, 2009). In the report *Assessing Trends in Leadership: Special Education's Capacity to Produce a Highly Qualified Workforce,* Smith *et al.* (2011) stated:

> Although the field has faced a consistent shortage of faculty, the predicted supply/demand imbalance is of historic proportions. To meet projected demand, the nation's doctoral programs will need to produce over six times the current number of SE [special education] doctoral graduates. . . . Unless abated, this shortage will impair the field's capacity to generate new knowledge and produce a sufficient number of SE teacher educators who can in turn produce enough well-prepared teachers to meet the needs of students with disabilities and their families. (p. 38)

Moreover, Smith *et al.* (2011) report that some special education doctoral programs anticipate one-half to two-thirds of their faculty will retire in the next six years. These leaders teach evidence-based practices to future special education, early intervention, and related services professionals who will work in a variety of educational settings and provide services directly to children and youth with disabilities. These leaders also conduct research to increase the knowledge of effective interventions and services for these children (Robb *et al.*, 2012; Smith *et al.*, 2010; West & Hardman, 2012).

State and local agencies also need leadership personnel who are prepared at the doctoral level to fill special education and early intervention administrator positions. These administrators supervise and evaluate the implementation of evidence-based instructional programs to make sure that State or local agencies are meeting the needs of children with disabilities. Administrators also ensure that schools and programs meet Federal, State, and local requirements for special education, early intervention, and related services (Lashley & Boscardin, 2003).

Federal support can increase the supply of personnel who have the necessary knowledge and skills to assume leadership positions in special education, early intervention, and related services in universities, SEAs, LAs, LEAs, EIS programs, or schools. Critical competencies for special education, early intervention, and related services personnel vary depending on the type of personnel and the requirements of the preparation program but can include, for example, skills needed for postsecondary instruction, administration, policy development, professional practice, leadership, or research. However, all leadership personnel need to have current knowledge of effective interventions and services that improve outcomes for children with disabilities, including high-need children with disabilities.[1]

Priority: The purpose of the Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel priority is to support pre-existing doctoral degree programs and postdoctoral learning experiences that prepare special education, early intervention, and related services personnel who are well-qualified for, and can act effectively in, leadership positions in universities, SEAs, LAs, LEAs, EIS programs, or schools. This priority supports two types of programs:

Type A programs are designed to prepare special education, early intervention, or related services personnel to serve as higher education faculty. Type A programs culminate in a doctoral degree or provide postdoctoral learning opportunities.

Note: Preparation programs that lead to clinical doctoral degrees in related services (*e.g.,* a Doctor of Audiology (AuD) degree or Doctor of Physical Therapy (DPT) degree) are not included in this priority. These types of preparation programs are eligible to apply for funding under the Personnel Preparation in Special Education, Early Intervention, and Related Services priority (CFDA 84.325K) that the Office of Special Education Programs (OSEP) intends to fund in FY 2016.

Type B programs are designed to prepare special education or early intervention administrators to work in SEAs, LAs, LEAs, EIS programs or providers, or schools. Type B programs prepare personnel for positions such as SEA special education administrators, LEA or regional special education directors, school-based special education directors, including those in youth correctional facilities, preschool coordinators, and early intervention coordinators. Type B programs culminate in a doctoral degree or provide postdoctoral learning opportunities.

Note: The preparation of school principals is not included in this priority.

Note: Applicants must identify the specific program type, A or B, for which they are applying for funding as part of the competition title on the application cover sheet (SF form 424, item 15). Applicants may not submit the same proposal for more than one program type.

To be considered for funding under the Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel absolute priority, all program applicants must meet the application requirements contained in the priority. All projects funded under this absolute priority also must meet the programmatic and administrative requirements specified in the priority.

The requirements of this priority are as follows:

(a) Demonstrate, in the narrative section of the application under ''Significance of the Project,'' how—

(1) The project addresses national, State, regional, or district needs for leadership personnel to administer programs or provide, or prepare others to provide, interventions and services that improve outcomes of children with disabilities, ages birth through 21, including high-need children with disabilities.[2] To address this requirement, the applicant must—

(i) Present appropriate and applicable national, State, regional, or district data demonstrating the need for the leadership personnel the applicant proposes to prepare; and

(ii) Present data on the effectiveness of the doctoral program to date in areas such as: The effectiveness of program graduates as educators of teachers, service providers, or administrators, including any results from evaluating the impact of those teachers, service providers, or administrators on the outcomes of children with disabilities; the average amount of time it takes for

[1] For a definition of ''high-need children with disabilities,'' please see footnote 2.

[2] For purposes of this priority, ''high-need children with disabilities'' refers to children (ages birth through 21, depending on the State) who are eligible for services under IDEA, and who may be further disadvantaged and at risk of educational failure because they: (1) Are living in poverty, (2) are far below grade level, (3) are at risk of not graduating with a regular high school diploma on time, (4) are homeless, (5) are in foster care, (6) have been incarcerated, (7) are English learners, (8) are pregnant or parenting teenagers, (9) are new immigrants, (10) are migrant, or (11) are not on track to being college- or career-ready by graduation.

program graduates to complete the program; the percentage of program graduates finding employment directly related to their preparation; and the professional accomplishments of program graduates (*e.g.,* public service, honors, or publications) that demonstrate their leadership in special education, early intervention, or related services.

Note: Data on the effectiveness of a doctoral program should be no older than five years prior to the start date of the project proposed in the application. When reporting percentages, the denominator (*i.e.,* the total number of students or program graduates) must be provided.

(2) Scholar competencies to be acquired in the program relate to knowledge and skills needed by the leadership personnel the applicant proposes to prepare, including knowledge of technologies designed to provide instruction. To address this requirement, the applicant must—

(i) Identify the competencies needed by leadership personnel in postsecondary instruction, administration, policy development, professional practice, leadership, or research in order to administer programs or provide, or prepare others to provide, interventions and services that improve outcomes of children with disabilities, ages birth through 21, including high-need children with disabilities;

(ii) Demonstrate that the interventions and services of the project's specialized preparation area are supported by evidence of promise [3] that they will result in improved outcomes for children with disabilities; and

(ii) Provide the conceptual framework of the leadership preparation program, including any empirical support, that will promote the acquisition of the identified competencies needed by leadership personnel, including knowledge of technologies designed to provide instruction, and, where applicable, how these competencies relate to the project's specialized preparation area.

(b) Demonstrate, in the narrative section of the application under ''Quality of the Project Services,'' how—

(1) The project will recruit and support high-quality scholars. The narrative must—

(i) Describe the selection criteria the applicant will use to identify high-quality applicants for admission in the program;

(ii) Describe the recruitment strategies the applicant will use to attract high-quality applicants and any specific recruitment strategies targeting high-quality applicants from traditionally underrepresented groups, including individuals with disabilities; and

(iii) Describe the approach the applicant will use to help all scholars, including individuals with disabilities, complete the program; and

(2) The project is designed to promote the acquisition of the competencies needed by leadership personnel to administer programs or provide, or prepare others to provide, interventions and services that improve outcomes, including college- and career-readiness of children with disabilities. To address this requirement, the applicant must—

(i) Describe how the components of the project, such as coursework, internship or practicum experiences, research requirements, and other opportunities provided to scholars to analyze data, critique research and methodologies, and practice newly acquired knowledge and skills, will enable the scholars to acquire the competencies needed by leadership personnel for postsecondary instruction, administration, policy development, professional practice, leadership, or research in special education, early intervention, or related services;

(ii) Describe how the components of the project are integrated in order to support the acquisition and enhancement of the identified competencies needed by leadership personnel in special education, early intervention, or related services, including knowledge of technologies designed to provide instruction;

(iii) Describe how the components of the project prepare scholars to administer programs or provide, or prepare others to provide, interventions and services that improve outcomes, including college- and career-readiness, of children with disabilities in a variety of settings, including in high-need LEAs; [4] high-poverty schools; [5] low-performing schools, including persistently lowest-achieving schools; [6] priority schools (in the case of States that have received the Department of Education's (Department's) approval of a request for ESEA flexibility); [7] and early childhood programs located

[3] Under 34 CFR 77.1, ''evidence of promise'' means there is empirical evidence to support the theoretical linkage(s) between at least one critical component and at least one relevant outcome presented in the logic model for the proposed process, product, strategy, or practice. Specifically, ''evidence of promise'' means the conditions in both paragraphs (i) and (ii) of this definition are met:

(i) There is at least one study that is a—

(A) Correlational study with statistical controls for selection bias;

(B) Quasi-experimental design study that meets the What Works Clearinghouse Evidence Standards with reservations; or

(C) Randomized controlled trial that meets the What Works Clearinghouse Evidence Standards with or without reservations.

(ii) The study referenced in paragraph (i) of this definition found a statistically significant or substantively important (defined as a difference of 0.25 standard deviations or larger) favorable association between at least one critical component and one relevant outcome presented in the logic model for the proposed process, product, strategy, or practice.

[4] For purposes of this priority, the term ''high-need LEA'' means an LEA (a) that serves not fewer than 10,000 children from families with incomes below the poverty line; or (b) for which not less than 20 percent of the children served by the LEA are from families with incomes below the poverty line.

[5] For purposes of this priority, the term ''high-poverty school'' means a school in which at least 50 percent of students are eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act or in which at least 50 percent of students are from low-income families as determined using one of the criteria specified under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965, as amended (ESEA). For middle and high schools, eligibility may be calculated on the basis of comparable data from feeder schools. Eligibility as a high-poverty school under this definition is determined on the basis of the most currently available data (*www2.ed.gov/legislation/FedRegister/other/2010-4/121510b.html*).

[6] For purposes of this priority, the term ''persistently lowest-achieving schools'' means, as determined by the State—

(a)(1) Any Title I school in improvement, corrective action, or restructuring that—

(i) Is among the lowest-achieving five percent of Title I schools in improvement, corrective action, or restructuring or the lowest-achieving five Title I schools in improvement, corrective action, or restructuring in the State, whichever number of schools is greater; or

(ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years; and

(2) Any secondary school that is eligible for, but does not receive, Title I funds that—

(i) Is among the lowest-achieving five percent of secondary schools or the lowest-achieving five secondary schools in the State that are eligible for, but do not receive, Title I funds, whichever number of schools is greater; or

(ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years.

(b) To identify the persistently lowest-achieving schools, a State must take into account both—

(i) The academic achievement of the ''all students'' group in a school in terms of proficiency on the State's assessments under section 1111(b)(3) of the ESEA in reading/language arts and mathematics combined; and

(ii) The school's lack of progress on those assessments over a number of years in the ''all students'' group.

For the purposes of this priority, the Department considers schools that are identified as Tier I or Tier II schools under the School Improvement Grants Program (see 75 FR 66363) as part of a State's approved application to be persistently lowest-achieving schools. A list of these Tier I and Tier II schools can be found on the Department's Web site at *www2.ed.gov/programs/sif/index.html.*

[7] For purposes of this priority, the term ''priority school'' means a school that has been identified by the State as a priority school pursuant to the State's approved request for ESEA flexibility.

within the geographical boundaries of a high-need LEA;

(iv) Demonstrate, through a letter of support from the partnering agency, school, or program that there is an agreement with one or more high-need LEAs; publicly funded preschool programs, including Head Start programs, located within the geographic boundaries of a high-need LEA; or programs serving children eligible for services under Part C or Part B, section 619 of IDEA located within the geographic boundaries of a high-need LEA, that it will provide scholars with a high-quality internship or practicum experience in a school in a high-need LEA, publicly funded preschool, or early intervention program;

(v) Describe how the project will use resources, as appropriate, available through technical assistance centers, which may include centers funded by the Department; and

(vi) Describe the approach that faculty members will use to mentor scholars with the goal of helping them acquire competencies needed by leadership personnel and promote career goals in special education, early intervention, or related services.

(c) Demonstrate, in the narrative section of the application under ''Quality of the Project Evaluation,'' how—

(1) The applicant will evaluate the effectiveness of the proposed leadership project. The applicant must describe the outcomes to be measured for both the project and the scholars, particularly the acquisition of scholar competencies and their impact on the services provided by future teachers, service providers, or administrators; the evaluation methodologies to be employed, including proposed instruments, data collection methods, and possible analyses; and the proposed standards or targets for determining effectiveness;

(2) The applicant will collect, analyze, and use data on current scholars and scholars who graduate from the program to improve the proposed program on an ongoing basis; and

(3) The grantee will report the evaluation results to OSEP in its annual and final performance reports.

(d) Demonstrate, in the narrative under ''Required Project Assurances,'' or appendices as directed, that the following program requirements are met. The applicant must—

(1) Include in the application appendix—

(i) Course syllabi for all coursework in the major and any required coursework for a minor;

(ii) Course syllabi for all research methods, evaluation methods, or data analysis courses required by the degree program and elective research methods, evaluation methods, or data analysis courses that have been completed by more than one student enrolled in the program in the last five years; and

(iii) For new coursework, proposed syllabi;

Note: Applicants for Type B programs should provide a syllabus or syllabi for current or proposed courses that provide instruction on, or permit practice with, research and the methodological, statistical, and practical considerations in the use of data on early learning outcomes, student achievement, or growth in student achievement to evaluate the effectiveness of early intervention providers, related services providers, teachers, or principals.

(2) Ensure that the proposed number of scholars to be recruited into the program can graduate from the program by the end of the grant's project period. The described scholar recruitment strategies, including recruitment of individuals with disabilities, the program components and their sequence, and proposed budget must be consistent with this project requirement;

(3) Ensure scholars will not be selected based on race or national origin/ethnicity. Per the Supreme Court's decision in *Adarand Constructors, Inc.* v. *Pena,* 515 U.S. 200 (1995), the Department does not allow the selection of individuals on the basis of race or national origin/ethnicity. For this reason, grantees must ensure that any discussion of the recruitment of scholars based on race or national origin/ethnicity distinguishes between increasing the pool of applicants and actually selecting scholars;

(4) Ensure that the project will meet the requirements in 34 CFR 304.23, particularly those related to informing all scholarship recipients of their service obligation commitment. Failure by a grantee to properly meet these requirements is a violation of the grant award that may result in sanctions, including the grantee being liable for returning any misused funds to the Department. Specifically, the grantee must prepare, and ensure that each scholarship recipient signs, the following two documents:

(i) A Pre-Scholarship Agreement prior to the scholar receiving a scholarship for an eligible program (Office of Management and Budget (OMB) Control Number 1820–0686); and

(ii) An Exit Certification immediately upon the scholar leaving, completing, or otherwise exiting that program (OMB Control Number 1820–0686);

(5) Ensure that prior approval from the OSEP project officer will be obtained before admitting additional scholars beyond the number of scholars proposed in the application and before transferring a scholar to another preparation program funded by OSEP;

(6) Ensure that the project will meet the statutory requirements in section 662(e) through 662(h) of IDEA;

(7) Ensure that at least 65 percent of the total requested budget over the five years will be used for scholar support;

(8) Ensure that the institution of higher education (IHE) will not require scholars enrolled in the program to work (*e.g.,* as graduate assistants) as a condition of receiving support (*e.g.,* tuition, stipends) from the proposed project, unless the work is specifically related to the acquisition of scholars' competencies and the requirements for completion of their personnel preparation program. This prohibition on work as a condition of receiving support does not apply to the service obligation requirements in section 662(h) of IDEA;

(9) Ensure that the budget includes attendance of the project director at a three-day project directors' meeting in Washington, DC, during each year of the project. The budget may also provide for the attendance of scholars at the same three-day project directors' meetings in Washington, DC;

(10) Ensure that if the project maintains a Web site, relevant information and documents are in a format that meets government or industry-recognized standards for accessibility; and

(11) Ensure that annual data will be submitted on each scholar who receives grant support (OMB Control Number 1820–0686). The primary purposes of the data collection are to track the service obligation fulfillment of scholars who receive funds from OSEP grants and to collect data for program performance measure reporting under the Government Performance and Results Act of 1993 (GPRA). Applicants are encouraged to visit the Personnel Development Program Data Collection System (DCS) Web site at *https://pdp.ed.gov/osep* for further information about this data collection requirement. Typically, data collection begins in January of each year, and grantees are notified by email about the data collection period for their grant, although grantees may submit data as needed, year round. This data collection must be submitted electronically by the grantee and does not supplant the annual grant performance report required of each grantee for continuation funding (see 34 CFR 75.590). Data collection includes the submission of a signed, completed Pre-Scholarship Agreement and Exit

Certification for each scholar funded under an OSEP grant (see paragraph (4) of this section, subparagraphs (i) and (ii)).

References

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Smith, D.D., Montrosse, B.E., Robb, S.M., Tyler, N.C., & Young, C. (2011). *Assessing trends in leadership: Special education's capacity to produce a highly qualified workforce.* Claremont, CA: IRIS@CGU, Claremont Graduate University.

Smith, D.D., Robb, S.M., West, J., & Tyler, N.C. (2010). The changing education landscape: How special education leadership preparation can make a difference for teachers and their students with disabilities. *Teacher Education and Special Education, 33*(1), 25–43.

West, J.E., & Hardman, H.L. (2012). Averting current and future special education faculty shortages: Policy implications and recommendations. *Teacher Education and Special Education, 35,* 154–160.

Woods, J., & Snyder, P. (2009). Interdisciplinary doctoral leadership training in early intervention. *Infants & Young Children, 22*(1), 32–34.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (APA) (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed priorities. Section 681(d) of IDEA, however, makes the public comment requirements of the APA inapplicable to the priority in this notice.

Program Authority: 20 U.S.C. 1462 and 1481.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The regulations for this program in 34 CFR part 304.

Note: The regulations in 34 CFR part 86 apply to IHEs only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Administration has requested $83,700,000 for the Personnel Development to Improve Services and Results for Children with Disabilities program for FY 2016, of which we intend to use an estimated $3,500,000 for this competition. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2017 from the list of unfunded applications from this competition.

Estimated Range of Awards: $225,000–$250,000 per year.

Estimated Average Size of Awards: $237,500 per year.

Maximum Award: We will reject any application that proposes a budget exceeding $250,000 for a single budget period of 12 months.

Estimated Number of Awards: 14.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. *Eligible Applicants:* IHEs, private nonprofit organizations.

2. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

3. Eligible Subgrantees: (a) Under 75.708(b) and (c) a grantee may award subgrants—to directly carry out project activities described in its application—to the following types of entities: IHEs and private nonprofit organizations suitable to carry out the activities proposed in the application.

(b) The grantee may award subgrants to entities it has identified in an approved application.

4. *Other General Requirements:*

(a) Recipients of funding under this program must make positive efforts to employ and advance in employment qualified individuals with disabilities (see section 606 of IDEA).

(b) Each applicant for, and recipient of, funding under this program must involve individuals with disabilities, or parents of individuals with disabilities ages birth through 26, in planning, implementing, and evaluating the project (see section 682(a)(1)(A) of IDEA).

IV. Application and Submission Information

1. *Address to Request Application Package:* You can obtain an application package via the Internet or from the Education Publications Center (ED Pubs). To obtain a copy via the Internet, use the following address: *www.ed.gov/fund/grant/apply/grantapps/index.html.* To obtain a copy from ED Pubs, write, fax, or call: ED Pubs, U.S. Department of Education, P.O. Box 22207, Alexandria, VA 22304. Telephone, toll free: 1–877–433–7827. FAX: (703) 605–6794. If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call, toll free: 1–877–576–7734.

You can contact ED Pubs at its Web site, also: *www.EDPubs.gov* or at its email address: *edpubs@inet.ed.gov.*

If you request an application package from ED Pubs, be sure to identify this competition as follows: CFDA number 84.325D.

Individuals with disabilities can obtain a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) by contacting the person or team listed under *Accessible Format* in section VIII of this notice.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit Part III to no more than 50 pages, using the following standards:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double-space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, reference citations, and captions, as well as all text in charts, tables, figures, graphs, and screen shots.
- Use a font that is 12 point or larger.
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

The page limit and double-spacing requirements do not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the abstract (follow the guidance provided in the application package for completing the abstract), the table of contents, the list of priority requirements, the resumes, the reference list, the letters of support, or the appendices. However, the page limit and double-spacing requirements do apply to all of Part III, the application narrative, including all text in charts, tables, figures, graphs, and screen shots.

We will reject your application if you exceed the page limit in the application narrative section or if you apply standards other than those specified in the application package.

3. *Submission Dates and Times:*

Applications Available: October 9, 2015.

Deadline for Transmittal of Applications: December 8, 2015.

Applications for grants under this competition must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to *Other Submission Requirements* section IV of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review: February 8, 2016.

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this program.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management:* To do business with the Department of Education, you must—

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM) (formerly the Central Contractor Registry), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

You can obtain a DUNS number from Dun and Bradstreet at the following Web site: *http://fedgov.dnb.com/webform.* A DUNS number can be created within one to two business days.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow two to five weeks for your TIN to become active.

The SAM registration process can take approximately seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data you enter into the SAM database. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

Note: Once your SAM registration is active, it may be 24 to 48 hours before you can access the information in, and submit an application through, Grants.gov.

If you are currently registered with SAM, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days.

Information about SAM is available at *www.SAM.gov.* To further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a SAM.gov Tip Sheet, which you can find at: *http://www2.ed.gov/fund/grant/apply/sam-faqs.html.*

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined at the following Grants.gov Web page: *www.grants.gov/web/grants/register.html.*

7. *Other Submission Requirements:* Applications for grants under this competition must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. *Electronic Submission of Applications.*

Applications for grants under the Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel competition, CFDA number 84.325D, must be submitted electronically using the Governmentwide Grants.gov Apply site at *www.Grants.gov.* Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not email an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement *and* submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement.*

You may access the electronic grant application for the Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel competition at *www.Grants.gov.* You must search for the downloadable application package for this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (*e.g.,* search for 84.325, not 84.325D).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and

submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.

• The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

• You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov under News and Events on the Department's G5 system home page at *www.G5.gov.* In addition, for specific guidance and procedures for submitting an application through Grants.gov, please refer to the Grants.gov Web site at: *www.grants.gov/web/grants/applicants/apply-for-grants.html.*

• You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

• You must submit all documents electronically, including all information you typically provide on the following forms: The Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.

• You must upload any narrative sections and all other attachments to your application as files in a read-only, non-modifiable Portable Document Format (PDF). Do not upload an interactive or fillable PDF file. If you upload a file type other than a read-only, non-modifiable PDF (*e.g.,* Word, Excel, WordPerfect, etc.) or submit a password-protected file, we will not review that material. Please note that this could result in your application not being considered for funding because the material in question—for example, the project narrative—is critical to a meaningful review of your proposal. For that reason it is important to allow yourself adequate time to upload all material as PDF files. The Department will not convert material from other formats to PDF. Additional, detailed information on how to attach files is in the application instructions.

• Your electronic application must comply with any page-limit requirements described in this notice.

• After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. This notification indicates receipt by Grants.gov only, not receipt by the Department. Grants.gov will also notify you automatically by email if your application met all the Grants.gov validation requirements or if there were any errors (such as submission of your application by someone other than a registered Authorized Organization Representative, or inclusion of an attachment with a file name that contains special characters). You will be given an opportunity to correct any errors and resubmit, but you must still meet the deadline for submission of applications.

Once your application is successfully validated by Grants.gov, the Department will retrieve your application from Grants.gov and send you an email with a unique PR/Award number for your application.

These emails do not mean that your application is without any disqualifying errors. While your application may have been successfully validated by Grants.gov, it must also meet the Department's application requirements as specified in this notice and in the application instructions. Disqualifying errors could include, for instance, failure to upload attachments in a read-only, non-modifiable PDF; failure to submit a required part of the application; or failure to meet applicant eligibility requirements. It is your responsibility to ensure that your submitted application has met all of the Department's requirements.

• We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1–800–518–4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that the problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. We will contact you after we determine whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the Grants.gov system because—

• You do not have access to the Internet; or

• You do not have the capacity to upload large documents to the Grants.gov system; *and*

• No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an

exception prevents you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Celia Rosenquist, U.S. Department of Education, 400 Maryland Avenue SW., Room 4070, Potomac Center Plaza, Washington, DC 20202–2600. FAX: (202) 245–7617.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. *Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.325D), LBJ Basement Level 1, 400 Maryland Avenue SW., Washington, DC 20202–4260.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

We will not consider applications postmarked after the application deadline date.

c. *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.325D), 550 12th Street SW., Room 7039, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this program are from 34 CFR 75.210 and are listed in the application package.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Additional Review and Selection Process Factors:* In the past, the Department has had difficulty finding peer reviewers for certain competitions because so many individuals who are eligible to serve as peer reviewers have conflicts of interest. The standing panel requirements under section 682(b) of IDEA also have placed additional constraints on the availability of reviewers. Therefore, the Department has determined that for some discretionary grant competitions, applications may be separated into two or more groups and ranked and selected for funding within specific groups. This procedure will make it easier for the Department to find peer reviewers by ensuring that greater numbers of individuals who are eligible to serve as reviewers for any particular group of applicants will not have conflicts of interest. It also will increase the quality, independence, and fairness of the review process, while permitting panel members to review applications under discretionary grant competitions for which they also have submitted applications. However, if the Department decides to select an equal number of applications in each group for funding, this may result in different cut-off points for fundable applications in each group.

4. *Risk Assessment and Special Conditions:* Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose special conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

(c) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

4. *Performance Measures:* Under GPRA, the Department has established a set of performance measures, including long-term measures, that are designed to yield information on various aspects of the effectiveness and quality of the Personnel Development to Improve Services and Results for Children with Disabilities program. These measures include: (1) The percentage of Special Education Personnel Development projects that incorporate evidence-based practices into their curricula; (2) the percentage of scholars completing Special Education Personnel Development funded programs who are knowledgeable and skilled in evidence-based practices for infants, toddlers, children, and youth with disabilities; (3) the percentage of Special Education Personnel Development funded scholars who exit preparation programs prior to completion due to poor academic performance; (4) the percentage of Special Education Personnel Development funded degree/certification recipients who are working in the area(s) for which they were prepared upon program completion; (5) the percentage of Special Education Personnel Development funded degree/certification recipients who are working in the area(s) for which they were prepared upon program completion and who are fully qualified under IDEA; (6) the percentage of Special Education Personnel Development funded degree/certification recipients who maintain employment in the area(s) for which they were prepared for three or more years and who are fully qualified under IDEA; and (7) the Federal cost per fully qualified degree/certification recipient.

In addition, the Department will gather information on the following outcome measures: (1) The number and percentage of degree/certification recipients who are employed in high-need schools; (2) the number and percentage of degree/certification recipients who are employed in a school for at least two years; and (3) the number and percentage of degree/certification recipients who are rated as effective by their employers.

Grantees may be asked to participate in assessing and providing information on these aspects of program quality.

5. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: Whether a grantee has made substantial progress in achieving the goals and objectives in its approved application and budget; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT: Celia Rosenquist, U.S. Department of Education, 400 Maryland Avenue SW., Room 4070, Potomac Center Plaza, Washington, DC 20202–2600. Telephone: (202) 245–7373.

If you use a TDD or a TTY, call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue SW., Room 5037, Potomac Center Plaza, Washington, DC 20202–2550. Telephone: (202) 245–7363. If you use a TDD or a TTY, call the FRS, toll free, at 1–800–877–8339.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or PDF. To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: October 6, 2015.

Michael K. Yudin,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 2015–25876 Filed 10–8–15; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No. ED–2015–ICCD–0098]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Federal Perkins/NDSL Loan Assignment Form

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before November 9, 2015.

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–2015–ICCD–0098. 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 2E103, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, 202–377–4018.

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: Federal Perkins/NDSL Loan Assignment Form.

OMB Control Number: 1845–0048.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Private Sector, State, Local and Tribal Governments.

Total Estimated Number of Annual Responses: 15,096.

Total Estimated Number of Annual Burden Hours: 7,548.

Abstract: Institutions participating in the Federal Perkins Loan program use the assignment form to assign loans to the Department for collection without recompense, transferring the authority to collect on the loan. This request is for continuing approval off the paper based assignment form and for approval of the electronic process being finalized. The same information is being requested in both processing methods. The electronic process will allow for batch processing as well as individual processing.

Dated: October 6, 2015.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2015–25761 Filed 10–8–15; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2015–ICCD–0119]

Agency Information Collection Activities; Comment Request; Student Assistance General Provisions—Annual Fire Safety Report

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before December 8, 2015.

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–2015–ICCD–0119. 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 2E103, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, 202–377–4018.

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: Student Assistance General Provisions—Annual Fire Safety Report.

OMB Control Number: 1845–0097.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Private Sector, State, Local and Tribal Governments.

Total Estimated Number of Annual Responses: 7, 964.

Total Estimated Number of Annual Burden Hours: 7,964.

Abstract: The Department of Education regulations at 34 CFR 668.49 require institutions to collect statistics on fires occurring in on-campus student housing facilities, including the number and cause of each fire, the number of injuries related to each fire that required treatment at a medical facility, the number of deaths related to each fire, and the value of property damage caused by each fire. Institutions must also publish an annual fire safety report containing the institution's policies regarding fire safety and the fire statistics information. Further institutions are required to maintain a fire log that records the date, time, nature, and general location of each fire in on-campus student housing facilities.

This request is to extend the current approval of reporting requirements contained in the regulations. The collection requirements in the regulations are necessary to meet institutional information reporting to students and staff as well as for

reporting to Congress through the Secretary.

Dated: October 5, 2015.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2015–25708 Filed 10–8–15; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

International Energy Agency Meetings

AGENCY: Department of Energy.

ACTION: Notice of meetings.

SUMMARY: The Industry Advisory Board (IAB) to the International Energy Agency (IEA) will meet on October 14, 2015, at the headquarters of the IEA in Paris, France, in connection with a joint meeting of the IEA's Standing Group on Emergency Questions (SEQ) and the IEA's Standing Group on the Oil Market (SOM), to be held on the same date.

DATES: October 14, 2015.

ADDRESSES: 9, rue de la Fédération, Paris, France.

FOR FURTHER INFORMATION CONTACT: Thomas Reilly, Assistant General for International and National Security Programs, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, 202–586–3417.

SUPPLEMENTARY INFORMATION: In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272(c)(1)(A)(i)) (EPCA), the following notice of meeting is provided:

Meetings of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held at the headquarters of the IEA, 9, rue de la Fédération, Paris, France, on October 14, 2015, commencing at 9:30 a.m. The purpose of this notice is to permit attendance by representatives of U.S. company members of the IAB at a joint meeting of the IEA's Standing Group on Emergency Questions (SEQ) and the IEA's Standing Group on the Oil Markets (SOM), which is scheduled to be held at the same location and time. The IAB will also hold a preparatory meeting among company representatives at the same location at 8:30 a.m. on October 14. The agenda for this preparatory meeting is to review the agenda for the SEQ meeting.

The expected participants at the SEQ meeting are Government delegates from IEA Member Countries, representatives of the IEA Secretariat, and representatives of some or all of the following companies and associations, each of which is a member of the IAB:

BHP Petroleum
BP
Chevron Corporation
ConocoPhillips Inc.
ENI S.p.A.
ExxonMobil Corp.
Fortum
Japan Petroleum Development Association
MOL
Neste Oil
OMV A.G.
Petro-Canada Ltd.
Petroleum Association of Japan
PKN ORLENS S.A.
Repsol
Shell International
Statoil
Total S.A.

Representatives of Directorate-General for Competition of the European Commission and representatives of members of the IEA Group of Reporting Companies may attend the meeting as observers. The meeting will also be open to representatives of the Secretary of Energy, the Secretary of State, the Attorney General, and the Federal Trade Commission severally, to any United States Government employee designated by the Secretary of Energy, and to the representatives of Committees of the Congress.

The agenda of the SEQ meeting is under the control of the SEQ. It is expected that the SEQ will adopt the following agenda:

1. Adoption of the Agenda
2. Approval of the Summary Record of the 145th Meeting
3. Status of Compliance with IEP Agreement Stockholding Obligations
4. Australian Compliance Update
5. ERR Programme
6. Mid-term Review of Turkey
7. Emergency Response Review of Denmark
8. Mid-term Review of Austria
9. Emergency Response Review of Norway
10. Outreach Activities
11. Emergency Response Review of Poland
12. Saving Oil in a Hurry
13. Industry Advisory Board Update
14. Analysis of the potential size of the Oil Stocks Ticket Market
15. Outline of ERE8 Plans
16. Ministerial
17. Oral Reports by Administrations
18. Other Business

Schedule of Next SEQ & SOM meetings:

—March 15–17, 2016
—May 31–June 2, 2016
—September 27–29, 2016

This notice is being published less than 15 days prior to the meeting date due to logistical issues caused by late notice of the meeting being provided to DOE.

Issued in Washington, DC, October 2, 2015.

Thomas Reilly,

Assistant General Counsel for International and National Security Programs.

[FR Doc. 2015–25766 Filed 10–8–15; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC15–205–000.

Applicants: Bishop Hill Energy LLC, California Ridge Wind Energy LLC, Prairie Breeze Wind Energy LLC.

Description: Application for Authorization under Section 203 of the Federal Power Act and Request for Waivers, Confidential Treatment, and Expedited Consideration of Bishop Hill Energy LLC, *et al.*

Filed Date: 9/11/15.

Accession Number: 20150911–5143.

Comments Due: 5 p.m. ET 10/2/15.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER13–1928–006.

Applicants: Duke Energy Progress, LLC, Duke Energy Carolinas, LLC.

Description: Compliance filing: Order No. 1000 Interregional—SERTP and SPP to be effective 1/1/2015.

Filed Date: 9/14/15.

Accession Number: 20150914–5072.

Comments Due: 5 p.m. ET 10/5/15.

Docket Numbers: ER15–2647–000.

Applicants: Tres Amigas, LLC.

Description: Baseline eTariff Filing: Tres Amigas-Broadview Energy Agreements to be effective 11/10/2015.

Filed Date: 9/11/15.

Accession Number: 20150911–5137.

Comments Due: 5 p.m. ET 10/2/15.

Docket Numbers: ER15–2648–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Revisions to Operating Agreement Schedule 6 Section 1.5 re: Fee Proposal Windows to be effective 12/31/9998.

Filed Date: 9/11/15.

Accession Number: 20150911–5142.

Comments Due: 5 p.m. ET 10/2/15.

Docket Numbers: ER15–2649–000.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.

Description: § 205(d) Rate Filing: 2015–09–14_SA 2839 ATXI–AIC Construction Agreement (Kansas Substation) to be effective 9/14/2015.

Filed Date: 9/14/15.

Accession Number: 20150914–5088.

Comments Due: 5 p.m. ET 10/5/15.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR15–18–000.

Applicants: North American Electric Reliability Corporation.

Description: Petition of the North American Electric Reliability Corporation for Approval of Amendments to Exhibit B to the Delegation Agreement with SERC Reliability Corporation—Amendments to SERC Bylaws.

Filed Date: 9/14/15.

Accession Number: 20150914–5122.

Comments Due: 5 p.m. ET 10/5/15.

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 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: September 14, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–25730 Filed 10–8–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Southwestern Power Administration

Robert D. Willis Power Rate

AGENCY: Southwestern Power Administration, DOE.

ACTION: Notice of public review and comment.

SUMMARY: The Acting Administrator, Southwestern Power Administration (Southwestern), has prepared Current and Revised 2015 Power Repayment Studies for the Robert D. Willis project which show the need for an increase in annual revenues to meet cost recovery criteria. Such increased revenues are needed primarily to cover the costs associated with increased operations and maintenance costs, increased interest expense plus increased costs associated with investments and replacements in the hydroelectric generating facilities. The Acting Administrator of Southwestern has developed a proposed Robert D. Willis Rate Schedule, which is supported by power repayment studies, to recover the required revenues. The Revised 2015 Power Repayment Study indicates that the proposed Rate Schedule would increase annual revenues approximately 8.6 percent from $1,181,496 to $1,282,836 effective January 1, 2016 through September 30, 2019.

DATES: The consultation and comment period will end on November 9, 2015. If requested, a combined Public Information and Comment Forum (Forum) will be held in Tulsa, Oklahoma at 9:00 a.m. on October 28, 2015. Persons desiring the Forum to be held must send a written request for such Forum to the Senior Vice President, Chief Operating Officer (see **FOR FUTHER INFORMATION CONTACT**) by October 16, 2015. If no request is received, the Forum will not be held.

ADDRESSES: If requested, the Forum will be held in Southwestern's offices, Room 1460, Williams Center Tower I, One West Third Street, Tulsa, Oklahoma 74103.

FOR FURTHER INFORMATION CONTACT: Marshall Boyken, Senior Vice President, Chief Operating Officer, Office of Corporate Operations, Southwestern Power Administration, U.S. Department of Energy, One West Third Street, Tulsa, Oklahoma 74103, (918) 595–6646, *marshall.boyken@swpa.gov.*

SUPPLEMENTARY INFORMATION: Originally established by Secretarial Order No. 1865 dated August 31, 1943, Southwestern is an agency within the U.S. Department of Energy (DOE) created by the Department of Energy Organization Act, Public Law 95–91, dated August 4, 1977.

Southwestern markets power from 24 multi-purpose reservoir projects with hydroelectric power facilities constructed and operated by the U.S. Army Corps of Engineers (Corps). These projects are located in the states of Arkansas, Missouri, Oklahoma, and Texas. Southwestern's marketing area includes these states plus Kansas and Louisiana. The costs associated with the hydropower facilities of 22 of the 24 projects are repaid via revenues received under the Integrated System rates, as are the costs associated with Southwestern's transmission facilities that consist of 1,380 miles of high-voltage transmission lines, 25 substations, and 46 microwave and VHF radio sites. Costs associated with the Sam Rayburn and Robert D. Willis Dams, two Corps projects that are isolated hydraulically, electrically, and financially from the Integrated System, are repaid by separate rate schedules.

Guidelines for preparation of power repayment studies are included in DOE Order No. RA 6120.2 entitled Power Marketing Administration Financial Reporting. Following DOE guidelines, Southwestern prepared a 2015 Current Power Repayment Study using the existing Robert D. Willis Rate Schedule.[1] This study indicates that Southwestern's legal requirement to repay the investment in the power generating facility for power and energy marketed by Southwestern will not be met without an increase in revenues. The need for increased revenues is primarily due to increased operations and maintenance costs, increased interest expense plus increased costs associated with investments and replacements in the Corps hydroelectric generating facilities. The 2015 Revised Power Repayment Study shows that additional annual revenues of $101,340 (an 8.6 percent increase), beginning January 1, 2016, are needed to satisfy repayment criteria.

Due to concerns expressed by Southwestern's customers during the development of the 2015 Power Repayment Studies regarding implementation of the proposed increase just a few months after fully implementing the existing rate schedule which consisted of a 10.2 percent revenue increase, Southwestern is proposing to increase revenue in two steps over a two-year period. Because Southwestern's current rates are sufficient to recover all average operation and maintenance expenses during the next two years, the ability to meet both annual and long-term repayment criteria is satisfied by increasing revenues in two steps over the period.

The first step of the rate increase, beginning January 1, 2016, would incorporate one half of the required revenue or 4.3 percent ($50,670). The second step of the rate increase, beginning January 1, 2017 and ending on September 30, 2019, would incorporate the remaining revenue

[1] FERC, on June 3, 2015, confirmed and approved the existing Robert D. Willis rate schedule for the period January 1, 2015 through September 30, 2018. See 151 FERC ¶ 62,156.

requirement ($50,670 or 4.3 percent). Southwestern will continue to perform its Power Repayment Studies annually, and if the 2016 results should indicate the need for additional revenues, another rate filing will be conducted and updated revenue requirements implemented for fiscal year 2017 and thereafter.

Procedures for public participation in power and transmission rate adjustments of the Power Marketing Administrations are found at title 10, part 903, subpart A of the Code of Federal Regulations (10 CFR part 903). Southwestern's customers and other interested parties may request copies of the 2015 Robert D. Willis Power Repayment Studies and the proposed Rate Schedule. Submit requests to the Director, Division of Resources and Rates, Office of Corporate Operations, Southwestern Power Administration, One West Third, Tulsa, OK 74103, (918) 595–6684 or via email to *swparates@swpa.gov*.

If requested a Public Information and Comment Forum (Forum) will be held on October 28, 2015, to explain to customers and interested parties the proposed Rate Schedule and supporting 2015 Power Repayment Studies, and to allow for comment. A chairman, who will be responsible for orderly procedure, will conduct the Forum if requested. Questions concerning the rates, studies, and information presented at the Forum will be answered, to the extent possible, at the Forum. Questions not answered at the Forum will be answered in writing. Questions involving voluminous data contained in Southwestern's records may best be answered by consultation and review of pertinent records at Southwestern's offices.

Persons requesting that a Forum be held should indicate in writing to the Senior Vice President and Chief Operating Officer (see **FOR FURTHER INFORMATION CONTACT**) by letter, email, or facsimile transmission (918–595–6646) by October 16, 2015, their request for such a Forum. If no request is received, no such Forum will be held. Persons interested in speaking at the Forum, if held, should submit a request to the Senior Vice President and Chief Operating Officer, Southwestern, at least seven (7) calendar days prior to the Forum so that a list of forum participants can be developed. The chairman may allow others to speak if time permits.

A transcript of the Forum, if held, will be made. Copies of the transcript and all documents introduced will be available for review at Southwestern's offices (see **ADDRESSES**) during normal business hours. Copies of the transcript and all documents introduced may also be obtained, for a fee, from the transcribing service. A copy of all written comments or an electronic copy in MS Word on the proposed Robert D. Willis Rate Schedule is due on or before November 9, 2015. Comments should be submitted to the Senior Vice President and Chief Operating Officer, Southwestern, (see **FOR FURTHER INFORMATION CONTACT**).

Procedures for the confirmation and approval of rates for the Federal Power Marketing Administrations are found at title 18, part 300, subpart L of the Code of Federal Regulations (18 CFR part 300). The Acting Administrator will review and consider oral and written comments and the information gathered in the course of the proceeding when submitting the finalized Robert D. Willis Power Repayment Studies and Rate Schedule Proposal in support of the proposed rate to the Deputy Secretary of Energy for confirmation and approval on an interim basis, and subsequently to the Federal Energy Regulatory Commission for confirmation and approval on a final basis. Once submitted for final confirmation and approval, the Commission will allow the public an opportunity to provide written comments on the proposed rate increase before making a final decision.

Dated: September 30, 2015.

Scott Carpenter,

Acting Administrator.

[FR Doc. 2015–25644 Filed 10–8–15; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Southwestern Power Administration

Sam Rayburn Dam Power Rate

AGENCY: Southwestern Power Administration, DOE.

ACTION: Notice of public review and comment.

SUMMARY: The Acting Administrator, Southwestern Power Administration (Southwestern), has prepared Current and Revised 2015 Power Repayment Studies for the Sam Rayburn Dam project which show the need for an increase in annual revenues to meet cost recovery criteria. Such increased revenues are needed primarily to cover the costs associated with increased operations and maintenance costs and increased interest expense associated with investments and replacements in the hydroelectric generating facilities. The Acting Administrator of Southwestern has developed a proposed Sam Rayburn Dam Rate Schedule, which is supported by power repayment studies, to recover the required revenues. The Revised 2015 Power Repayment Study indicates that the proposed Rate Schedule would increase annual revenues approximately 7.9 percent from $4,230,120 to $4,563,792 effective January 1, 2016 through September 30, 2019.

DATES: The consultation and comment period will end on November 9, 2015. If requested, a combined Public Information and Comment Forum (Forum) will be held in Tulsa, Oklahoma at 9:00 a.m. on October 22, 2015. Persons desiring the Forum to be held must send a written request for such Forum to the Senior Vice President, Chief Operating Officer (see **FOR FURTHER INFORMATION CONTACT**) by October 16, 2015. If no request is received, the Forum will not be held.

ADDRESSES: If requested, the Forum will be held in Southwestern's offices, Room 1460, Williams Center Tower I, One West Third Street, Tulsa, Oklahoma 74103.

FOR FURTHER INFORMATION CONTACT: Marshall Boyken, Senior Vice President, Chief Operating Officer, Office of Corporate Operations, Southwestern Power Administration, U.S. Department of Energy, One West Third Street, Tulsa, Oklahoma 74103, (918) 595–6646, *marshall.boyken@swpa.gov.*

SUPPLEMENTARY INFORMATION: Originally established by Secretarial Order No. 1865 dated August 31, 1943, Southwestern is an agency within the U.S. Department of Energy created by the Department of Energy Organization Act, Public Law 95–91, dated August 4, 1977.

Southwestern markets power from 24 multi-purpose reservoir projects with hydroelectric power facilities constructed and operated by the U.S. Army Corps of Engineers (Corps). These projects are located in the states of Arkansas, Missouri, Oklahoma, and Texas. Southwestern's marketing area includes these states plus Kansas and Louisiana. The costs associated with the hydropower facilities of 22 of the 24 projects are repaid via revenues received under the Integrated System rates, as are the costs associated with Southwestern's transmission facilities that consist of 1,380 miles of high-voltage transmission lines, 25 substations, and 46 microwave and VHF radio sites. Costs associated with the Sam Rayburn and Robert D. Willis Dams, two Corps projects that are isolated hydraulically, electrically, and financially from the Integrated System, are repaid by separate rate schedules.

Guidelines for preparation of power repayment studies are included in DOE Order No. RA 6120.2 entitled Power Marketing Administration Financial Reporting. Following DOE guidelines, Southwestern prepared a 2015 Current Power Repayment Study using the existing Sam Rayburn Dam Rate Schedule.[1] This study indicates that Southwestern's legal requirement to repay the investment in the power generating facility for power and energy marketed by Southwestern will not be met without an increase in revenues. The need for increased revenues is primarily due to increased operations and maintenance costs and increased interest expense associated with investments and replacements in the Corps hydroelectric generating facilities. The 2015 Revised Power Repayment Study shows that additional annual revenues of $333,672 (a 7.9 percent increase), beginning January 1, 2016, are needed to satisfy repayment criteria.

Southwestern will continue to perform its Power Repayment Studies annually, and if the 2016 results should indicate the need for additional revenues, another rate filing will be conducted and updated revenue requirements implemented for fiscal year 2017 and thereafter.

Procedures for public participation in power and transmission rate adjustments of the Power Marketing Administrations are found at title 10, part 903, subpart A of the Code of Federal Regulations (10 CFR part 903). Southwestern's customers and other interested parties may request copies of the 2015 Sam Rayburn Dam Power Repayment Studies and the proposed Rate Schedule. Submit requests to the Director, Division of Resources and Rates, Office of Corporate Operations, Southwestern Power Administration, One West Third, Tulsa, OK 74103, (918) 595–6684 or via email to *swparates@swpa.gov*.

If requested a Public Information and Comment Forum (Forum) will be held on October 22, 2015, to explain to customers and interested parties the proposed Rate Schedule and supporting 2015 Power Repayment Studies, and to allow for comment. A chairman, who will be responsible for orderly procedure, will conduct the Forum if requested. Questions concerning the rates, studies, and information presented at the Forum will be answered, to the extent possible, at the Forum. Questions not answered at the Forum will be answered in writing. Questions involving voluminous data contained in Southwestern's records may best be answered by consultation and review of pertinent records at Southwestern's offices.

Persons requesting that a Forum be held should indicate in writing to the Senior Vice President and Chief Operating Officer (see **FOR FURTHER INFORMATION CONTACT**) by letter, email, or facsimile transmission (918–595–6646) by October 16, 2015, their request for such a Forum. If no request is received, no such Forum will be held. Persons interested in speaking at the Forum, if held, should submit a request to the Senior Vice President and Chief Operating Officer, Southwestern, at least seven (7) calendar days prior to the Forum so that a list of forum participants can be developed. The chairman may allow others to speak if time permits.

A transcript of the Forum, if held, will be made. Copies of the transcript and all documents introduced will be available for review at Southwestern's offices (see **ADDRESSES**) during normal business hours. Copies of the transcript and all documents introduced may also be obtained, for a fee, from the transcribing service. A copy of all written comments or an electronic copy in MS Word on the proposed Sam Rayburn Dam Rate Schedule is due on or before November 9, 2015. Comments should be submitted to the Senior Vice President and Chief Operating Officer, Southwestern, (see **FOR FURTHER INFORMATION CONTACT**).

Procedures for the confirmation and approval of rates for the Federal Power Marketing Administrations are found at title 18, part 300, subpart L of the Code of Federal Regulations (18 CFR part 300). The Acting Administrator will review and consider oral and written comments and the information gathered in the course of the proceeding when submitting the finalized Sam Rayburn Dam Power Repayment Studies and Rate Schedule Proposal in support of the proposed rate to the Deputy Secretary of Energy for confirmation and approval on an interim basis, and subsequently to the Federal Energy Regulatory Commission for confirmation and approval on a final basis.

Once submitted for final confirmation and approval, the Commission will allow the public an opportunity to provide written comments on the proposed rate increase before making a final decision.

[1] FERC, on February 6, 2014, confirmed and approved the existing Sam Rayburn Dam rate schedule for the period October 1 2013 through September 30, 2017. See 146 FERC ¶ 62,105 (FERC Docket No. EF14–2–000).

Dated: September 30, 2015.

Scott Carpenter,

Acting Administrator.

[FR Doc. 2015–25765 Filed 10–8–15; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9023–4]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal, Activities, General Information (202) 564–7146 or *http://www2.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EISs)

Filed 09/28/2015 Through 10/02/2015 Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search.*

EIS No. 20150284, Draft, NPS, CA, Scorpion Pier Replacement, *Comment Period Ends:* 12/18/2015, *Contact:* Karl Bachman 805–658–5700.

EIS No. 20150285, Final, FERC, OR, Jordan Cove Energy and Pacific Connector Gas Pipeline Project, *Review Period Ends:* 11/08/2015, *Contact:* Paul Friedman 202–502–8059.

EIS No. 20150286, Draft, FERC, ID, Bear River Narrows Hydroelectric Project-FERC Project 12486–008, *Comment Period Ends:* 11/30/2015, *Contact:* Shana Murray 202–502–8333.

EIS No. 20150287, Draft, NGA, MO, Next NGA West Campus in the Greater St. Louis Metropolitan Area, *Comment Period Ends:* 11/23/2015, *Contact:* David Berczek (NGA) 314–676–1123 and Amy Blair (COE) 816–389–3393.

EIS No. 20150288, Draft, USACE, NE., Nebraska Highway 12 Niobrara East and West, *Comment Period Ends:* 11/23/2015, *Contact:* Rebecca J. Latka 402–995–2681.

Amended Notices

EIS No. 20150207, Draft, DOE, NH, Northern Pass Transmission Line Project, *Comment Period Ends:* 12/31/2015, *Contact:* Brian Mills 202–586–8267 Revision to FR Notice Published 07/24/2015; Extending Comment Period from 10/29/2015 to 12/31/20115.

EIS No. 20150264, Final, FHWA, TN, Pellissippi Parkway Extension (State

Route 162) from State Route 33 (Old Knoxville Highway) to US 321/State Route 73/Lamar Alexander Parkway, *Review Period Ends:* 11/18/2015, *Contact:* Theresa Claxton 615–781–5770. Revision to FR Notice Published: 09/18/2015; Extending Comment Period from 10/19/2015 to 11/18/2015.

EIS No. 20150278, Draft, USACE, GA, Update of the Water Control Manual for the Apalachicola-Chattahoochee-Flint River Basin in Alabama, Florida, and Georgia and Water Supply Storage Assessment, *Comment Period Ends:* 12/01/2015, *Contact:* Lewis C. Sumner 251–694–3857. Revision to FR Notice Published 10/02/2015; Correction to EIS Status should read 'Draft' and Correcting the Comment Period from 11/16/2015 to 12/1/2015.

Dated: October 6, 2015.

Karin Leff,

Acting Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2015–25795 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9935–20-Region 5]

Notice of Issuance of Part 71 Federal Operating Permit to Great Lakes Transmission Limited Partnership

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces that on August 28, 2015, pursuant to title V of the Clean Air Act, the Environmental Protection Agency (EPA) issued a title V permit to operate (title V permit) to Great Lakes Transmission Limited Partnership. This permit authorizes Great Lakes Transmission Limited Partnership to operate a natural gas compressor station at its facility (Facility) in Deer River, Minnesota. The compressor station consists of two stationary natural gas-fired turbines, which in turn drive two natural gas compressors for the Deer River Compressor Station No.4, which is located on the Leech Lake Band of Ojibwe Indian Reservation.

DATES: During the public comment period, which ended June 1, 2015, EPA received comments on the draft title V permit. Therefore, in accordance with 40 CFR 71.11(i)(2), this permit is effective 30 days after service of notice of the decision to issue the permit, October 2, 2015. 40 CFR 71.11(i)(2) provides that the final permit decision becomes effective 30 days after the service of notice of the decision unless a later effective date is specified, review is requested, or no comments requested a change in the draft permit, in which case the permit becomes effective immediately upon issuance. The exceptions noted above to the 30 days after notice of permit issuance date did not apply in this permitting action. EPA received comments on the draft permit from the Leech Lake Band of Ojibwe and the Minnesota Historical Society State Historic Preservation Office during the public comment period, and changes were made to the final permit.

ADDRESSES: The final signed permit is available for public inspection online at *http://yosemite.epa.gov/r5/r5ard.nsf/Tribal+Permits!OpenView,* or during normal business hours at the following address: EPA, Region 5, 77 West Jackson Boulevard (AR–18J), Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Constantine Blathras, Environmental Engineer, EPA, Region 5, 77 W. Jackson Boulevard (AR–18J), Chicago, Illinois 60604, (312) 886–0671, or *blathras.constantine@epa.gov*.

SUPPLEMENTARY INFORMATION: This supplemental information is organized as follows:

A. What is the background information?
B. What is the purpose of this notice?

A. What Is the background information?

The Deer River Compressor Station No. 4 is owned by Great Lakes Transmission Limited Partnership. Deer River Compressor Station No. 4 consists of two stationary natural gas-fired turbines which, in turn, drive two natural gas compressors. EPA received the permit application on April 25, 2014.

On April 29, 2015, EPA made available for a 30-day public comment a draft Federal title V permit to operate (V–LL–2706100011–14–01) in accordance with the requirements of 40 CFR 71.11(d). This title V permit incorporated all applicable air quality requirements for the Deer River Compressor Station No.4, including the monitoring necessary to ensure compliance with these requirements. EPA received written comments, responded to those comments, finalized the permit and provided copies to the applicant pursuant to 40 CFR 71.11(i).

B. What is the purpose of this notice?

EPA is notifying the public of the issuance of the title V permit to Great Lakes Transmission Limited Partnership on August 28, 2015. Because EPA received comments on the draft title V permit, it is effective 30 days after notice of permit issuance, October 2, 2015, pursuant to 40 CFR 71.11(i)(2).

Dated: September 25, 2015.

Susan Hedman,

Regional Administrator, Region 5.

[FR Doc. 2015–25838 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2014–0734; FRL 9933–60–OEI]

Agency Information Collection Activities; Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Health and Safety Data Reporting, Submission of Lists and Copies of Health and Safety Studies

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has submitted the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA): ''Health and Safety Data Reporting, Submission of Lists and Copies of Health and Safety Studies'' and identified by EPA ICR No. 0575.15 and OMB Control No. 2070–0004. The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized in this document. EPA did not receive any comments in response to the previously provided public review opportunity issued in the **Federal Register** on March 30, 2015 (80 FR 16672). With this submission, EPA is providing an additional 30 days for public review.

DATES: Comments must be received on or before November 9, 2015.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2014–0734, to both EPA and OMB as follows:

- To EPA online using *http://www.regulations.gov* (our preferred method) or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.
- To OMB via email to *oira_submission@omb.eop.gov*. Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the docket without change, including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI), or other information whose disclosure is restricted by statute. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Colby Lintner, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov*.

SUPPLEMENTARY INFORMATION:

Docket: Supporting documents, including the ICR that explains in detail the information collection activities and the related burden and cost estimates that are summarized in this document, are available in the docket for this ICR. The docket can be viewed online at *http://www.regulations.gov* or in person at the EPA Docket Center, West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is (202) 566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets*.

ICR status: This ICR is currently scheduled to expire on November 30, 2015. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB.

Under PRA, 44 U.S.C. 3501 *et seq.,* an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: Section 8(d) of the Toxic Substances Control Act (TSCA) and 40 CFR part 716 require manufacturers and processors of chemicals to submit lists and copies of health and safety studies relating to the health and/or environmental effects of certain chemical substances and mixtures. In order to comply with the reporting requirements of TSCA section 8(d), respondents must search their records to identify any health and safety studies in their possession, copy and process relevant studies, list studies that are currently in progress, and submit this information to EPA.

EPA uses this information to construct a complete picture of the known effects of the chemicals in question, leading to determinations by EPA of whether additional testing of the chemicals is required. The information enables EPA to base its testing decisions on the most complete information available and to avoid demands for testing that may be duplicative. EPA will use information obtained via this collection to support its investigation of the risks posed by chemicals and, in particular, to support its decisions on whether to require industry to test chemicals under section 4 of TSCA. This information collection request addresses the reporting requirements found in TSCA section 8(d).

Respondents/Affected Entities: Persons who manufacture, process, or distribute in commerce chemical substances or mixtures, or who propose to do so.

Respondent's obligation to respond: Mandatory. (see 40 CFR part 716).

Estimated total number of potential respondents: 119.

Frequency of response: On occasion.

Estimated total burden: 1,605 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Estimated total costs: $116,551 (per year), includes no annualized capital investment or maintenance and operational costs.

Changes in the estimates: There is a net decrease of 6,778 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects in particular EPA's withdrawal of a cadmium reporting rule, the burden for which is included in the currently approved ICR. In addition there was a smaller burden increase resulting from the one-time requirement for respondents to register with EPA's CDX reporting system and to establish electronic signature agreements, plus correcting the estimated number of robust summaries submitted each year. This change is both a program change (in the case of the burden decrease due to the withdrawal of the cadmium rule) and an adjustment (for all other burden changes).

Authority: 44 U.S.C. 3501 *et seq.*

Courtney Kerwin,

Acting Director, Collection Strategies Division.

[FR Doc. 2015–25753 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9935–23–OAR]

Acid Rain Program: Notice of Annual Adjustment Factors for Excess Emissions Penalty

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of annual adjustment factors for excess emissions penalty.

SUMMARY: The Acid Rain Program under title IV of the Clean Air Act provides for automatic excess emissions penalties in dollars per ton of excess emissions for sources that do not meet their annual Acid Rain emissions limitations. This notice states the dollars per ton excess emissions penalty amounts, which must be adjusted for each compliance year commensurate with changes in the Consumer Price Index (CPI), for compliance years 2015 and 2016.

FOR FURTHER INFORMATION CONTACT: Robert L. Miller, Clean Air Markets Division (6204M), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460, at (202) 343–9077 or *miller.robertl@epa.gov*.

SUPPLEMENTARY INFORMATION: The Acid Rain Program under title IV of the Clean Air Act limits annual sulfur dioxide and nitrogen oxide emissions of fossil fuel-fired utility units. Under the Acid Rain Program, affected sources must hold enough allowances to cover their sulfur dioxide emissions, and certain coal-fired sources must meet an emission limit for nitrogen oxides. Under 40 CFR 77.6, sources that do not meet these requirements must pay a penalty without demand to the Administrator based on the number of excess tons emitted times $2,000 as adjusted by an annual adjustment factor, which must be published in the **Federal Register**.

The annual adjustment factor for adjusting the penalty for excess emissions of sulfur dioxide and nitrogen oxides under 40 CFR part 77.6(b) for compliance year 2015 is 1.9089. This value is derived using the CPI for 1990 and 2014 (defined respectively at 40 CFR 72.2 as the CPI for August of the year before the specified year for all urban consumers) and results in an automatic penalty of $3,818 per excess

ton of sulfur dioxide or nitrogen oxides emitted for 2015.

The annual adjustment factor for adjusting the penalty for such excess emissions under 40 CFR 77.6(b) for compliance year 2016 is 1.9126. This value is derived using the CPI for 1990 and 2015 and results in an automatic penalty of $3,825 per excess ton of sulfur dioxide or nitrogen oxides emitted for 2016.

Dated: October 1, 2015.

Reid P. Harvey,

Director, Clean Air Markets Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 2015–25844 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2003–0078; FRL–9935–49–OEI]

Proposed Information Collection Request; Comment Request; Landfill Methane Outreach Program (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is planning to submit an information collection request (ICR), ''Landfill Methane Outreach Program'' (EPA ICR No. 1849.07, OMB Control No. 2060–0446) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through March 31, 2016. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before December 8, 2015.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OAR–2003–0078 online using *www.regulations.gov* (our preferred method), by email to *a-and-r-Docket@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Kirsten Cappel, Climate Change Division, Office of Atmospheric Programs, 6207A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 343–9556; fax number: (202) 343–2342; email address: *cappel.kirsten@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) 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; (ii) 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; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) 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. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: The Landfill Methane Outreach Program (LMOP), created by EPA as part of the United States' commitment to reduce greenhouse gas emissions under the United Nations Framework Convention on Climate Change, is a voluntary program designed to encourage and facilitate the development of environmentally and economically sound landfill gas (LFG) energy projects across the United States to reduce methane emissions from landfills. LMOP meets these objectives by educating local governments and communities about the benefits of LFG recovery and use; building partnerships between state agencies, industry, energy service providers, local communities, and other stakeholders interested in developing this valuable resources in their community; and providing tools to evaluate LFG energy potential. LMOP signed voluntary Memoranda of Understanding (MOUs) with these organizations to enlist their support in promoting cost-effective LFG utilization. The information collection includes completion and submission of the MOU, periodic information updates, and annual completion and submission of basic information on landfill methane projects with which the organizations are involved as an effort to update the LMOP Landfill and Landfill Gas Energy Project Database. The information collection is to be utilized to maintain up-to-date data and information about LMOP Partners and LFG energy projects with which they are involved. The data will also be used by the public to access LFG energy project development opportunities in the United States. In addition, the information collection will assist LMOP in evaluating the reduction of methane emissions from landfills.

Form Numbers: 5900–157, 5900–158, 5900–159, 5900–160, 5900–161, and 5900–162.

Respondents/affected entities: Entities potentially affected by this action are those private companies and municipalities that own or operate landfills; manufacturers and suppliers of equipment/knowledge to capture and utilize LFG; utility companies; end-users of energy from landfills; developers of LFG energy projects; State agencies; and other LFG energy stakeholders.

Respondent's obligation to respond: Voluntary.

Estimated number of respondents: 1,150.

Frequency of response: On occasion.

Total estimated burden: 3,632 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $284,885 (per year), includes $225 annualized capital or operation & maintenance costs.

Changes in Estimates: There is a decrease of approximately 1,750 hours in the total estimated respondent burden compared with the ICR currently approved by OMB due to improved estimates of respondent participation

and attrition. Our initial market research shows that for each year of this ICR, there will be a net gain of 15 new respondents.

Dated: September 25, 2015.

Paul M. Gunning,

Director, Climate Change Division.

[FR Doc. 2015–25837 Filed 10–8–15; 8:45 am]

BILLING CODE 6560–50–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 October 27, 2015.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *James L. Bellinson, Bloomfield Township, Michigan, individually, and Eric Todd, York Township, Michigan, Neil Glaser, Brooklyn, New York, and Susan Bellinson,* City Island, New York, together as a group acting in concert, to acquire voting shares of Level One Bancorp, and thereby indirectly acquire voting shares of Level One Bank, both in Farmington Hills, Michigan.

Board of Governors of the Federal Reserve System, October 6, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–25748 Filed 10–8–15; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–15–0856]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted 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 notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Enhance the quality, utility, and clarity of the information to be collected; (d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570 or send an email to *omb@cdc.gov.* Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395–5806. Written comments should be received within 30 days of this notice.

Proposed Project

National Quitline Data Warehouse (OMB No. 0920–0856, exp. 10/31/2015)—Revision—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Tobacco use remains the leading preventable cause of disease and death in the United States. Quitlines are telephone-based services that provide callers with information, counseling, and referrals to support tobacco cessation. Quitlines overcome many of the barriers to tobacco cessation classes and traditional clinics because they are free and available at the caller's convenience.

CDC's Office on Smoking and Health (OSH) has provided funding and technical assistance to 53 Quitlines in all 50 states, the District of Columbia, Guam, and Puerto Rico. Callers may call state-specific numbers or contact Quitlines through a nationally branded portal (1–800–QUIT–NOW) and are then routed to the Quitline managed by their state or territory. Although Quitline services and operations vary across states and territories, some activities are based on common protocols that provide a framework for program monitoring and evaluation.

During the most recent approved information collection period, all 53 Quitlines reported information to CDC's National Quitline Data Warehouse (NQDW). Data collection consisted of de-identified caller intake information based on a minimum data set (MDS) developed collaboratively by the Quitlines and stakeholders including professional organizations and the CDC. In addition, all 53 Quitlines reported de-identified information on a subset of callers who participated in a voluntary, seven-month follow-up interview. Finally, the Tobacco Control Manager for each state- or territory-based Quitline submitted a quarterly services report to CDC which summarized its services, call volume, and caller characteristics. These reports have been used to quantify changes in service provision and improvements in the capacity of the Quitlines to assist tobacco users over time. Based on NQDW data, the average time to complete the NQDW Quitline Services Online Survey is 20 minutes. The majority of these data are submitted through the web-based survey although CDC will accept other electronic means as needed (*i.e.,* email, PDF, fax).

In 2015, CDC provided funding to expand services through the Asian Smokers' Quitline (ASQ). The ASQ offers tobacco cessation support services to callers who speak Chinese, Korean, or Vietnamese. Callers may be routed to the ASQ from any state or territory currently participating in the NQDW.

CDC requests OMB approval to revise information collection for the NQDW as follows.

The ASQ will become an additional respondent providing data to the NQDW using the NQDW Intake Questionnaire, NQDW (ASQ) Seven-Month Follow-up Questionnaire, and NQDW Quitline Services Survey. This increases the number of participating Quitlines from 53 to 54.

Five questions will be added to the NQDW Intake Questionnaire to collect information about pregnancy, insurance status, type of health insurance, mental health, and language of service. The estimated burden per response for a complete intake interview is 10 minutes. The complete intake interview is only administered to callers who request information or assistance for themselves. A short version of the intake interview will be administered to any caller who contacts a quitline on behalf of another person. The short version of the intake interview consists of a subset of four questions. The estimated burden per response for these callers is one minute.

The Seven-Month Follow-up Questionnaire will be discontinued for all callers except those who receive services through the ASQ.

Individual-level data (intake and 7-month follow-up) are submitted to CDC electronically through a secure FTP server or via U.S. mail. The burden table for the NQDW includes allocations for the caller intake and follow-up interviews, and an allocation for quitlines to prepare and submit the de-identified aggregate files.

The information collected in the NQDW will be used to determine the role Quitlines play in promoting tobacco use cessation, measure the number of tobacco users being served by state quitlines, determine reach of Quitlines to high-risk populations (*e.g.,* racial and ethnic minorities and the medically underserved), measure the number using each state quitline who quit, determine whether some combinations of services contribute to higher quit rates than others, and improve the timeliness, access to, and quality of data collected by quitlines.

OMB approval is requested for three years. During this period there is a net reduction in total estimated annualized burden hours due to adjustments in the estimated number of Quitline callers. There are no costs to respondents other than their time. The total estimated annualized burden hours are 80,708.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hrs.)
Quitline callers who contact the quitline for help for themselves.	NQDW Intake Questionnaire (English-complete).	478,638	1	10/60
	ASQ Intake Questionnaire (Chinese, Korean, or Vietnamese-complete).	803	1	10/60
	ASQ Seven-Month Follow-up Questionnaire	659	1	7/60
Caller who contacts the Quitline on behalf of someone else.	NQDW Intake Questionnaire (English-subset).	26,007	1	1/60
	ASQ Intake Questionnaire (Chinese, Korean, or Vietnamese-subset).	116	1	1/60
Tobacco Control Manager or their Designee/ Quitline Service Provider.	Submission of NQDW Intake Questionnaire Electronic Data File to CDC.	54	4	1
	Submission of NQDW (ASQ) Seven-Month Follow-up Electronic Data File to CDC.	1	1	1
	NQDW Quitline Services Survey	54	4	20/60

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2015–25734 Filed 10–8–15; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10079]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by December 8, 2015.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic

Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number ____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' Web site address at *http://www.cms.hhs.gov/PaperworkReductionActof1995.*

2. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov.*

3. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: Reports Clearance Office at (410) 786–1326.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10079 Hospital Wage Index Occupational Mix Survey and Supporting Regulations in 42 CFR, Section 412.64

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Hospital Wage Index Occupational Mix Survey and Supporting Regulations in 42 CFR, Section 412.64; *Use:* Section 304(c) of Public Law 106–554 amended section 1886(d) (3) (E) of the Social Security Act to require CMS to collect data every three years on the occupational mix of employees for each short-term, acute care hospital participating in the Medicare program, in order to construct an occupational mix adjustment to the wage index, for application beginning October 1, 2004 (the FY 2005 wage index). The purpose of the occupational mix adjustment is to control for the effect of hospitals' employment choices on the wage index. For example, hospitals may choose to employ different combinations of registered nurses, licensed practical nurses, nursing aides, and medical assistants for the purpose of providing nursing care to their patients. The varying labor costs associated with these choices reflect hospital management decisions rather than geographic differences in the costs of labor. The FY 2016 survey will provide for the collection of hospital-specific wages and hours data for calendar year 2016 (that is, payroll periods ending between January 1, 2016 and December 31, 2016). The 2016 Medicare occupational mix survey will be applied beginning with the FY 2019 wage index. *Form Number:* CMS–10079 (OMB control number: 0938–0907); *Frequency:* Yearly; *Affected Public:* Private sector (Business or other for-profits and Not-for-profit institutions), State, Local and Tribal Governments; *Number of Respondents:* 3,400; *Total Annual Responses:* 3,400; *Total Annual Hours:* 1,632,000. (For policy questions regarding this collection contact Noel Manlove at 410–786–5161.

Dated: October 6, 2015.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2015–25809 Filed 10–8–15; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for OMB Review; Comment Request

Title: Title IV–E Plan for Foster Care, Adoption Assistance, and, Optional, Guardianship Assistance Programs.

OMB No.: 0970–0433.

Description: A title IV–E plan is required by section 471, part IV–E of the Social Security Act (the Act) for each public child welfare agency requesting Federal funding for foster care, adoption assistance and guardianship assistance under the Act. Section 479B of the Act provides for an Indian tribe, tribal organization or tribal consortium (Tribe) to operate a title IV–E program in the same manner as a State with minimal exceptions. The Tribe must have an approved title IV–E Plan. The title IV–E plan provides assurances the programs will be administered in conformity with the specific requirements stipulated in title IV–E. The plan must include all applicable State or Tribal statutory, regulatory, or policy references and citations for each requirement as well as supporting documentation. A title IV–E agency may use the pre-print format prepared by the Children's Bureau of the Administration for Children and Families or a different format, on the condition that the format used includes all of the title IV–E plan requirements of the law.

Respondents: Title IV–E agencies administering or supervising the administration of the title IV–E programs.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Title IV–E Plan	17	1	16	272

Estimated Total Annual Burden Hours: 272.

Additional Information

Copies of the proposed collection may be obtained by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 370 L'Enfant

Promenade SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection. Email address: *infocollection@acf.hhs.gov.*

OMB Comment

OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, Email: *OIRA_SUBMISSION@OMB.EOP.GOV.* Attn: Desk Officer for the Administration for Children and Families.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2015–25737 Filed 10–8–15; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Designation of a Class of Employees for Addition to the Special Exposure Cohort

AGENCY: National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention, Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HHS gives notice of a decision to designate a class of employees from the Hooker Electrochemical Corporation in Niagara Falls, New York, as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000.

FOR FURTHER INFORMATION CONTACT: Stuart L. Hinnefeld, Director, Division of Compensation Analysis and Support, NIOSH, 1090 Tusculum Avenue, MS C–46, Cincinnati, OH 45226–1938, Telephone 1–877–222–7570. Information requests can also be submitted by email to *DCAS@CDC.GOV.*

SUPPLEMENTARY INFORMATION:

Authority: 42 U.S.C. 7384q(b). 42 U.S.C. 7384*l*(14)(C).

On September 22, 2015, as provided for under 42 U.S.C. 7384*l*(14)(C),the Secretary of HHS designated the following class of employees as an addition to the SEC:

''All Atomic Weapons Employees who worked at the Hooker Electrochemical Corporation in Niagara Falls, New York, during the operational period from July 1, 1944, through December 31, 1948, for a number of work days aggregating at least 250 work days, occurring either solely under this employment or in combination with work days within the parameters established for one or more other classes of employees in the Special Exposure Cohort.''

This designation will become effective on October 22, 2015, unless Congress provides otherwise prior to the effective date. After this effective date, HHS will publish a notice in the **Federal Register** reporting the addition of this class to the SEC or the result of any provision by Congress regarding the decision by HHS to add the class to the SEC.

John Howard,

Director, National Institute for Occupational Safety and Health.

[FR Doc. 2015–25757 Filed 10–8–15; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Request for Information From Non-Federal Stakeholders on Progress and Accomplishments (2010–2015) Towards the Goals of the National Vaccine Plan

AGENCY: National Vaccine Program Office, Office of the Assistant Secretary for Health, Office of the Secretary, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The development of a National Vaccine Plan was mandated by Congress as a mechanism for the Director of the National Vaccine Program (the Assistant Secretary for Health) to communicate priorities for achieving the Program's responsibilities of ensuring adequate supply of and access to vaccines and ensuring the effective and optimal use of vaccines. The National Vaccine Plan, released in 2010, provides a comprehensive 10-year national strategy for enhancing all aspects of the National Vaccine Program including: Research and development, supply, financing, distribution, safety, informed decision making by consumers and health care providers, vaccine preventable disease surveillance, vaccine effectiveness and use monitoring, and global cooperation (*http://www.hhs.gov/nvpo/vacc_plan/index.html*).

In accordance with the 2010 National Vaccine Plan (NVP), the National Vaccine Program Office (NVPO) is conducting a mid-course review of the Plan following five years of its implementation. This review is intended to ensure that the priorities and activities outlined in the NVP are appropriately aligned towards the goals described therein given significant changes in the immunization landscape that have occurred since the NVP was released in 2010.

The NVP is intended to be a national plan that includes contributions from both federal and non-federal stakeholders. In order to collect information from non-federal stakeholders in a uniform and systematic way, the NVPO is issuing a Request for Information (RFI) through a structured survey accessed on the NVPO Web site at *http://www.hhs.gov/nvpo/vacc_plan/index.html#mid-course-review.* The RFI will solicit specific information regarding the priorities, goals, and objectives within the NVP, significant accomplishments since 2010, remaining gaps, and stakeholder perspectives on priorities of the vaccine and immunization community for the remaining years of the NVP (2016–2020). Finally, stakeholders will also be provided the opportunity to briefly inform NVPO of the top contributions from their organization.

DATES: Survey responses on the National Vaccine Plan must be completed and submitted online by midnight, 12:00 a.m. EDT on November 9, 2015.

ADDRESSES: All those interested in participating in the survey to provide information on the National Vaccine Plan should do so by clicking on the survey link provided on the NVPO Web site at *http://www.hhs.gov/nvpo/vacc_plan/index.html#mid-course-review.*

FOR FURTHER INFORMATION CONTACT: National Vaccine Program Office, Office of the Assistant Secretary for Health, Department of Health and Human Services; telephone (202) 690–5566; email: *nvpo@hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The National Vaccine Program was established in compliance with Title XXI of the Public Health Service Act (Pub. L. 99–660) (§ 2101) (*42 U.S. Code 300aa–et seq (PDF—78 KB*)) to achieve optimal prevention of human infectious diseases through immunization and to achieve optimal prevention against adverse reactions to vaccines. Development of a National Vaccine Plan has been mandated to the National Vaccine Program Office as a mechanism for the Director of the National Vaccine Program (the Assistant Secretary for

Health) to communicate priorities for both federal and non-federal stakeholders regarding vaccine research and the development, testing, licensing, production, procurement, distribution, and effective use of vaccines in order to carry out the Program's responsibilities.

The immunization landscape has changed notably since the introduction of the NVP in 2010 and its subsequent implementation plan. New vaccines were developed. New vaccination related technologies were advanced and the passage of the Patient Protection and Affordable Care Act presented a unique opportunity for vaccination with its emphasis on preventive health.

Increased access to immunizations has also changed the dynamic of immunization delivery. While increased demand for immunizations moves us toward the goal of better vaccine coverage and the reduction of vaccine preventable diseases, the costs of administering vaccines have risen over time and created additional stresses on the immunization infrastructure. These include costs for vaccine procurement, costs associated with proper vaccine storage and handling, insurance against loss, opportunity costs, and personnel costs such as managing inventory, vaccine counseling, administration, and entering data into medical records and immunization registries. Moreover, public health departments and local jurisdictions must navigate additional demands such as improving health information technology use, adherence to Meaningful Use requirements, outbreak detection and response, and public health preparedness and response efforts with limited (and oftentimes diminishing) resources. The use of social media and online communications to distribute vaccine information and misinformation has also expanded greatly in the past few years- bringing public trust in vaccines and the immunization system to the forefront of national conversations. Outbreaks of vaccine-preventable diseases such as measles and pertussis have highlighted the need for accessible and ongoing educational materials about the risks of vaccine preventable diseases and the risks and benefits of vaccinations.

Finally, the momentum built from the 2010–2020 Decade of Vaccines Initiative, emerging global health crises such as the Ebola outbreaks in Western Africa, and imported cases of vaccine-preventable diseases such as measles have highlighted that U.S. efforts to support our national vaccine goals must also serve as building blocks for strengthening efforts towards the detection and prevention of infectious diseases world-wide.

In accordance with the 2010 National Vaccine Plan (NVP), the National Vaccine Program Office (NVPO) is conducting a mid-course review of the NVP to ensure that the goals and objectives are appropriately aligned towards the goals described therein given significant changes in the immunization landscape that have occurred since the NVP was released in 2010. This analysis could include, but may not be limited to, evaluating the priority areas described in the Plan, identifying significant accomplishments and continued areas of opportunity towards the goals and objectives outlined in the 2010 NVP, and developing updated 2015–2020 priorities and indicators to optimize implementation efforts to better align with the current immunization landscape. This input will be used to inform Departmental priorities and activities going forward.

II. Request for Information

In order to capture non-federal stakeholder input in a targeted and systematic way, NVPO is conducting a Request for Information using an on-line survey tool to compile information regarding the priorities, goals, and objectives within the NVP, significant accomplishments since 2010, remaining gaps, and stakeholder perspectives on priorities of the vaccine and immunization community for the remaining years of the NVP (2016–2020). Finally, stakeholders will also be provided the opportunity to briefly inform NVPO of the top contributions from their organization. A link to the survey and instructions for completing the survey can be accessed via the NVPO Web site at *http://www.hhs.gov/nvpo/vacc_plan/index.html#mid-course-review.* All information collected will be aggregated and analyzed to help inform a high level summary of the overall progress towards the goals in the NVP.

All responses to this Request for Information must be submitted by completing the online survey tool. Information collection sponsored by the NVPO required for the purposes of informing the National Vaccine Program and the National Vaccine Plan is not subject to Chapter 35 of title 44, United States Code [the Paperwork Reduction Act] as indicated in 42 U.S.C. 300aa–1 note (section 321 of Pub. L. 99–660).

All survey submissions will become part of the public record and subject to public disclosure. While the survey tool does not solicit identifying information, submissions that contain this information will not be edited to remove any identifying.

III. Potential Responders

HHS invites input from a broad range of stakeholders including individuals and organizations that have interests in vaccines and immunization efforts and goals outlined in the 2010 National Vaccine Plan.

Examples of potential responders include, but are not limited to, the following:

—General public;
—advocacy groups, non-profit organizations, and public interest organizations;
—academics, professional societies, and healthcare organizations;
—public health officials and immunization program managers;
—physician and non-physician providers that administer immunization services, including pharmacists and community vaccinators
—representatives from the private sector.

Dated: September 25, 2015.

Michelle Y. Blakely,

Senior Advisor and Acting Chief of Operations and Management, National Vaccine Program Office.

[FR Doc. 2015–25818 Filed 10–8–15; 8:45 am]

BILLING CODE 4150–44–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Request for Public Comment: 60-Day Proposed Information Collection: Indian Health Service (IHS) Sharing What Works—Best Practice, Promising Practice, and Local Effort (BPPPLE) Form (OMB NO. 0917–0034)

AGENCY: Indian Health Service, HHS.

ACTION: Notice and request for comments. Request for extension of approval.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, Public Law (Pub. L.) 104–13 [44 United States Code (U.S.C.) § 3506(c)(2)(A)], the Indian Health Service (IHS) invites the general public to take this opportunity to comment on the information collection titled, ''Indian Health Service (IHS) Sharing What Works—Best Practice, Promising Practice, and Local Effort (BPPPLE) Form,'' Office of Management and Budget (OMB) Control Number 0917–0034.

This previously approved information collection project was last published in

the **Federal Register** (77 FR 67657) on November 13, 2012, and allowed 30 days for public comment. No public comment was received in response to the notice. This notice announces our intent to submit this collection, which expires January 31, 2016, to OMB for approval of an extension, and to solicit comments on specific aspects for the proposed information collection. A copy of the supporting statement is available at *www.regulations.gov* (see Docket ID IHS–2015–0008).

Proposed Collection: Title: 0917–0034, Indian Health Service (IHS) Sharing What Works—Best Practice, Promising Practice, and Local Effort (BPPPLE) Form. *Type of Information Collection Request:* Extension, without revision, of the currently approved information collection, 0917–0034, IHS Sharing What Works—Best Practice, Promising Practice, and Local Effort (BPPPLE) Form. There are no program changes or adjustments in burden hours. *Form(s):* 0917–0034, IHS Sharing What Works—Best Practice, Promising Practice, and Local Effort (BPPPLE) Form. *Need and Use of Information Collection:* The IHS goal is to raise the health status of the American Indian and Alaska Native (AI/AN) people to the highest possible level by providing comprehensive health care and preventive health services. To support the IHS mission and encourage the creation and utilization of performance driven products/services by IHS, Tribal, and urban Indian health (I/T/U) programs, the Office of Preventive and Clinical Services' program divisions (*i.e.,* Behavioral Health, Health Promotion/Disease Prevention, Nursing, and Dental) have developed a centralized program database of best practices, promising practices and local efforts (BPPPLE) and resources. The purpose of this collection is to further the development of a database of BPPPLE, resources, and policies which are available to the public on the IHS.gov Web site. This database will be a resource for program evaluation and for modeling examples of various health care projects occurring in AI/AN communities.

All information submitted is on a voluntary basis; no legal requirement exists for collection of this information. The information collected will enable the Indian health systems to: (a) Identify evidence based approaches to prevention programs among the I/T/Us when no system is currently in place, and (b) Allow the program managers to review BPPPLEs occurring among the I/T/Us when considering program planning for their communities.

Affected Public: Individuals. *Type of Respondents:* I/T/U health programs' staff. The table below provides: Types of data collection instruments, Estimated number of respondents, Number of responses per respondent, Average burden hour per response, and Total annual burden hour(s).

ESTIMATED BURDEN HOURS

Data collection instrument(s)	Number of respondents	Number of responses per respondent	Average burden hour per response	Total annual burden hours
IHS Sharing What Works–BPPPLE Form (OMB Form No. 0917–0034)	100	1	20/60	33.3
Total	100			33.3

There are no Capital Costs, Operating Costs, and/or Maintenance Costs to report.

Requests for Comments: Your written comments and/or suggestions are invited on one or more of the following points:

(a) Whether the information collection activity is necessary to carry out an agency function;

(b) whether the agency processes the information collected in a useful and timely fashion;

(c) the accuracy of the public burden estimate (the estimated amount of time needed for individual respondents to provide the requested information);

(d) whether the methodology and assumptions used to determine the estimates are logical;

(e) ways to enhance the quality, utility, and clarity of the information being collected; and

(f) ways to minimize the public burden through the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

ADDRESSES: Send your written comments, requests for more information on the proposed collection, or requests to obtain a copy of the data collection instrument and instructions to Tamara Clay by one of the following methods:

- *Mail:* Tamara Clay, Information Collection Clearance Officer, 801 Thompson Avenue, TMP, STE 450–30, Rockville, MD 20852–1627.
- *Phone:* 301–443–4750.
- *Email: tamara.clay*@ihs.gov.
- *Fax:* 301–443–2316.

Comment Due Date: December 8, 2015. Your comments regarding this information collection are best assured of having full effect if received within 60 days of the date of this publication.

Dated: October 1, 2015.

Robert G. McSwain,

Deputy Director, Indian Health Service.

[FR Doc. 2015–25733 Filed 10–8–15; 8:45 am]

BILLING CODE 4165–16–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Heart, Lung, and Blood Initial Review Group, NHLBI Mentored Patient-Oriented Research Review Committee.

Date: October 29–30, 2015.

Time: 8:30 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Stephanie Johnson Webb, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7196, Bethesda, MD 20892, 301–435–0291, *stephanie.webb@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for

Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: October 5, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–25716 Filed 10–8–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health and Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in section 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel.

Date: November 19, 2015.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6100 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Peter Zelazowski, Ph.D., Scientific Review Officer, Scientific Review Branch, Eunice Kennedy Shriver National Institute of Child Health and Human Development, NIH, 6100 Executive Boulevard, Room 5B01, Bethesda, MD 20892–9304, (301) 435–6902, *peter.zelazowski@.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: *October 5, 2015.*

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–25714 Filed 10–8–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health and Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in section 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel; BRAD G11.

Date: November 19–20, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: St. Gregory Hotel, 2033 M Street NW., Washington, DC 20036.

Contact Person: Priscah Mujuru, BSN, DRPH, MPH, COHNS, RN, Scientific Review Officer, Scientific Review Branch, Eunice Kennedy Shriver National Institute of Child Health and Human Development, NIH, 6100 Executive Boulevard, Room 5B01, Bethesda, MD 20892–9304, (301) 435–6908, *mujurup@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: October 5, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–25712 Filed 10–8–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering (NIBIB) Announcement of Requirements and Registration for the 2015 Design by Biomedical Undergraduate Teams (DEBUT) Challenge

Authority: 15 U.S.C. 3719.

SUMMARY: The National Institute of Biomedical Imaging and Bioengineering (NIBIB) Design by Biomedical Undergraduate Teams (DEBUT) Challenge is open to teams of undergraduate students working on projects that develop innovative solutions to unmet health and clinical problems. NIBIB's mission is to improve health by leading the development and accelerating the application of biomedical technologies. The goals of the DEBUT Challenge are to provide undergraduate students valuable experiences such as working in teams, identifying unmet clinical needs, and designing, building and debugging solutions for such open-ended problems; to generate novel, innovative tools to improve healthcare, consistent with NIBIB's purpose to support research, training, the dissemination of health information, and other programs with respect to biomedical imaging and engineering and associated technologies and modalities with biomedical applications; and to highlight and acknowledge the contributions and accomplishments of undergraduate students.

DATES: The competition begins October 9, 2015.

Submission Period: March 1, 2016 to May 30 2016, 11:59 p.m. EDT.

Judging Period: June 6, 2016 to August 5, 2016.

Winners announced: August 22, 2016.

Award ceremony: October 2016, Biomedical Engineering Society Conference, Minneapolis, Minnesota.

ADDRESSES: To submit entries, visit *http://www.nibib.nih.gov/training-careers/undergraduate-graduate/design-biomedical-undergraduate-teams-debut-challenge/* or *http://venturewell.org/students/debut.*

FOR FURTHER INFORMATION CONTACT: *info@nibib.nih.gov* or (301) 451–4792.

SUPPLEMENTARY INFORMATION:

Subject of Challenge: NIBIB's mission is to improve health by leading the development and accelerating the application of biomedical technologies. By challenging undergraduate students to identify unmet clinical needs and

develop innovative solutions for them, NIBIB targets the education of biomedical engineers who have the background, skills, and confidence to make outstanding contributions to biomedical technologies. Engaging undergraduate students to work in teams to design, build and debug solutions to real-world problems/needs in healthcare, not only prepares them to function effectively in their future work environment, but also yields novel, innovative biomedical tools that can transform healthcare.

The NIBIB DEBUT Challenge solicits design projects that develop innovative solutions to unmet health and clinical problems. Areas of interest for the biomedical engineering projects include, but are not limited to: Diagnostics, therapeutics, technologies for underserved populations and low resource settings, point-of-care systems, precision medicine, preventive medicine, and technologies to aid individuals with disabilities. Student Teams participating in capstone design projects are especially encouraged to enter the challenge.

To support and expand the DEBUT Challenge, the NIBIB has joined forces with VentureWell, a not-for-profit leader in funding, training, coaching and early investment that brings student innovations to market. In past years, undergraduate student teams have applied separately to NIBIB's DEBUT Challenge and to VentureWell's BMEStart competition. The new public-private partnership on DEBUT, allows student teams to submit one application and gives teams more chances to win a prize in recognition of their technology solution. Student Teams entering the Challenge will have the option to have their entries also considered for prizes offered by VentureWell. VentureWell prizes will be selected and awarded by VentureWell following a separate judging process. The rules for the VentureWell prizes and the additional submission components that are required to compete for them can be found at *http://venturewell.org/students/debut/guidelines.*

Rules for Participating in the Challenge

(1) To be eligible to win a prize under this Challenge, an individual must be a member of a ''Student Team'' as described below, and each individual of a ''Student Team'':

(a) Must be an undergraduate student enrolled full-time in an undergraduate curriculum during at least one full semester (or quarter if the institution is on a quarter system) of the 2015–2016 academic year;

(b) Must form or join a ''Student Team'' with at least two other individuals for the purpose of developing an entry for submission to this challenge. Each student on the Student Team must satisfy all the requirements for competing in this challenge. While at least one Student on the Team must be from a biomedical engineering or bioengineering department (*i.e.,* majoring in biomedical engineering or bioengineering), interdisciplinary teams including students from other fields are welcome and encouraged;

(c) Shall be a citizen or permanent resident of the United States. Foreign students who are studying in the United States on a visa are eligible to be part of the competing Student Teams. However, they will not receive a monetary prize if they are part of a winning Student Team. See Prize section below for the distribution of prizes. As acknowledgement of their participation, however, the names of foreign students who are part of winning Student Teams will be listed among the winning team members when results are announced and at the award ceremony.

(d) Must be a member of only one Student Team:

(e) Must be 13 years of age or older. Individuals who are younger than 18 must have their parent or legal guardian complete the *Parental Consent Form* found at *https://www.nibib.nih.gov/sites/default/files/Parental%20Consent%20Form.pdf;*

(f) Shall have agreed to be registered by the Team Captain (selected by the Student Team) to participate in the Challenge under the rules promulgated by the NIH as published in this Notice;

(g) Shall have complied with all the requirements set forth in this Notice;

(h) May not be a Federal entity;

(i) May not be a Federal employee acting within the scope of the employee's employment and further, in the case of HHS employees, may not work on their submission(s) during assigned duty hours;

(j) May not be an employee of the NIH, a judge of the challenge, or any other party involved with the design, production, execution, or distribution of the Challenge or the immediate family of such a party (*i.e.,* spouse, parent, step-parent, child, or step-child); and

(k) Must acknowledge understanding and acceptance of the DEBUT challenge rules by signing the NIBIB DEBUT Challenge Certification Form found at *https://www.nibib.nih.gov/sites/default/files/NIBIB%20DEBUT%20Certification%20Form.pdf.* Each entry must include one NIBIB DEBUT Challenge Certification Form, completed with: The printed names of Student Team members, an indication of whether the team member is either a US citizen or permanent resident (as opposed to a foreign student on a visa), and be signed and dated by each individual member of the Student Team. Entries that do not provide a complete Certification Form will be disqualified from the challenge;

(2) Each entry into this challenge must have been conceived, designed, and implemented by the Student Team without any significant contribution from other individuals.

(3) Federal grantees may not use Federal funds to develop their Challenge submissions unless use of such funds is consistent with the purpose of their grant award and specifically requested to do so due to the Challenge design, and as announced in the **Federal Register**.

(4) Federal contractors may not use Federal funds from a contract to develop their Challenge submissions or to fund efforts in support of their Challenge submission.

(5) Submissions must not infringe upon any copyright or any other rights of any third party.

(6) By participating in this Challenge, each individual and entity agrees to assume any and all risks and waive claims against the Federal government and its related entities (as defined in the COMPETES Act), except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from participation in this Challenge, whether the injury, death, damage, or loss arises through negligence or otherwise.

(7) Based on the subject matter of the Challenge, the type of work that it will possibly require, as well as an analysis of the likelihood of any claims for death, bodily injury, property damage, or loss potentially resulting from Challenge participation, no individual participating in the Challenge is required to obtain liability insurance or demonstrate financial responsibility in order to participate in this Challenge.

(8) By participating in this Challenge, each individual agrees to indemnify the Federal government against third party claims for damages arising from or related to Challenge activities.

(9) An individual shall not be deemed ineligible because the individual or entity used Federal facilities or consulted with Federal employees during the Challenge if the facilities and employees are made available to all individuals and entities participating in the Challenge on an equitable basis.

(10) By participating in this challenge, such individuals grant to NIBIB an irrevocable, paid-up, royalty-free, nonexclusive worldwide license to post, link to, share, and display publicly the entry on the Web, newsletters or pamphlets, and other information products. It is the responsibility of the individuals on the Student Team to obtain any rights necessary to use, disclose, or reproduce any intellectual property owned by third parties and incorporated in the entry for all anticipated uses of the entry.

(11) NIH reserves the right, in its sole discretion, to (a) cancel, suspend, or modify the Challenge, and/or (b) not award any prizes if no entries are deemed worthy.

(12) Each individual agrees to follow all applicable federal, state, and local laws, regulations, and policies.

(13) Each individual participating in this Challenge must comply with all terms and conditions of these rules, and participation in this Challenge constitutes each such participant's full and unconditional agreement to abide by these rules. Winning is contingent upon fulfilling all requirements herein.

(14) Each Student Team must appoint a ''Team Captain'' to carry out all correspondence regarding the Student Team's entry. The Team Captain must be a citizen or permanent resident of the United States.

Submission Requirements

1. Each Student Team may submit only one entry into this challenge through the Team Captain. The Team Captain will submit a Student Team's entry on behalf of the Student Team by following the links and instructions at *http://venturewell.org/students/debut/guidelines* and certify that the entry meets all the challenge rules. At this time, teams will have the option to indicate that they wish to have their entries considered also for prizes sponsored by VentureWell. For a description of these prizes and rules of participation, see *http://venturewell.org/students/debut/guidelines.*

2. Each entry must comply with Section 508 standards that require federal agencies' electronic and information technology be accessible to people with disabilities, *http://www.section508.gov/.*

3. Each entry must be submitted as *a single pdf file* including the following 4 components:

i. The NIBIB DEBUT Challenge Certification Form (downloadable from *https://www.nibib.nih.gov/sites/default/files/NIBIB%20DEBUT%20Certification%20Form%202015.pdf* completed with project title and team member information, printed names, indication of U.S. citizenship or permanent residency, dates, and signatures of each individual member of the Student Team.

ii. Project Narrative (not to exceed 6 pages using Arial font and a font size of at least 11 points) that includes the following 6 sections:

(1) *Abstract.*

(2) *Description of clinical need or problem,* including background and current methods available. When the submitted entry is part of a bigger/ongoing project, the specific components designed and implemented by the competing Student Team must be clarified and distinguished from those accomplished by others (*e.g.* other students, advisor, collaborators).

(3) *Project objective statement,* describing the approach to address the problem, including a discussion of the innovative aspects.

(4) *Documentation of the design,* providing sufficient detail.

(5) *Documentation of the prototype of the final design,* with photographs, graphical representations, or link to a video, as appropriate.

(6) *Proof that the design is functional and will solve the problem,* providing a discussion of how the efficacy of the device was evaluated, including test results, graphics obtained with the designed solution and comparison to existing device outputs. A link to a 3-min video demonstrating the successful operation of the device developed is required. This link may be provided in this section, and will be requested separately during the online submission process.

The 6-page limit includes any graphics, but excludes the certification form, parental consent form, and any references. Submissions exceeding 6 pages for the Project Narrative will not be accepted.

Optional supporting material: The following optional supporting material may be submitted as a separate pdf file and will not count towards the 6-page limit: Up to three support letters from stakeholders (patients, healthcare providers, industry, etc.); up to three supporting articles, reports, etc that present background information for your project; and up to 3 links to videos and/or Web sites. However, the judges will mainly review the required components of your application and may consider the optional material at their discretion.

iii. Sponsor letter, on department letterhead, from a faculty member from the Biomedical Engineering, Bioengineering or similar department of the institution in which the Student Team members are enrolled, verifying (a) that the entry was achieved by the named Student Team, (b) that each member of the team was enrolled full-time in an undergraduate curriculum during at least one semester or quarter of the academic year 2015–2016, and (c) describing clearly any contribution from the advisor or any other individual outside the Student Team (especially when the submitted entry is part of a bigger/ongoing project, the specific components designed and implemented by the competing Student Team must be clarified and distinguished from those accomplished by others).

iv. A completed *Parental Consent Form*, downloadable from *https://www.nibib.nih.gov/sites/default/files/Parental%20Consent%20Form.pdf,* for each individual on the Student Team who is under the age of 18.

Amount of the Prize; Award Approving Official: The 1st, 2nd, and 3rd place prizes will be $20,000, $15,000, and $10,000, respectively, to be distributed only among the members of the winning Student Team eligible to win a prize in this challenge. The prize will be distributed equally among the prize-eligible Student Team members, *i.e.,* students who are either citizens or permanent residents of the United States. Each prize-eligible member of the winning Student Teams must provide his/her bank information to enable electronic transfer of funds. Five honorable mentions will also be awarded, without an accompanying monetary prize.

Winning Student Teams will be honored at the NIBIB DEBUT Award Ceremony during the 2016 Annual Meeting of the Biomedical Engineering Society (BMES) in Minneapolis, Minnesota in October 2016. Updated information on the BMES annual meeting can be found at *http://bmes.org/annualmeeting.* NIBIB will not provide financial support for winning Student Teams or Honorable Mention awardees to attend the award ceremony. However they are welcome and encouraged to attend the award ceremony, or designate a representative to attend on their behalf. NIBIB reserves the right to cancel, suspend, modify the challenge, and/or not award a prize if no entries are deemed worthy. The NIBIB prize-approving official will be the Director of NIBIB.

Payment of the Prize: Prizes awarded under this Challenge will be paid by electronic funds transfer and may be subject to Federal income taxes. HHS/NIH will comply with the Internal Revenue Service withholding and reporting requirements, where applicable.

Basis upon Which Winner Will Be Selected: The winning entries will be selected based on the following criteria:

- Significance of the problem addressed—Does the entry address an important problem or a critical barrier to progress in clinical care or research?
- Impact on potential users and clinical care—How likely is it that the entry will exert a sustained, powerful influence on the problem and medical field addressed?
- Innovative design (creativity and originality of concept)—Does the entry utilize novel theoretical concepts, approaches or methodologies, or instrumentation?
- Working prototype that implements the design concept and produces targeted results—Has evidence been provided (in the form of results, graphs, photographs, films, etc.) that a working prototype has been achieved?

Additional Information: For more information and to submit entries, visit *http://www.nibib.nih.gov/training-careers/undergraduate-graduate/design-biomedical-undergraduate-teams-debut-challenge/* or *http://venturewell.org/students/debut.*

Dated: September 30, 2015.

Jeffrey D. Domanski,

Executive Officer, National Institute of Biomedical Imaging and Bioengineering.

[FR Doc. 2015–25406 Filed 10–8–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Eye Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Eye Institute Special Emphasis Panel, NEI Mentored Training Grant and Pathways to Independence Applications.

Date: October 28–29, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 5635 Fishers Lane, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Brian Hoshaw, Ph.D., Scientific Review Officer, National Eye Institute, National Institutes of Health, Division of Extramural Research, 5635 Fishers Lane, Suite 1300, Rockville, MD 20892, 301–451–2020, *hoshawb@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.867, Vision Research, National Institutes of Health, HHS)

Dated: October 5, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–25717 Filed 10–8–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health and Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in section 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Initial Special Emphasis Panel; NICHD Training Grant (T32) Applications Review Group Developmental Biology Subcommittee.

Date: December 7–8, 2015.

Time: 8:00 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

Contact Person: Cathy J. Wedeen, Ph.D., Scientific Review Officer, Scientific Review Branch, Eunice Kennedy Shriver National Institute of Child Health and Human Development, NIH, 6100 Executive Boulevard, Room 5B01, Bethesda, MD 20892–9304, (301) 435–6878, *wedeenc@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: October 5, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–25713 Filed 10–8–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health and Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in section 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel.

Date: November 13, 2015.

Time: 3:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6100 Executive Boulevard Rm 5B01, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Sherry L. Dupere, Ph.D., Chief, Scientific Review Branch, Scientific Review Branch, Eunice Kennedy Shriver National Institute of Child Health and Human Development, NIH, 6100 Executive Boulevard, Room 5B01, Bethesda, MD 20892–9304, (301) 451–3415, *duperes@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: October 5, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–25715 Filed 10–8–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Notice of Listing of Members of the National Institutes of Health's Senior Executive Service 2015 Performance Review Board (PRB)

The National Institutes of Health (NIH) announces a revised list of the persons who will serve on the National Institutes of Health's Senior Executive Service 2015 Performance Review Board. This action is being taken in accordance with Title 5, U.S.C., Section 4314(c)(4), which requires that members of performance review boards be appointed in a manner to ensure consistency, stability, and objectivity in performance appraisals and requires that notice of the appointment of an individual to serve as a member be published in the **Federal Register**.

The following persons will serve on the NIH Performance Review Board, which oversees the evaluation of performance appraisals of NIH Senior Executive Service (SES) members:

John McGowan, Chair
Joellen Austin
Michelle Bulls
Michael Gottesman
Camille Hoover
Michael Lauer
Andrea Norris
Lawrence Tabak
Michael Tartakovsky
Timothy Wheeles

For further information about the NIH Performance Review Board, contact the Office of Human Resources, Executive Services Group, National Institutes of Health, Building 2, Room 5E18, Bethesda, Maryland 20892, telephone 301–402–7999 (not a toll-free number).

Dated: October 2, 2015.

Francis S. Collins,

Director, National Institutes of Health.

[FR Doc. 2015–25820 Filed 10–8–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0010]

Agency Information Collection Activities: Certificate of Registration

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: 60-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Certificate of Registration (CBP Forms 4455 and 4457). CBP is proposing that this information collection be extended with no change to the burden hours or to the Information required. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before December 8, 2015 to be assured of consideration.

ADDRESSES: Written comments may be mailed to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229–1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, at 202–325–0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Certificate of Registration.

OMB Number: 1651–0010.

Form Number: CBP Forms 4455 and 4457.

Abstract: Travelers who do not have proof of prior possession in the United States of foreign made articles and who do not want to be assessed duty on these items can register them prior to departing on travel. In order to register these articles, the traveler completes CBP Form 4457, *Certificate of Registration for Personal Effects Taken Abroad,* and presents it at the port at the time of export. This form must be signed in the presence of a CBP official after verification of the description of the articles is completed. CBP Form 4457 is accessible at: *http://www.cbp.gov/newsroom/publications/forms?title=4457&=Apply.*

CBP Form 4455, *Certificate of Registration,* is used primarily for the registration, examination, and supervised lading of commercial shipments of articles exported for repair, alteration, or processing, which will subsequently be returned to the United States either duty free or at a reduced duty rate. CBP Form 4455 is accessible at: *http://www.cbp.gov/newsroom/publications/forms?title=4455&=Apply.*

CBP Forms 4455 and 4457 are provided for by 19 CFR 10.8, 10.9, 10.68, 148.1, 148.8, 148.32 and 148.37.

Action: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected on CBP Forms 4455 and 4457.

Type of Review: Extension (with no change).

Affected Public: Businesses.

CBP Form 4455

Estimated Number of Respondents: 60,000.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 9,960.

CBP Form 4457

Estimated Number of Respondents: 140,000.

Estimated Time per Response: 3 minutes.

Estimated Total Annual Burden Hours: 7,000.

Dated: October 5, 2015.

Tracey Denning,

Agency Clearance Officer, U.S. Customs and Border Protection.

[FR Doc. 2015–25749 Filed 10–8–15; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5831–N–48]

30-Day Notice of Proposed Information Collection: Public/Private Partnerships for the Mixed-Finance Development of Public Housing Units

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: HUD has submitted the proposed information collection requirement described below to the Office of Management and Budget (OMB) for review, in accordance with the Paperwork Reduction Act. The purpose of this notice is to allow for an additional 30 days of public comment.

DATES: *Comments Due Date:* November 9, 2015.

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: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202–395–5806. Email: *OIRA_Submission@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, QMAC, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Colette Pollard at *Colette.Pollard@hud.gov* or telephone 202–402–3400. 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.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on July 31, 2015 at 80 FR 45676.

A. Overview of Information Collection

Title of Information Collection: Public/Private Partnerships for the Mixed-Finance Development of Public Housing Unit.

OMB Approval Number: 2577–0275.

Type of Request: Reinstatment with change of a previously approved collection.

Form Number: HUD–50156, HUD–50157, HUD–50158, HUD–50159, HUD–50160 and HUD–50161.

Description of the need for the information and proposed use: The Quality Housing and Work Responsibility Act of 1998 (Pub. L. 195–276, approved October 21, 1998), also known as the Public Housing Reform Act, created Section 35 of the U.S. Housing Act of 1937, 42 U.S.C. 1437. Section 35 allows PHAs to own, operate, assist or otherwise participate in the development and operation of mixed-finance projects. Mixed-finance development refers to the development or rehabilitation of public housing, where the public housing units are owned in whole or in part by an entity other than a PHA. Prior to this, all public housing had to be developed and owned by a Public Housing Authority (PHA).

However, Section 35 allowed PHAs to provide Section 9 capital and operating assistance to mixed-finance projects, which are also financially assisted by private and other resources. Private and other resources include tax credit equity, private mortgages and other federal, state or local funds. Section 35 also allows non-PHA owner entities to own and operate mixed-finance projects that contain both public housing and non-public housing units, or only public housing units. Along with public housing unit development, mixed-finance real estate development or rehabilitation transactions are used to extend public housing appropriations in housing development and to develop mixed-income housing, where public housing residents are anonymously mixed in with affordable and market rate housing residents.

In order to approve the development of mixed-finance projects, HUD collects certain information from each PHA/Ownership Entity. Under current regulations, HUD collects and reviews the essential documents included in this ICR in order to determine whether or not approval should be given. After approval is given and the documents are recorded by the associated county, HUD collects the recorded versions of the documents in this ICR, along with all financing and legal agreements that the PHA/owner entity has with HUD and with third-parties in connection with that mixed-finance project. This includes unique legal documents along with standardized forms and ''Certifications and Assurances,'' which are not exempted under PRA. Regulations for the processing of mixed-finance public housing projects are at 24 CFR part 905 subpart F (§ 905). § 905 has replaced 24 CFR part 941 Subpart F, which was cited in the supporting statement for the previous OMB approval of this information collection.

This information is collected to ensure that the mixed-finance development effort has sufficient funds to reach completion, remain financially viable, and follow HUD legal and programmatic guidelines for housing project development or rehabilitation, ownership and use restrictions, as well as preserving HUD's rights to the project.

PHAs must provide information to HUD before a proposal can be approved for mixed-finance development. Information on HUD-prescribed forms and in HUD-prescribed contracts and agreements provides HUD with sufficient information to enable a determination that funds should or should not be reserved or a contractual commitment made. Regulations at 24 CFR part 905.606, ''Development Proposal'' states that a Mixed-finance Development Proposal (Proposal) must be submitted to HUD in order to facilitate approval of the development of public housing. The subpart also lists the information that is required in the Proposal. The documentation required is submitted using the collection documents (ICs) in this ICR.

Members of affected public: Public Housing Agencies, Developers.

Estimation of the total number of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:

	Form/ document	Number of respondents	Frequency	Total responses	Hours per response	Total hours	Cost per hour
1. HUD–50157 Mixed-Finance Development Proposal	60	1	60	16	960	$50	$48,000

	Form/ document	Number of respondents	Frequency	Total responses	Hours per response	Total hours	Cost per hour
2. Supplementary Document: Unique Legal Document, Mixed-Finance Amendment to the Annual Contributions Contract	60	1	60	24	1,440	50	72,000
3. Supplementary Document: Unique Legal Document, Mixed-Finance Declaration of Restrictive Covenants	60	1	60	0.25	15	225	3,375
4. Supplementary Document: Unique Legal Document, Mixed-Finance Final Title Policy	60	1	60	16	960	225	216,000
5. Supplementary Document: Unique Legal Document, Mixed-Finance Legal Opinion	60	1	60	1	60	225	13,500
6. Supplementary Document: Unique Legal Documents, Mixed-Finance Evidentiaries	60	1	60	116	6,960	225	1,566,000
7. Supplementary Document: Unique Legal Document, Regulatory and Operating Agreement	60	1	60	8	480	225	108,000
8. Supplementary Document: Unique Legal Document, Transition Plan	60	1	60	8	480	225	108,000
9. HUD–50161 Mixed-Finance Certifications and Assurances	60	1	60	0.25	15	50	750
10. Supplementary Document: Unique Legal Document, Site Acquisition Proposal	110	1	110	8	880	50	44,000
11. Supplementary Document: Unique Legal Document, Development Proposal	50	1	50	80	4,000	50	200,000
12. HUD–50156 Mixed-Finance Development Proposal Calculator	60	1	60	1	60	50	3,000
13. HUD–50059 Mixed-Finance Homeownership Term Sheet	20	1	20	16	320	50	16,000
14. Supplementary Document: Unique Legal Document, Mixed-Finance Homeownership Addendum	20	1	20	16	320	225	72,000
15. HUD–50158 Mixed-Finance Homeownership Certifications and Assurances	20	1	20	0.25	5	50	250
16. HUD–50160 Mixed-Finance and Homeownership Pre-Funding Certifications and Assurances	80	1	80	0.25	20	50	1,000

	Form/ document	Number of respondents	Frequency	Total responses	Hours per response	Total hours	Cost per hour
17. Supplementary Document: Unique Legal Document, Mixed-Finance Homeownership Declaration of Restrictive Covenants	20	1	20	0.25	5	50	250
Totals	130		920		16,980		2,472,125

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

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

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: 12 U.S.C. 1701z–1 Research and Demonstrations.

Dated: October 1, 2015.

Colette Pollard,

Department Reports Management Officer, Office of the Chief Information Officer.

[FR Doc. 2015–25824 Filed 10–8–15; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5835–N–17]

60-Day Notice of Proposed Information Collection: Certified Housing Counselor Registration

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* December 8, 2015.

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: Ruth Román, Office of Housing Counseling, Office of Housing, Department of Housing and Urban Development, 1250 Maryland Avenue SW., Room P2206, Washington, DC 20410–8000; email *housing.counseling@hud.gov*; telephone number 202–402–2112 (this is not a toll-free number). Persons with hearing or speech challenges 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. Román.

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: Certified Housing Counselor Registration.

OMB Approval Number: 2502—NEW.

Type of Request: New.

Form Number: N/A.

Description of the need for the information and proposed use: Pursuant to Section 1445 of the Dodd-Frank Act, all individuals providing homeownership or rental housing counseling related to HUD programs must be HUD-certified housing counselors. To become certified, a housing counselor must pass a written examination. HUD established a Housing Counselor Certification Exam and training program, as mandated by Subtitle D of title XIV of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111–203, 124 Stat. 1376 (July 21, 2010)) (Dodd-Frank Act), and created a Web site for individuals to register for the examination and training. To track individuals using the training, successful passage of the examination, and eligibility for certification, the Web site has a registration requirement. Registration through HUD's certification contractor's Web site for the on-line training will require name, city, state, telephone number, email address, occupation, if employer is a HUD-participating housing counseling agency, and a HUD Housing Counseling System number. Registration for the practice and certification examinations through this system will require, in addition to the information for general registration, a full mailing address, social security number, language(s) housing counseling services are provided in if registrant is a housing counselor, and optional demographic data (race, ethnicity, gender). Collection of social security numbers is required for linking the individual's information to HUD's FHA Connection system, so HUD can verify applicants are employed by participating agencies. HUD estimates the collection of this information to average five minutes for each individual that registers for the on-line training, practice examination, and certification examination. Public reporting burden for this collection of information is estimated to average 1,700 hours per year.

Respondents: Individuals.

Estimated Number of Respondents: 10,700.

Estimated Number of Annual Responses: 3,567.

Frequency of Response: Once.

Average Hours per Response: 15 minutes (.25).

Total Estimated Burdens: 892 hours.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: October 1, 2015.

Genger Charles,

Senior Policy Advisor for Housing.

[FR Doc. 2015–25825 Filed 10–8–15; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5835–N–18]

60-Day Notice of Proposed Information Collection: Request for Acceptance of Changes in Approved Drawings and Specifications

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* December 8, 2015.

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: Cheryl Walker, Director, Home Valuation Policy Division, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email *Ada.l.bohorfoush@hud.gov* or telephone 202–402–3400. 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. Walker.

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: Request for Acceptance of Changes in Approved Drawings and Specifications.

OMB Approval Number: 2502–0117.

Type of Request: Revision.

Form Number: HUD–92577.

Description of the need for the information and proposed use: Contractors request approval for changes to accepted drawings and specifications of rehabilitation properties as required by homebuyers, or determined by the contractor to address previously unknown health and safety issues. Contractors submit the forms to lenders, who review them and submit them to HUD for approval.

Respondents: Business.

Estimated Number of Respondents: 7,500.

Estimated Number of Responses: 7,500.

Frequency of Response: On Occasion.

Average Hours per Response: 0.50.

Total Estimated Burdens: 3,750.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: October 1, 2015.

Genger Charles,

Senior Policy Advisor for Housing.

[FR Doc. 2015–25827 Filed 10–8–15; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5835–N–14]

60-Day Notice of Proposed Information Collection; Comprehensive Transactional Forms Supporting FHA's Section 242 Mortgage Insurance Program for Hospitals

AGENCY: Office of the Assistant Secretary for Housing, HUD.

ACTION: Notice.

SUMMARY: Consistent with the Paperwork Reduction Act of 1995 (PRA), HUD is publishing for public comment a comprehensive set of transactional and closing documents used in connection with transactions involving hospitals that are insured pursuant to Section 242 of the National Housing Act (Section 242). The proposed information collection will replace the existing collection 2502–0602 and will be submitted to the Office of Management and Budget (OMB) for review, as required by the PRA. The Department is soliciting public comments on the subject proposal for 60 days. The documents that are the subject of this notice can be viewed on HUD's Web site: *http://portal.hud.gov/*

hudportal/HUD?src=/federal_housing_administration/healthcare_facilities/section_242/additional_resources/242_redlines_0815.

DATES: *Comments Due Date:* December 8, 2015.

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: Reports Liaison Officer, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, Room 9120 or the number for the Federal Information Relay Service (1–800–877–8339). Facsimile (fax) comments are not acceptable.

FOR FURTHER INFORMATION CONTACT: Program Contact: Paul Giaudrone, Underwriting Director, Office of Hospital Facilities, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, telephone (202) 708–0599 (this is not a toll free number) for copies of the proposed forms and other available information.

SUPPLEMENTARY INFORMATION: The Department is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

The revised hospital documents can be viewed at: *http://portal.hud.gov/hudportal/HUD?src=/federal_housing_administration/healthcare_facilities/section_242/additional_resources/242_redlines_0815.*

Where documents are based on existing Section 232 residential care facility or Multifamily program documents, the hospital documents, in addition to being presented in an unmarked format, are presented in redline/strikeout format so that the reviewer can see the changes proposed to make the documents applicable to Section 242 transactions. Where proposed documents are based on existing OHF forms, the proposed versions are also presented in both redline/strikeout and unmarked formats. Summaries of the major changes to some of the principal documents follow. Where capitalized terms are used, such terms refer to the titles of documents or defined terms in the documents.

SUMMARY OF CHANGES TO DOCUMENTS

Information collection	Form name	Summary of changes
HUD–91070–OHF	Consolidated Certifications Borrower	New form, no policy change. This is a new form that consolidates many certifications into one form (ex. prior versions of the HUD–41901, HUD–92010, Byrd Amendment certifications, etc. are now consolidated).
HUD–91071–OHF	Escrow Agreement for Off-site Facilities.	Nomenclature changes only. Minor updates to Multifamily 91071–M form to make this an OHF form.
HUD–91073–OHF	HUD Survey Instructions and Surveyor's Report.	Nomenclature changes only. Minor updates to previous 91073–OHF version to remove multifamily terminology and replace with hospital terminology.
HUD–91111–OHF	Survey Instructions and Borrower's Certification.	New form based on 232 version. Reflects nomenclature changes for 242 hospitals, and removes exceptions that do not apply to hospitals.
HUD–91725–OHF	Opinion by Counsel to the Borrower	New form based on 232 version. Removes references to Operators and Public Entity Agreement which do not apply to 242, and includes survey requirements per 242 policy. Updates nomenclature and terminology throughout to be representative for 242 program and hospitals, instead of residential care facilities. Includes provisions if AR financing is involved.
HUD–92013–OHF	Application for Hospital Project Mortgage Insurance.	Minor changes only. Minor updates and corrects burden hours from previous version.
HUD–92023–OHF	Request for Final Endorsement of Credit Instrument—Hospitals/Section 242.	New form based on 232 version. Nomenclature changes only to reflect 242 hospitals, and includes Construction Managers in addition to General Contractors.
HUD–92070–OHF	Lease Addendum	New form based on 232 version. Nomenclature changes and updates language from ''Mortgagee/Mortgagor'' to ''Lender/Borrower.'' Instructions added.
HUD–92080–OHF	Change of Mortgage Record	New form based on MF version. Minor nomenclature changes and language updates language from ''Mortgagee/Mortgagor'' to ''Lender/Borrower.''
HUD–92117–OHF	Borrower's Certification—Full or Partial Completion of Non-Critical Repairs.	New form based on 232 version. Changed form name and terms within from ''Non-Critical Repairs'' to ''Project'' to cover 242 project work not just limited to repairs.
HUD–92205–OHF	Borrower's Pre-Closing Certificate of Actual Cost (Section 242/223f).	New form based on 232 version. Changed ''repairs'' to ''limited rehabilitation'' to cover 242/223f projects. Added ''Pre-Closing'' to the name to clarify the difference of this form from the 92330 certificate of actual cost.
HUD–92223–OHF	Surplus Cash Note	New form based on 232 version. Minor nomenclature changes to reflect 242 hospitals.
HUD–92322–OHF	Intercreditor Agreement	New form based on 232 version. Changed residential care facility terms to reflect hospitals (''owner/operator'' to ''hospital''). Removed language and portions relevant to Owners/Operators and master tenancy/leases that do not apply to 242. Included provisions to cover additional facilities under one loan, as many 242 loans cover multiple buildings/facilities. Changed terminology from ''impositions'' to ''mortgage costs''.
HUD–92330A–OHF	Contractor's Certificate of Actual Cost—Hospitals/Section 242.	Corrects existing form. Corrects previous 92330A–OHF form to reference 242 forms, handbook, and include construction managers.
HUD–92330–OHF	Borrower's Certificate of Actual Cost—Hospitals/Section 242.	Corrects existing form. Corrects previous 92330–OHF form to reference 242 forms, handbook, and citations. Changes terminology from ''Mortgagee/Mortgagor'' to ''Lender/Borrower.''

SUMMARY OF CHANGES TO DOCUMENTS—Continued

Information collection	Form name	Summary of changes
HUD–92403A–OHF	Borrower's And Architect's Certificate of Payment (01/1995).	Corrects existing form. Corrects previous 92403–OHF form to reference correct 242 citations. Changes terminology from ''Mortgagee/Mortgagor'' to ''Lender/Borrower.''
HUD–92403–OHF	Application for Insurance of Advance of Mortgage Proceeds.	Corrects existing form. Corrects previous 92403–OHF form to reference correct 242 forms. Changes terminology from ''Mortgagee/Mortgagor'' to ''Lender/Borrower.''
HUD–92415–OHF	Request For Permission To Commence Construction Prior To Initial Endorsement For Mortgage Insurance—Hospitals/Section 242.	Corrects existing form. Corrects previous 92403–OHF form to reference correct 242 forms. Changes terminology from ''Mortgagee/Mortgagor'' to ''Lender/Borrower.''
HUD–92422–OHF	Financial And Statistical Data For HUD Reporting.	Corrects existing form. Includes updated financial data and statistical fields requested for reporting.
HUD–92434–OHF	Lender's Certificate	New form based on 232 version. Changed terminology to reflect hospitals, removed Administrative Fees provisions, added disclosure of Ginnie Mae extension fee provision and deleted provision noting that borrower has collected amounts to cover extension fees, changed the time for submission of application for insurance of advances; various updates to conform to handbook provisions; added a provision on escrows and deleted unitary loan provision.
HUD–92441–OHF	Building Loan Agreement	New form based on 232 version. Changed residential care facility terms to reflect hospitals and reference 242's related forms. Includes provisions for expenses involved in 242 transactions, off-site improvements, and 242 construction contracts.
HUD–92441A–OHF	Building Loan Agreement (223f version).	New form based on 92441–OHF. Modified agreement for 223f to tailor language for insurance upon completion and limited rehabilitation.
HUD–92442–OHF	Construction Contract	New form based on 232 version. Nomenclature changes to reflect 242 hospitals. Changed construction contract language to be consistent with 242 policies and procedures involving time of construction activities/requests, requisition and payment procedures, and assurance of completion. Removed identities of interest language that applies to 232 projects.
HUD–92448–OHF	Contractor's Requisition Project Mortgages.	New form. Replaces existing 92448–OHF which is not the correct form that we use.
HUD–92452A–OHF	Payment Bond	New form based on 232 version. Minor nomenclature changes only.
HUD–92452–OHF	Performance Bond	New form based on 232 version. Minor nomenclature changes only.
HUD–92455–OHF	Request for Endorsement of Credit Instrument & Certificate of Lender, Borrower & General Contractor.	New form based on 232 version. Changed terminology to reflect hospitals. Revised language related to escrows to make them specific to hospital transactions and language relating to mortgage reserve funds. Updated content to reflect Section 242 Handbook guidance.
HUD–92456–OHF	Escrow Agreement for Incomplete Construction.	New form based on 232 version. Minor nomenclature changes only.
HUD–92464–OHF	Request for Approval of Advance of Escrow Funds—Hospitals/Section 242.	Corrects existing form. Replaces existing 92464–OHF and includes references for 242 construction and limited rehabilitation pursuant to 223(f) loans.
HUD–92466–OHF	Regulatory Agreement—Borrower	New form. This document was based on the Section 232 Regulatory Agreement, but was so substantially revised that a redline was not warranted. All terms were changed from ''healthcare facility'' to ''hospital'' and any 232 specific terms and provisions were removed. Provisions from the covenants which are attached to the current form of 242 regulatory agreement were inserted, as well as language consistent with the Security Instrument and current Housing policies. Industry is very familiar with these covenants so new policy concepts are not being introduced with the insertion of those provisions. Definitions were added as an exhibit C to the Agreement in order to make the document easier to read without having to page through numerous definitions. Significant terminology now used in the new 242 regulatory agreement is the concept of ''Program Obligations'' as used in Multifamily and 232; definition of ''Revenue'' to replace the definition of ''Rent''; and the definition of ''Waste''. Liabilities consistent with Multifamily and 232 policy were added to the Section 40 Addendum.
HUD–92476–OHF	Escrow Agreement for Deferred Work.	New form. Escrow language modified to cover funds for deferred work.
HUD–92476A–OHF	Escrow Agreement for Limited Rehabilitation.	New form. Escrow language modified to cover 223(f) loans.
HUD–92479–OHF	Off-Site Bond—Dual Obligee	New form based on 232 version. Minor nomenclature changes only.
HUD–9250–OHF	Funds Authorizations	No policy change. Modified 232 version to reflect 242 nomenclature and terminology (ex. ''Mortgage Reserve Fund'' instead of ''Reserve for Replacements Fund'' and ''Borrower'' instead of ''Owner/Operator''.
HUD–92554–OHF	Supplementary Conditions of the Contract for Construction (06/2014).	New form based on 232 version. Nomenclature changes and updated regulatory references to appropriate ones related to Section 242.

SUMMARY OF CHANGES TO DOCUMENTS—Continued

Information collection	Form name	Summary of changes
HUD–92576–OHF	Certificate for Need for Health Facility and Assurance of Enforcement of State Standards.	New form based on 232 version. Minor nomenclature changes and removed ''skilled nursing facility'' and ''intermediate care facility'' checkboxes.
HUD–92580–OHF	Maximum Insurable Mortgage	Corrects existing form. Corrects previous version that had multifamily language and incorrect references, making it specific to 242 hospital program. Updates language from ''Mortgagee/Mortgagor'' to ''Lender/Borrower''.
HUD–93305–OHF	Agreement and Certification	New form based on 232 version. Nomenclature changes to reflect 242 hospitals and update references of form names. Changed language to include Construction Managers and change ''repairs'' to ''limited rehabilitation'' per 242/223(f).
HUD–94000–OHF	Security Instrument/Mortgage/Deed of Trust.	New form based on 232 version. Changed all terms from ''healthcare facility'' to ''hospital.'' Removed all terms related to operator, master tenant, master leases, and any other 232 specific terms which are not applicable in 242 (example: Reserve for replacements and residual receipts). Also removed references to ''residents'' and ''security deposits'' and any other term that wouldn't be applicable to a 242 transaction. Completed removed a section on ''single asset borrower'' as in 242 the borrower does not have to be a single asset borrower and can own multiple assets and businesses.
HUD–94001–OHF	Healthcare Facility Note	New form based on 232 version. No changes aside from nomenclature and changing terms from ''healthcare facility'' to ''hospital''.
HUD–94128–OHF	Environmental Assessment and Compliance Findings.	No change. Just correcting form number from ''4128–OHF'' to ''94128–OHF'' and correcting estimated burden hours.

A. Paperwork Reduction Act

Under the PRA, an agency may not conduct or sponsor, and a person is not require to respond to, a collection of information unless the collection displays a valid control number. The public reporting burden for this revised collection of information is estimated to include the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Information on the estimated public reporting burden is provided in the following table:

Information collection	Form name	Number of respondents	Frequency of response	Response per annum	Average burden hour per response	Annual burden hours	Average hourly cost per response	Annual cost
HUD–91070–OHF	Consolidated Certifications Borrower	15	1	15	1	15	$220	$3,300
HUD–91071–OHF	Escrow Agreement for Off-site Facilities.	3	2	6	0.5	3	100	300
HUD–91073–OHF	HUD Survey Instructions and Surveyor's Report.	15	1	15	1	15	75	1,125
HUD–91111–OHF	Survey Instructions and Borrower's Certification.	15	1	15	1	15	75	1,125
HUD–91725–OHF	Opinion by Counsel to the Borrower	15	1	15	2	30	220	6,600
HUD–92013–OHF	Application for Hospital Project Mortgage Insurance.	15	1	15	4664	69960	75	5,247,000
HUD–92023–OHF	Request for Final Endorsement of Credit Instrument—Hospitals/Section 242.	15	1	15	1.5	22.5	100	2,250
HUD–92070–OHF	Lease Addendum	10	1	10	0.5	5	220	1,100
HUD–92080–OHF	Change of Mortgage Record	10	1	10	0.5	5	75	375
HUD–92117–OHF	Borrower's Certification- Full or Partial Completion of Project.	5	5	25	0.5	12.5	75	938
HUD–92205–OHF	Borrower's Pre-Closing Certificate of Actual Cost (Section 242/223f).	5	1	5	3.5	17.5	75	1,313
HUD–92223–OHF	Surplus Cash Note	5	1	5	0.5	2.5	220	550
HUD–92322–OHF	Intercreditor Agreement	8	1	8	3.5	28	100	2,800
HUD–92330A–OHF	Contractor's Certificate of Actual Cost—Hospitals/Section 242.	15	1	15	2	30	75	2,250
HUD–92330–OHF	Borrower's Certificate of Actual Cost—Hospitals/Section 242.	15	1	15	1	15	75	1,125
HUD–92403A–OHF	Borrower's And Architect's Certificate of Payment (01/1995).	15	1	15	0.25	3.75	75	281
HUD–92403–OHF	Application for Insurance of Advance of Mortgage Proceeds.	7	12	84	0.25	21	75	1,575
HUD–92415–OHF	Request For Permission To Commence Construction Prior To Initial Endorsement For Mortgage Insurance—Hospitals/Section 242.	5	1	5	1	5	75	375
HUD–92422–OHF	Financial And Statistical Data For HUD Reporting.	90	6	540	4	2160	75	162,000
HUD–92434–OHF	Lender's Certificate	15	1	15	8	120	100	12,000
HUD–92441–OHF	Building Loan Agreement	10	1	10	4	40	75	3,000

Information collection	Form name	Number of respondents	Frequency of response	Response per annum	Average burden hour per response	Annual burden hours	Average hourly cost per response	Annual cost
HUD–92441A–OHF ..	Building Loan Agreement (223f version).	5	1	5	4	20	75	1,500
HUD–92442–OHF	Construction Contract	10	1	10	2	20	75	1,500
HUD–92448–OHF	Contractor's Requisition Project Mortgages.	10	1	10	3	30	75	2,250
HUD–92452A–OHF ..	Payment Bond	10	1	10	1	10	75	750
HUD–92452–OHF	Performance Bond	10	1	10	1	10	75	750
HUD–92455–OHF	Request for Endorsement of Credit Instrument & Certificate of Lender, Borrower & General Contractor.	15	1	15	1	15	220	3,300
HUD–92456–OHF	Escrow Agreement for Incomplete Construction.	3	2	6	0.5	3	75	225
HUD–92464–OHF	Request for Approval of Advance of Escrow Funds—Hospitals/Section 242.	5	5	25	2	50	75	3,750
HUD–92466–OHF	Regulatory Agreement—Borrower	15	1	15	12	180	220	39,600
HUD–92476–OHF	Escrow Agreement for Deferred Work	2	2	4	0.5	2	75	150
HUD–92476A–OHF ..	Escrow Agreement for Limited Rehabilitation.	4	2	8	0.5	4	75	300
HUD–92479–OHF	Off-Site Bond—Dual Obligee	5	2	10	0.5	5	220	1,100
HUD–9250–OHF	Funds Authorizations	15	1	15	0.5	7.5	75	563
HUD–92554–OHF	Supplementary Conditions of the Contract for Construction.	15	1	15	1	15	220	3,300
HUD–92576–OHF	Certificate for Need for Health Facility and Assurance of Enforcement of State Standards.	12	1	12	0.5	6	75	450
HUD–92580–OHF	Maximum Insurable Mortgage	15	2	30	6	180	75	13,500
HUD–93305–OHF	Agreement and Certification	15	1	15	1.5	22.5	220	4,950
HUD–94000–OHF	Security Instrument/Mortgage/Deed of Trust.	15	1	15	2	30	220	6,600
HUD–94001–OHF	Healthcare Facility Note	15	1	15	1	15	220	3,300
HUD–94128–OHF	Environmental Assessment and Compliance Findings.	12	1	12	8	96	75	7,200
		516	71	1,115	116	73,247	116	5,546,419

This Notice also lists the following information:

Title of Information Collection: Comprehensive Transactional Forms Supporting FHA's Section 242 Mortgage Insurance Program for Hospitals.

OMB Control Number, if applicable: 2502–0602.

Type of Request: Revision of currently approved collection.

Form Number(s): HUD–91070–OHF, HUD–91071–OHF, HUD–91073–OHF, HUD–91111–OHF, HUD–91725–OHF, HUD–92013–OHF, HUD–92023–OHF, HUD–92070–OHF, HUD–92080–OHF, HUD–92117–OHF, HUD–92205–OHF, HUD–92223–OHF, HUD–92322–OHF, HUD–92330–OHF, HUD–92330A–OHF, HUD–92403–OHF, HUD–92403A–OHF, HUD–92415–OHF, HUD–92422–OHF, HUD–92434–OHF, HUD–92441–OHF, HUD–92441A–OHF, HUD–92442–OHF, HUD–92448–OHF, HUD–92452–OHF, HUD–92452A–OHF, HUD–92455–OHF, HUD–92456–OHF, HUD–92464–OHF, HUD–92466–OHF, HUD–92476–OHF, HUD–92476A–OHF, HUD–92479–OHF, HUD–9250–OHF, HUD–92554–OHF, HUD–92576–OHF, HUD–92580–OHF, HUD–93305–OHF, HUD–94000–OHF, HUD–94001–OHF, HUD–94128–OHF.

Description of the need for the information and proposed use: The included collection comprise the comprehensive documents necessary for the application, review, commitment, administration, technical oversight, audit and initial/final endorsement of Office of Hospital Facilities projects pursuant to FHA Programs 242, 241, 223(f), and 223(a)(7). The collection corrects, revises, updates, and supersedes the previous collection approved in February 2014.

Respondents (*i.e.* affected public): Borrowers, lenders, contractors, architects, and engineers that participate in the application, procedure, project administration and initial/final endorsement of FHA hospital mortgage insurance projects.

Estimated Number of Respondents: 516.

Estimated Number of Responses: 1,115.

Frequency of Response: 71.

Average Hours per Response: 116.

Total Estimated Burdens: 73,247.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

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

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: October 5, 2015.

Janet M. Golrick,

Associate General Deputy Assistant Secretary for Housing-Associate Deputy Federal Housing Commissioner.

[FR Doc. 2015–25823 Filed 10–8–15; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5828–N–41]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7266, Washington, DC 20410; telephone (202) 402–3970; TTY number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration,* No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, and suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for ''off-site use only'' recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to: Ms. Theresa M. Ritta, Chief Real Property Branch, the Department of Health and Human Services, Room 5B–17, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, (301)-443–2265 (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1–800–927–7588 for detailed instructions or write a letter to Ann Marie Oliva at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.,* acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: COE: Mr. Scott Whiteford, Army Corps of Engineers, Real Estate, CEMP–CR, 441 G Street NW., Washington, DC 20314; (202) 761–5542; GSA: Mr. Flavio Peres, General Services Administration, Office of Real Property Utilization and Disposal, 1800 F Street NW., Room 7040 Washington, DC 20405, (202) 501–0084; (These are not toll-free numbers).

Dated: October 1, 2015.

Brian P. Fitzmaurice,

Director, Division of Community Assistance, Office of Special Needs Assistance Programs.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM FEDERAL REGISTER REPORT FOR 10/09/2015

Suitable/Available Properties

Building

Arkansas

708 Prospect Avenue
708 Prospect Avenue
Hot Springs AR 71901
Landholding Agency: GSA
Property Number: 54201530006
Status: Surplus
GSA Number: 7–I–AR–0415–EG
Directions: Published in the FR 10/24/2014 under HUD property number 61201440001. Disposal Agency: GSA; Landholding Agency: Interior
Comments: Off-site removal only; 100+ yrs. old; 13,086 sq. ft.; due to size removal will be difficult; vacant 17+ mos.; residential; fair condition; contact GSA for more information.

Unsuitable Properties

Building

Idaho

HAZMAT Storage Building
9723 East Highway
Boise ID 83716
Landholding Agency: COE
Property Number: 31201530005
Status: Excess
Comments: Located in floodway which has not been corrected or contained; Documented deficiencies; foundation leaks & standing water on the floor during high rain events; walls have cracks from settling.
Reasons: Floodway; Extensive deterioration

[FR Doc. 2015–25410 Filed 10–8–15; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[16X.LLID9570000.L14400000.BJ0000.241A.X.4500081115]

Idaho: Filing of Plats of Survey

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of filing of plats of surveys.

SUMMARY: The Bureau of Land Management (BLM) has officially filed the plats of survey of the lands described below in the BLM Idaho State

Office, Boise, Idaho, effective 9:00 a.m., on the dates specified.

FOR FURTHER INFORMATION CONTACT: Bureau of Land Management, 1387 South Vinnell Way, Boise, Idaho, 83709–1657.

SUPPLEMENTARY INFORMATION: These surveys were executed at the request of the Bureau of Land Management to meet their administrative needs. The lands surveyed are:

The plat, in four sheets constituting the entire record of the dependent resurvey of portions of the west boundary, north boundary and subdivisional lines, and the subdivision of sections 6, 10, and 32, T. 10 S., R. 2 W., of the Boise Meridian, Idaho, Group Number 1339, was approved July 7, 2015.

The supplemental plat was prepared to show new lots 16 and 17 in sec. 13, T. 43 N., R. 3 W., Boise Meridian, Idaho, Group Number 1444, was accepted July 9, 2015.

The plat representing the dependent resurvey of a portion of the subdivisional lines, and the survey of the 2013 right bank meanders of the Spokane River in sections 7 and 8, and certain metes-and-bounds survey in sections 7 and 8, T. 50 N., R. 4 W., Boise Meridian, Idaho, Group Number 1409, was accepted July 15, 2015.

Gordon M. Dress,

Acting Chief Cadastral Surveyor for Idaho.

[FR Doc. 2015–25763 Filed 10–8–15; 8:45 am]

BILLING CODE 4310–GG–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNM006200 L99110000.EK0000 XXX L4053RV]

Revision of Approved Information Collection; OMB Control No. 1004–0179

AGENCY: Bureau of Land Management, Interior.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Bureau of Land Management (BLM) has submitted an information collection request to the Office of Management and Budget (OMB) to revise control number 1004–0179, ''Helium Contracts.'' This request is prompted by the need to update the control number in response to legislation.

DATES: The OMB is required to respond to this information collection request within 60 days but may respond after 30 days. For maximum consideration, written comments should be received on or before November 9, 2015.

ADDRESSES: Please submit comments directly to the Desk Officer for the Department of the Interior (OMB #1004–0179), Office of Management and Budget, Office of Information and Regulatory Affairs, fax 202–395–5806, or by electronic mail at *OIRA_submission@omb.eop.gov.* Please provide a copy of your comments to the BLM. You may do so via mail, fax, or electronic mail.

Mail: U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW., Room 2134LM, Attention: Jean Sonneman, Washington, DC 20240.

Fax: to Jean Sonneman at 202–245–0050.

Electronic mail: Jean_Sonneman@blm.gov.

Please indicate ''Attn: 1004–0179'' regardless of the form of your comments.

FOR FURTHER INFORMATION CONTACT: Robert Jolley, at 806–356–1002. Persons who use a telecommunication device for the deaf may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, to leave a message for Mr. Jolley. The FIRS is available 24 hours a day, 7 days a week. You will receive a reply during normal business hours. You may also review the information collection request online at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act (44 U.S.C. 3501–3521) and OMB regulations at 5 CFR part 1320 provide that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond. In order to obtain and renew an OMB control number, Federal agencies are required to seek public comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d) and 1320.12(a)).

As required at 5 CFR 1320.8(d), the BLM published a 60-day notice in the **Federal Register** on April 16, 2015, and the comment period ended June 15, 2015. The BLM received comments from one commenter. The commenter stated that we underestimated the burdens for ''Refined Helium Deliveries Detail'' and ''Refiners' Tolling Occurrence Report.'' In response, the BLM re-considered the burden estimates and changed the burden estimates for each of these information collection activities to four hours. The commenter also suggested revisions of the descriptions of the information collection activities to be consistent with the 2013 Act. The BLM concurs with these modifications and has made the suggested revisions.

The BLM now requests comments on the following subjects:

1. Whether the collection of information is necessary for the proper functioning of the BLM, including whether the information will have practical utility;

2. The accuracy of the BLM's estimate of the burden of collecting the information, including the validity of the methodology and assumptions used;

3. The quality, utility and clarity of the information to be collected; and

4. How to minimize the information collection burden on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other forms of information technology.

Please send comments as directed under **ADDRESSES** and **DATES**. Please refer to OMB control number 1004–0179 in your correspondence. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The following information pertains to this request:

Title: Helium Contracts (43 CFR part 3195).

OMB Control Number: 1004–0179.

Summary: At present, control number 1004–0179 (expiration date: April 30, 2017) enables the BLM to monitor purchases and sales of helium from the Federal Helium Reserve. This information collection activity is in accordance with the BLM's authority to implement in-kind sales of helium in accordance with 43 CFR part 3195. The BLM seeks OMB clearance to revise and extend this ongoing collection of information for another 3 years. The requested revision will be the addition of a new form (''Refined Helium Deliveries Detail'') that will replace the existing non-form activity titled ''Sales Reports.''

In addition, the BLM seeks OMB clearance to add information collection activities that are necessary for the implementation of the Helium Stewardship Act of 2013 (Act or 2013 Act), Public Law 113–40 (127 Stat. 534, codified at 50 U.S.C. 167–167q). Section 5(b)(8) of the 2013 Act amends 50 U.S.C. 167d, and establishes the following

additional terms and conditions of Federal helium sales that necessitate new information collection activities:

• Parties to a helium storage contract with the BLM must disclose on a strictly confidential basis:

(1) The volumes and associated prices in dollars per thousand cubic feet (Mcf) in purchase and sales transactions made pursuant to any agreement entered into or renegotiated agreement during the preceding 1-year period in the United States involving at least 15 million standard cubic feet of crude or pure helium;

(2) Refinery operational capacity, future operational capacity, and excess refining capacity in Mcf; and

• Refiners of crude helium that enter into ''tolling agreements'' must submit a Tolling Occurrence Report to the BLM whenever they enter into such tolling agreements. (''Tolling agreements'' refers to the helium industry's practice of processing or refining another party's helium at an agreed upon price. While refiners can purchase, access, and refine their own helium, non-refiners rely upon the refiners to process and refine the helium that they have purchased—this process is called tolling.)

Frequency of Collection: Quarterly for the Refined Helium Deliveries Detail; annually for the Calculation of Excess Refining Capacity and Refiners' Annual Tolling Report; and ''on occasion'' for the Refiners' Tolling Occurrence Report.

Forms:

Refined Helium Deliveries Detail;

Calculation of Excess Refining Capacity;

Refiners' Annual Tolling Report; and

Refiners' Tolling Occurrence Report.

Description of Respondents: Suppliers, purchasers, and refiners of Federal helium.

Estimated Annual Responses: 60.

Estimated Annual Burden Hours: 240.

Estimated Annual Non-Hour Costs: None.

The estimated annual burdens of these revised and new collection activities are itemized in the following table:

A. Type of response	B. Frequency	C. Number of respondents	D. Number of responses	E. Hours per response	F. Total hours (Column D x Column E)
Refined Helium Deliveries Detail	Quarterly	10	40	4	160
Calculation of Excess Refining Capacity.	Annually	4	4	4	16
Refiners' Annual Tolling Report	Annually	4	4	4	16
Refiners' Tolling Occurrence Report	On occasion	4	12	4	48
Totals		22	60		240

Jean Sonneman,

Bureau of Land Management, Information Collection Clearance Officer.

[FR Doc. 2015–25781 Filed 10–8–15; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–PWRO–KALA–18981; PPPWKALA00; PPMPSPD1Z.YM0000]

Request for Nominations for the Kalaupapa National Historical Park Advisory Commission

AGENCY: National Park Service, Interior.

ACTION: Request for nominations.

SUMMARY: The National Park Service, (NPS) U.S. Department of the Interior, proposes to appoint new members to the Kalaupapa National Historical Park Advisory Commission (Commission). The NPS is requesting nominations for qualified persons to serve as members of the Commission.

DATES: Written nominations must be received by November 9, 2015.

ADDRESSES: Nominations should be sent to Erika Stein Espaniola, Superintendent and Designated Federal Official, Kalaupapa National Historical Park, P.O. Box 2222, Kalaupapa, Hawaii 96742, telephone (808) 567–6802, ext. 1100.

FOR FURTHER INFORMATION CONTACT: Erika Stein Espaniola, Superintendent and Designated Federal Official, Kalaupapa National Historical Park, P.O. Box 2222, Kalaupapa, Hawaii 96742, telephone (808) 567–6802, ext. 1100.

SUPPLEMENTARY INFORMATION: The Commission was established by Section 108 of Public Law 96–565 (16 U.S.C. 410jj–7), December 22, 1980, as amended. The Commission's current termination date is December 22, 2025. In accordance with the statute, the Secretary of the Interior consults with and seeks advice of the Commission with respect to the development and operation of the Kalaupapa National Historical Park (Park) including training programs. In addition, the Commission advises the Secretary concerning public visitation to the Park, such advice with respect to numbers of visitors will be binding upon the Secretary if the Commission certifies to him or her that such advice is based on a referendum, held under the auspices of the Commission, of all patients on the official Kalaupapa Registry.

The Commission consists of eleven members, appointed by the Secretary as follows:

(1) Seven members who shall be present or former patients elected by the patient community; and

(2) Four members appointed from recommendations submitted by the Governor of Hawaii, at least one of whom shall be a Native Hawaiian.

The Secretary designates one member of the Commission to serve as Chairman. Members are appointed to five-year terms. Vacancies on the Commission will be filled in the same manner in which the original appointment was made.

We are currently seeking members in both categories.

Nominations should be typed and should include a resume providing an adequate description of the nominee's qualifications, including information that would enable the Department of the Interior to make an informed decision regarding meeting the membership requirements of the Commission and permit the Department of the Interior to contact a potential member.

Members of the Commission serve without compensation. However, while away from their homes or regular places of business in the performance of services for the Commission as approved by the Designated Federal Officer, members may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed such expenses under Section 5703 of Title 5 of the United States Code.

Individuals who are Federally registered lobbyists are ineligible to serve on all FACA and non-FACA boards, committees, or councils in an individual capacity. The term ''individual capacity'' refers to individuals who are appointed to exercise their own individual best judgment on behalf of the government, such as when they are designated Special Government Employees, rather than being appointed to represent a particular interest.

All nominations must be compiled and submitted in one complete package. Incomplete submissions (missing one or more of the items described above) will not be considered.

Dated: September 22, 2015.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2015–25732 Filed 10–8–15; 8:45 am]

BILLING CODE 4310–EE–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–PWR–PWRO–18475; PX.P0127341D.00.4]

Draft Environmental Impact Statement, Scorpion Pier Replacement, Santa Cruz Island, Channel Islands National Park, Ventura and Santa Barbara Counties, California

AGENCY: National Park Service, Interior.

ACTION: Notice of availability.

SUMMARY: The National Park Service announces the availability of a Draft Environmental Impact Statement (EIS) for the Scorpion Pier Replacement on Santa Cruz Island, Channel Islands National Park. The Draft EIS analyzes the potential consequences of three alternatives: The *No Action Alternative; Alternative 1,* which would replace the existing pier in the same location and make road improvements; and *Alternative 2,* which would construct the new replacement pier south of the existing location and make minor road improvements. The Draft EIS also proposes mitigation measures to minimize the adverse impacts from pier construction or utilization. Road improvements would be more extensive under Alternative 1.

DATES: All comments on the Draft EIS must be postmarked or transmitted not later than 60 days after the date the Environmental Protection Agency publishes notice of filing and release of the EIS in the **Federal Register**. The National Park Service will hold one public meeting during the comment period—the date, time, and location of the meeting will be announced on *http://parkplanning.nps.gov/chis,* via local and regional press media, and will also be available by contacting Channel Islands National Park.

ADDRESSES: Regularly updated project information will be available for public review and comment online through the NPS Planning, Environment & Public Comment Web site at *http://parkplanning.nps.gov.chis,* and in the office of the Superintendent, Channel Islands National Park, 1901 Spinnaker Dr., Ventura, CA 93001. You may submit comments by one of two methods: Mail or hand-deliver comments to Channel Islands National Park, Attn: DEIS—Scorpion Pier Replacement (address above), or you may transmit comments electronically via the Web site noted above. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

FOR FURTHER INFORMATION CONTACT: Mr. Russell Galipeau, Superintendent, Channel Islands National Park, 1901 Spinnaker Dr., Ventura, CA 93001; *russell_galipeau@nps.gov;* (805) 658–5702.

SUPPLEMENTARY INFORMATION: Channel Islands National Park includes five remote islands spanning 2,228 square miles of land and sea. Santa Cruz Island, Scorpion Anchorage, is the most visited destination within the Park. The existing pier needs to be replaced in order to improve safety and accessibility, allowing all visitors to move safely from vessels to the pier, and providing easy access to the adjacent shoreline, the historic Scorpion Ranch and visitor center, restrooms, orientation displays, campground, and hiking trails.

The need for the Project is driven by the following factors: (1) Scorpion Pier should provide safe access to Santa Cruz Island. The existing pier is deteriorating and does not meet NPS requirements for administrative use or safe visitor access. The access road to the current location also requires frequent rebuilding. The current height of the pier cannot sufficiently accommodate high and low tides; as such, vessel operators have difficulty docking without compromising risk to individuals, vessels, and the pier itself. The embarkation process requires passengers to climb—one person at a time, often while carrying a backpack—a single ladder that is not compliant with standards for accessibility.

(2) Scorpion Pier should facilitate efficient access to Santa Cruz Island that accommodates visitor demand. The existing pier and access road significantly weaken the efficiency of NPS operations. The one-person ladder needed for embarkation, for example, lengthens the entire boarding process and increases visitor exposure to adverse weather conditions. The narrow width of the pier also causes delays because it cannot simultaneously accommodate visitors and large cargo (*i.e.,* maintenance vehicles); as such, passenger embarkation must occur separately from many maintenance activities. Additionally, the lack of adequate armoring in the area increases the need for regular and expensive repairs to the eroding access road. Improvement of the pier and access road is necessary to meet current and future visitor demands.

(3) Scorpion Pier and the access roadway should be operated in a manner that protects sensitive resources. The access road is extremely susceptible to harsh weather conditions, and is often washed out by Scorpion Creek when it floods. Maintenance of the existing pier access road currently requires repairing and re-grading several times per year due to wave and storm erosion. As a result of these ground-disturbing activities, sensitive archaeological resources may be threatened. Ongoing re-construction can also impact the environment through air emissions, erosion, and possible pollutants to waterways and sensitive habitats.

(4) Scorpion Pier should provide access to Santa Cruz Island in consideration of predicted sea level rise. The predicted rise in sea level must be considered in the new pier design. Current predictions range from 0.33 foot to 1.1 foot by the year 2050, and 0.74 foot to 3.2 feet by 2100. Anticipated sea level rise has implications for the new pier design, as well as for the dynamics of Scorpion Creek during large storm events.

Accordingly, the range of alternatives which have been developed will fulfill the following key project objectives:

- Improve visitor experience.
- Improve the pier while protecting marine and terrestrial environments and archeological resources.
- Improve access for NPS and concessioner boats.

• Improve passenger, cargo, and operations circulation.
• Preserve historic landscape qualities and visual character of Scorpion Ranch.
• Improve efficiency and sustainability.

Decision Process: Following due consideration of all public and agency comments received, a Final EIS will be prepared and released for public inspection during a 30 day no-action period. The official responsible for approval of the pier replacement project is the Regional Director, Pacific West Region. Subsequently the official responsible for implementing the approved project and for monitoring results is the Superintendent, Channel Islands National Park.

Dated: June 5, 2015.

Patricia L. Neubacher,

Acting Regional Director, Pacific West Region.

Note: The Office of the Federal Register received this document on October 6, 2015.
[FR Doc. 2015–25786 Filed 10–8–15; 8:45 am]

BILLING CODE 4312–FF–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–CONC–ABSV–18183; PPWOBSADC0, PPMVSCS1Y.Y00000]

Temporary Concession Contract for Point Reyes National Seashore

AGENCY: National Park Service, Interior.

ACTION: Notice of proposed award of temporary concession contracts for Point Reyes National Seashore, California.

SUMMARY: Notice is hereby given that the National Park Service (NPS) proposes to award a temporary concession contract for the conduct of certain Visitor services within Point Reyes National Seashore, California, for a term not to exceed 11 months. The visitor services include horseback riding and horse boarding of the location commonly known as Five Brooks Stables. This action is necessary to avoid interruption of visitor services.

DATES: The term of the temporary concession contracts will commence (if awarded) on or around December 1, 2015.

SUPPLEMENTARY INFORMATION: The NPS intends to award the temporary concession contract to Richard Vaughn, who the NPS has determined is a qualified person as defined in 36 CFR 51.3. The NPS has determined this temporary concession contract is necessary in order to avoid interruption of visitor services and has taken all reasonable and appropriate steps to consider alternatives to avoid an interruption of visitor services.

This action is being taken pursuant to 36 CFR 51.24(a). This is not a request for proposals.

Dated: September 21, 2015.

Jonathan B. Jarvis,

Director, National Park Service.

[FR Doc. 2015–25787 Filed 10–8–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–NERO–CACO–19359; PPNECACOS0, PPMPSD1Z.YM0000]

Notice of November 16, 2015, Meeting for Cape Cod National Seashore Advisory Commission

AGENCY: National Park Service, Interior.

ACTION: Meeting notice.

SUMMARY: This notice sets forth the date of the 300th Meeting of the Cape Cod National Seashore Advisory Commission.

DATES: The public meeting of the Cape Cod National Seashore Advisory Commission will be held on Monday, November 16, 2015, at 1:00 p.m. (Eastern).

ADDRESSES: The 300th meeting of the Cape Cod National Seashore Advisory Commission will take place on Monday, November 16, 2015, at 1:00 p.m., in the conference room at park headquarters, 99 Marconi Site Road, Wellfleet, Massachusetts 02667 to discuss the following:

1. Adoption of Agenda
2. Approval of Minutes of Previous Meeting (September 14, 2015)
3. Reports of Officers
4. Reports of Subcommittees
   Update of Pilgrim Nuclear Plant Emergency Planning Subcommittee
5. Superintendent's Report
   Shorebird Management Plan/ Environmental Assessment—Review of Plan and Preferred Alternative
   Outer Cape Bike and Pedestrian Master Plan—Review of Plan and Preferred Alternative
6. Old Business
   Live Lightly Campaign Progress Report
7. New Business
8. Date and Agenda for Next Meeting
9. Public Comment
10. Adjournment

FOR FURTHER INFORMATION CONTACT: Further information concerning the meeting may be obtained from George E. Price, Jr., Superintendent, Cape Cod National Seashore, 99 Marconi Site, Wellfleet, Massachusetts 02667, or via telephone at (508) 771–2144.

SUPPLEMENTARY INFORMATION: The Commission was reestablished pursuant to Public Law 87–126, as amended by Public Law 105–280. The purpose of the Commission is to consult with the Secretary of the Interior, or her designee, with respect to matters relating to the development of Cape Cod National Seashore, and with respect to carrying out the provisions of sections 4 and 5 of the Act establishing the Seashore.

The meeting is open to the public. It is expected that 15 persons will be able to attend the meeting in addition to Commission members. Interested persons may make oral/written presentations to the Commission during the business meeting or file written statements. Such requests should be made to the park superintendent prior to the meeting. Before including your address, telephone 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 may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: September 29, 2015.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2015–25731 Filed 10–8–15; 8:45 am]

BILLING CODE 4310–EE–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Height-Adjustable Desk Platforms and Components Thereof, DN 3090*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of

Practice and Procedure (19 CFR 210.8(b)).

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at EDIS,[1] and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission (USITC) at USITC.[2] The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at EDIS.[3] 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 has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Varidesk LLC on October 2, 2015. The complaint alleges violations of section 337 of the Tariff Act of 1930 (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 height-adjustable desk platforms and components thereof. The complaint names as respondent Brunswick Corp. Life Fitness Division of Lake Forest, IL. The complainant requests that the Commission issue a limited exclusion order and a cease and desist order.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 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 docket number (''Docket No. 3090'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures.[4]) 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 nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[5]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: October 5, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–25695 Filed 10–8–15; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Blood Cholesterol Test Strips and Associated Systems Containing Same, DN 3089;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.8(b)).

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E. Street., SW., Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at EDIS,[1] and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission

[1] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

[2] United States International Trade Commission (USITC): *http://edis.usitc.gov.*

[3] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

[4] Handbook for Electronic Filing Procedures: *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.*

[5] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

[1] Electronic Document Information System (EDIS): *http://edis.usitc.gov*

(USITC) at USITC.[2] The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at EDIS[3]. 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 has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Polymer Technology Systems, Inc. on October 2, 2015. The complaint alleges violations of section 337 of the Tariff Act of 1930 (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 blood cholesterol test strips and associated systems containing same. The complaint names as respondents Infopia Co., Ltd. of South Korea; Infopia America LLC of Titusville, FL; and Jant Pharmacal Corporation of Encino, CA. The complainant requests that the Commission issue an exclusion order and cease and desist orders.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register.** There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 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 docket number (''Docket No. 3089'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures[4]). 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 nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[5]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: October 5, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–25694 Filed 10–8–15; 8:45 am]

BILLING CODE 7020–02–P

[2] United States International Trade Commission (USITC): *http://edis.usitc.gov*

[3] Electronic Document Information System (EDIS): *http://edis.usitc.gov*

[4] Handbook for Electronic Filing Procedures: *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.*

[5] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—ASTM International Standards

Notice is hereby given that, on September 14, 2015, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), ASTM International (''ASTM'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, ASTM has provided an updated list of current, ongoing ASTM standards activities originating between May 2015 and September 2015 designated as Work Items. A complete listing of ASTM Work Items, along with a brief description of each, is available at *http://www.astm.org.*

On September 15, 2004, ASTM filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on November 10, 2004 (69 FR 65226).

The last notification was filed with the Department on May 13, 2015. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on June 25, 2015 (80 FR 36577).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2015–25836 Filed 10–8–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0008]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of Currently Approved Collection Semi-Annual Progress Report for Grantees From the Enhanced Training and Services To End Abuse in Later Life (Training Program)

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice, Office on Violence Against Women (OVW) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until December 8, 2015.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Cathy Poston, Office on Violence Against Women, at 202–514–5430 or *Catherine.poston@usdoj.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:

(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 submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision to Currently Approved Collection.

(2) *Title of the Form/Collection:* Semi-Annual Progress Report for Grantees from the Enhanced Training and Services to End Abuse in Later Life (Training Program).

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122–0008. U.S. Department of Justice, Office on Violence Against Women.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes the approximately 18 grantees of the Training Program. The Enhanced Training and Services to End Abuse in Later Life Program addresses elder abuse, neglect, and exploitation, including domestic violence, dating violence, sexual assault, or stalking, against victims who are 50 years of age or older through training and services. Eligible applicants include states and territories, Indian tribal governments and tribal organizations, units of local government, and nonprofit, nongovernmental victim services organizations with demonstrated experience in assisting elderly women or demonstrated experience in addressing sexual assault, domestic violence, dating violence, and stalking.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the approximately 18 respondents (Training Program grantees) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections that pertain to the different types of activities in which grantees may engage. A Training Program grantee will only be required to complete the sections of the form that pertain to its own specific activities.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 36 hours, that is 18 grantees completing a form twice a year with an estimated completion time for the form being one hour.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E.405B, Washington, DC 20530.

Dated: October 6, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–25769 Filed 10–8–15; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0003]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of Currently Approved Collection; Annual Progress Report for STOP Violence Against Women Formula Grant Program

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice, Office on Violence Against Women (OVW) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until December 8, 2015.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Cathy Poston, Office on Violence Against Women, at 202–514–5430 or *Catherine.poston@usdoj.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:

(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 submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision to Currently Approved Collection.

(2) *Title of the Form/Collection:* Annual Progress Report for STOP Violence Against Women Formula Grant Program.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122–0003. U.S. Department of Justice, Office on Violence Against Women.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes the 56 STOP state administrators (from 50 states, the District of Columbia and five territories and commonwealths (Guam, Puerto Rico, American Samoa, Virgin Islands, Northern Mariana Islands)) and their sub-grantees. The STOP Violence Against Women Formula Grants Program was authorized through the Violence Against Women Act of 1994 (VAWA) and reauthorized and amended in 2000, 2005, and 2013. Its purpose is to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violence against women. The STOP Formula Grants Program envisions a partnership among law enforcement, prosecution, courts, and victim advocacy organizations to enhance victim safety and hold offenders accountable for their crimes of violence against women. OVW administers the STOP Formula Grants Program. The grant funds must be distributed by STOP state administrators to sub-grantees according to a statutory formula (as amended).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the 56 respondents (STOP administrators) approximately one hour to complete an annual progress report. It is estimated that it will take approximately one hour for roughly 2500 sub-grantees [1] to complete the relevant portion of the annual progress report. The Annual Progress Report for the STOP Formula Grants Program is divided into sections that pertain to the different types of activities that sub-grantees may engage in and the different types of subg-rantees that receive funds, *i.e.* law enforcement agencies, prosecutors' offices, courts, victim services agencies, etc.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the annual progress report is 2,556 hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E.405B, Washington, DC 20530.

Dated: October 6, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–25767 Filed 10–8–15; 8:45 am]

BILLING CODE 4410–FX–P

[1] Each year the number of STOP subgrantees changes. The number 2,500 is based on the number of reports that OVW has received in the past from STOP subgrantees.

DEPARTMENT OF JUSTICE

[OMB Number 1122–0013]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of Currently Approved Collection Semi-Annual Progress Report for Grantees From the Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance Program

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice, Office on Violence Against Women (OVW) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until December 8, 2015.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Cathy Poston, Office on Violence Against Women, at 202–514–5430 or *Catherine.poston@usdoj.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:

(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 submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision to Currently Approved Collection.

(2) *Title of the Form/Collection:* Semi-Annual Progress Report for Grantees from the Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance Program.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122–0013. U.S. Department of Justice, Office on Violence Against Women

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes the approximately 165 grantees of the Rural Program. The primary purpose of the Rural Program is to enhance the safety of victims of domestic violence, dating violence, sexual assault, stalking, and child victimization by supporting projects uniquely designed to address and prevent these crimes in rural jurisdictions. Grantees include States, Indian tribes, local governments, and nonprofit, public or private entities, including tribal nonprofit organizations, to carry out programs serving rural areas or rural communities.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the approximately 165 respondents (Rural Program grantees) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections

that pertain to the different types of activities in which grantees may engage. A Rural Program grantee will only be required to complete the sections of the form that pertain to its own specific activities.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 330 hours, that is 165 grantees completing a form twice a year with an estimated completion time for the form being one hour.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E.405B, Washington, DC 20530.

Dated: October 6, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–25770 Filed 10–8–15; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF JUSTICE

[OMB Number 1117–0014]

Agency Information Collection Activities; Proposed eCollection, eComments Requested; Extension Without Change of a Previously Approved Collection Application for Registration, Application for Registration Renewal DEA Forms 224, 224A

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: 60-day notice.

SUMMARY: The Department of Justice (DOJ), Drug Enforcement Administration (DEA), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until December 8, 2015.

FOR FURTHER INFORMATION CONTACT: If you have comments on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact John R. Scherbenske, Office of Diversion Control, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (202) 598–6812.

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 proposed 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 forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *Title of the Form/Collection:* Application for Registration; Application for Registration Renewal.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* DEA Forms: 224, 224A. The applicable component within the Department of Justice is the Drug Enforcement Administration, Office of Diversion Control.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Affected public (Primary): Business or other for-profit. Affected public (Other): Not-for-profit institutions; Federal, State, local, and tribal governments.

Abstract: The Controlled Substances Act (CSA) requires all persons that manufacture, distribute, dispense, conduct research with, import, or export any controlled substance to obtain a registration issued by the Attorney General.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:*

	Number of annual respondents	Average time per response	Total annual hours
DEA–224 (paper)	4,548	0.2 hours (12 minutes)	910
DEA–224 (online)	97,763	0.13 hours (8 minutes)	13,035
DEA–224A (paper)	50,265	0.2 hours (10 minutes)	8,378
DEA–224A (online)	381,506	0.07 hours (4 minutes)	25,434
Total	534,082		47,757

Figures are rounded.

6. *An estimate of the total public burden (in hours) associated with the proposed collection:* The DEA estimates that this collection takes 47,757 annual burden hours.

If additional information is required please contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Suite 3E.405B, Washington, DC 20530.

Dated: October 6, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–25772 Filed 10–8–15; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0007]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of Currently Approved Collection Semi-Annual Progress Report for Legal Assistance for Victims Grant Program

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice, Office on Violence Against Women (OVW) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until December 8, 2015.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Cathy Poston, Office on Violence Against Women, at 202–514–5430 or *Catherine.poston@usdoj.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:

(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 submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision to Currently Approved Collection.

(2) *Title of the Form/Collection:* Semi-Annual Progress Report for Legal Assistance for Victims Grant Program.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122–0007. U.S. Department of Justice, Office on Violence Against Women.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes the approximately 200 grantees of the Legal Assistance for Victims Grant Program (LAV Program) whose eligibility is determined by statute. In 1998, Congress appropriated funding to provide civil legal assistance to domestic violence victims through a set-aside under the Grants to Combat Violence Against Women, Public Law 105–277. In the Violence Against Women Act of 2000, Congress statutorily authorized the LAV Program. 42 U.S.C. 3796gg–6 and amended the statutory provisions for this grant program in 2005 and 2013. The LAV Program is intended to increase the availability of legal assistance necessary to provide effective aid to victims of domestic violence, stalking, or sexual assault who are seeking relief in legal matters arising as a consequence of that abuse or violence. The LAV Program awards grants to law school legal clinics, legal aid or legal services programs, domestic violence victims' shelters, bar associations, sexual assault programs, private nonprofit entities, and Indian tribal governments. These grants are for providing direct legal services to victims of domestic violence, sexual assault, and stalking in matters arising from the abuse or violence and for providing enhanced training for lawyers representing these victims. The goal of the Program is to develop innovative, collaborative projects that provide quality representation to victims of domestic violence, sexual assault, and stalking.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the approximately 200 respondents (LAV Program grantees) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections that pertain to the different types of activities that grantees may engage in and the different types of grantees that receive funds. An LAV Program grantee will only be required to complete the sections of the form that pertain to its own specific activities.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 400 hours, that is 200 grantees completing a form twice a year with an estimated completion time for the form being one hour.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E.405B, Washington, DC 20530.

Dated: October 6, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–25768 Filed 10–8–15; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF JUSTICE

Amended Notice of Lodging of Proposed Consent Decrees Under the Comprehensive Environmental Response, Compensation, and Liability Act

This Notice amends and replaces the original notice published on October 05, 2015, 80 FR 192. Notice is hereby given that on September 29, 2015, a proposed Consent Decree in United States v. Wyeth Holdings LLC, Civil Action No. 3:15–cv–07153–AET, was lodged with the United States Court for the District of New Jersey. In this action brought pursuant to Sections 106, 107, and 113(g)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§ 9606, 9607 and 9613(g)(2) (''CERCLA''), the United States seeks injunctive relief requiring Wyeth Holdings LLC (''Settling Defendant'') to undertake certain environmental response actions at the American Cyanamid Superfund Site (''Site'') located in Bridgewater, New Jersey. The United States also seeks to recover costs incurred and to be incurred by the United States in response to releases or threatened releases of hazardous substances at or from the Site.

The settlement requires Settling Defendant to perform the remedies selected by the Environmental Protection Agency (''EPA'') in the Records of Decision for Operable Unit 2 (''OU2''), involving revegetation, and Operable Unit 4 (''OU4''), involving the remediation of almost all site-wide soils, groundwater, and six waste disposal impoundments. The settlement also requires Settling Defendant to reimburse EPA $1,000,000 in past response costs and pay EPA's future oversight costs related to the cleanup.

The publication of this amended notice restarts a 30 day period for public comment on the Consent Decree. Comments are now due 30 days from the publication of this amended notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Wyeth Holdings LLC.*, D.J. Ref. No. 90–11–3–07250/1. All comments must be submitted no later than thirty (30) days after the publication date of this amended notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email ...	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the consent decrees may be examined and downloaded at this Justice Department Web site: *http://www.justice.gov/enrd/consent-decrees.* We will provide paper copies of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $73.00 (25 cents per page reproduction cost) payable to the United States Treasury.

Robert E. Maher Jr.,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2015–25685 Filed 10–8–15; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0016]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of Currently Approved Collection; Semi-Annual Progress Report for Grantees of the Transitional Housing Assistance Grant Program

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice, Office on Violence Against Women (OVW) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until December 8, 2015.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Cathy Poston, Office on Violence Against Women, at 202–514–5430 or *Catherine.poston@usdoj.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:

(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 submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision to Currently Approved Collection.

(2) *Title of the Form/Collection:* Semi-Annual Progress Report for Grantees of the Transitional Housing Assistance Grant Program.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122–0016. U.S. Department of Justice, Office on Violence Against Women.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes the approximately 120 grantees of the Transitional Housing Assistance Grant Program (Transitional Housing Program) whose eligibility is determined by statute. This discretionary grant program funds organizations to assist victims of domestic violence, dating violence, sexual assault, and stalking who are in need of transitional housing, short-term housing assistance, and related supportive services. Eligible applicants are States, units of local government, Indian tribal governments, and other organizations, including domestic violence and sexual assault victim services providers, domestic violence or sexual assault coalitions, other nonprofit, nongovernmental organizations, or community-based and culturally specific organizations, that have a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the 120 respondents (grantees) approximately one hour to complete the Semi-Annual Progress Report. The semi-annual progress report is divided into sections that pertain to the different types of activities that grantees may engage in and the different types of grantees that receive funds. A Transitional Housing Program grantee will only be required to complete the sections of the form that pertain to its own specific activities.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 240 hours, that is 120 grantees completing a form twice a year with an estimated completion time for the form being one hour.

If additional information is required contact: Jerri Murray, Department

Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E. 405B, Washington, DC 20530.

Dated: October 6, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–25771 Filed 10–8–15; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On September 28, 2015, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Eastern District of Virginia in the lawsuit entitled *United States* v. *Chesapeake Products, Inc., and Frit, Inc.*, Civil Action No. 2:15CV434.

Pursuant to the Consent Decree, the United States will recover $200,000, to be paid by Defendants in two installments within a period of one year, in costs incurred in connection with an environmental removal action conducted at the Chesapeake Products Superfund Site, in Chesapeake, Virginia. Defendant Chesapeake Products, Inc. is the current owner of the Site, as well as the owner and operator at the time that hazardous substances were disposed of therein. Defendant Frit, Inc., is the parent company to Chesapeake Products, Inc.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Chesapeake Products, Inc., and Frit, Inc.*, D.J. Ref. No. 90–11–3–10701. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email ...	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: *http://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $9.25 (25 cents per page reproduction cost) payable to the United States Treasury.

Robert Brook,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2015–25691 Filed 10–8–15; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; International Price Program U.S. Import and Export Price Indexes

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Bureau of Labor Statistics (BLS) sponsored information collection request (ICR) titled, ''International Price Program U.S. Import and Export Price Indexes,'' 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), 44 U.S.C. 3501 *et seq.* Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before November 9, 2015.

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 Web site at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201505-1220-001* (this link will only become active on the day following publication of this notice) 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 or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–BLS, 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.*

Authority: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the International Price Program U.S. Import and Export Price Indexes information collection. Price data collected by the International Price Program are used to produce indexes that measure, on a monthly basis, changes in transaction prices of goods and services exported from or imported into the U.S. Published data, in turn, are used to deflate import and export trade statistics, deflate the foreign trade component of the Gross Domestic Product, determine monetary and fiscal policy, negotiate trade agreements, and determine trade and commercial policy. Respondents are establishments conducting import/export trade. They receive no compensation for their voluntary participation. Bureau of Labor Statistics Authorizing Statute sections 1 and 2 authorize this information collection. *See* 29 U.S.C. 1, 2.

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 1220–0025.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for

this collection is scheduled to expire on October 31, 2015. 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 May 15, 2015 (80 FR 28011).

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 1220–0025. 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–BLS.

Title of Collection: International Price Program U.S. Import and Export Price Indexes.

OMB Control Number: 1220–0025.

Affected Public: Private Sector—businesses or other for profits.

Total Estimated Number of Respondents: 7,950.

Total Estimated Number of Responses: 46,950.

Total Estimated Annual Time Burden: 21,305 hours.

Total Estimated Annual Other Costs Burden: $0.

Dated: October 5, 2015.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2015–25740 Filed 10–8–15; 8:45 am]

BILLING CODE 4510–24–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (15–090)]

NASA Advisory Council; Human Exploration and Operations Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92–463, as amended, the National Aeronautics and Space Administration (NASA) announces a meeting of the Human Exploration and Operations Committee of the NASA Advisory Council (NAC). This Committee reports to the NAC.

DATES: Wednesday, November 4, 2015, 8:30 a.m. to 3:30 p.m.; and Thursday, November 5, 2015, 9:30 a.m. to 4:30 p.m., Local Time.

ADDRESSES: NASA Headquarters, Executive Conference and ViTS Center, Room 8Q40, 300 E Street SW., Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Dr. Bette Siegel, Human Exploration and Operations Mission Directorate, NASA Headquarters, Washington, DC 20546, (202) 358–2245, or *bette.siegel@nasa.gov.*

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the room. This meeting is also available telephonically and by WebEx. You must use a touch tone phone to participate in this meeting. Any interested person may dial the toll free access number 1–888–455–6733 or toll access number 1–210–839–8935, and give the operator the participant passcode: NAC HEOC, to participate in this meeting by telephone. The WebEx link is *https://nasa.webex.com/,* the meeting number is 990 944 162, and the password is Exploration@2015 (case sensitive).

The agenda for the meeting includes the following topics:

—Status of Exploration Systems Development
—Status of the International Space Station
—Status of Advanced Exploration Systems
—Evolvable Mars Campaign
—Status of the Human Exploration and Operations Mission Directorate
—Status of Commercial Crew
—SpaceX Commercial Crew
—Boeing Commercial Crew

Attendees will be required to sign a register and comply with NASA security requirements, including the presentation of a valid picture ID before receiving access to NASA Headquarters. Due to the Real ID Act, Public Law 109–13, any attendees with drivers licenses issued from non-compliant states/territories must present a second form of ID. [Federal employee badge; passport; active military identification card; enhanced driver's license; U.S. Coast Guard Merchant Mariner card; Native American tribal document; school identification accompanied by an item from LIST C (documents that establish employment authorization) from the ''List of the Acceptable Documents'' on Form I–9]. Non-compliant states/territories are: American Samoa, Arizona, Idaho, Louisiana, Maine, Minnesota, New Hampshire, and New York. Foreign nationals attending this meeting will be required to provide a copy of their passport and visa in addition to providing the following information no less than 10 days prior to the meeting: Full name; home address; gender; citizenship; date/city/country of birth; title, position or duties; visa information (number, type, expiration date); passport information (number, country, expiration date); employer/affiliation information (name of institution, address, country, telephone) of the position of attendee; and home address to Dr. Bette Siegel via email at *bette.siegel@nasa.gov.* To expedite admittance, U.S. citizens and Permanent Residents (green card holders) are requested to submit identifying information no less than 3 working days prior to the meeting to Dr. Bette Siegel via email at *bette.siegel@nasa.gov.* It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Patricia D. Rausch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 2015–25741 Filed 10–8–15; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL SCIENCE FOUNDATION

Membership of the National Science Board's Senior Executive Service Performance Review Board

AGENCY: National Science Foundation.

ACTION: Announcement of Membership of the National Science Foundation's Performance Review Board for the Office of Inspector General and the National Science Board Office Senior Executive Service positions.

SUMMARY: This announcement of the membership of the National Science Foundation's Office of Inspector General and National Science Board Office Senior Executive Service Performance Review Board is made in compliance with 5 U.S.C. 4314(c)(4).

ADDRESSES: Comments should be addressed to Division Director, Division of Human Resource Management, National Science Foundation, Room 315, 4201 Wilson Boulevard, Arlington, VA 22230.

FOR FURTHER INFORMATION CONTACT: Dr. Judith S. Sunley at the above address or (703) 292–8180.

SUPPLEMENTARY INFORMATION: The membership of the National Science Board's Senior Executive Service Performance Review Board is as follows:

Ruth David, Chair, Audit and Oversight Committee, National Science Board

Joanne Tornow, Head, Office of Information and Resource Management, and Chief Human Capital Officer

Plus two members to be selected from the IG community.

Dated: October 2, 2015.

Judith S. Sunley,

Division Director, Division of Human Resource Management.

[FR Doc. 2015–25722 Filed 10–8–15; 8:45 am]

BILLING CODE 7555–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–76075; File No. SR–NSCC–2015–803]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of No Objection to Advance Notice Filing To Enhance NSCC's Margining Methodology as Applied to Family-Issued Securities of Certain NSCC Members

October 5, 2015.

National Securities Clearing Corporation (''NSCC'') filed on August 14, 2015 with the Securities and Exchange Commission (''Commission'') advance notice SR–NSCC–2015–803 (''Advance Notice'') pursuant to Section 806(e)(1) of the Payment, Clearing, and Settlement Supervision Act of 2010 (''Payment, Clearing and Settlement Supervision Act'') [1] and Rule 19b–4(n)(1)(i) [2] under the Securities Exchange Act of 1934 (''Exchange Act'') to change its margin charge with respect to a member's positions in securities that are issued by such member or its affiliate (*i.e.,* ''family-issued securities'') by excluding positions in these securities, when the member is on NSCC's Watch List,[3] from its volatility margining model. The Advance Notice was published for comment in the **Federal Register** on September 17, 2015.[4] The Commission did not receive any comments on the Advance Notice. This publication serves as notice of no objection to the Advance Notice.

I. Description of the Advance Notice

As described by NSCC in the Advance Notice, NSCC has proposed to enhance its margin methodology as applied to the family-issued securities of its members that are on its Watch List [5] by excluding these securities from the volatility component, or ''VaR'' charge, and then charging an amount calculated by multiplying the absolute value of the long net unsettled positions in that member's family-issued securities by a percentage that is no less than 40%. The haircut rate to be charged will be determined based on the member's rating on the credit risk rating matrix and the type of family-issued security submitted to NSCC. Fixed income securities that are family-issued securities will be charged a haircut rate of no less than 80% for firms that are rated 6 or 7 on the credit risk rating matrix, and no less than 40% for firms that are rated 5 on the credit risk rating matrix; and equity securities that are family-issued securities will be charged a haircut rate of 100% for firms that are rated 6 or 7 on the credit risk rating matrix, and no less than 50% for firms that are rated 5 on the credit risk rating matrix. NSCC will have the authority to adjust these haircut rates from time to time within these parameters as described in Procedure XV of NSCC's Rules without filing a proposed rule change with the Commission pursuant to Section 19(b)(1) of the Exchange Act,[6] and the rules thereunder, or an advance notice with the Commission pursuant to Section 806(e)(1) of the Payment, Clearing and Settlement Supervision Act,[7] and the rules thereunder.

As described by NSCC in the Advance Notice, NSCC, as a central counterparty (''CCP''), occupies an important role in the securities settlement system by interposing itself between counterparties to financial transactions and thereby reducing the risk faced by participants and contributing to global financial stability. The effectiveness of a CCP's risk controls and the adequacy of its financial resources are critical to achieving these risk-reducing goals. In that context, NSCC continuously reviews its margining methodology in order to ensure the reliability of its margining in achieving the desired coverage. In order to be most effective, NSCC must take into consideration the risk characteristics specific to certain securities when margining those securities.

Among the various risks that NSCC considers when evaluating the effectiveness of its margining methodology are its counterparty risks and identification and mitigation of ''wrong-way'' risk, particularly specific wrong-way risk, defined as the risk that an exposure to a counterparty is highly likely to increase when the creditworthiness of that counterparty deteriorates.[8] NSCC has identified an exposure to wrong-way risk when it acts as a CCP to a member with respect to positions in securities that are issued by that member or that member's affiliate. These positions are referred to as ''family-issued securities.'' In the event that a member with unsettled long positions in family-issued securities defaults, NSCC would close out those positions following a likely drop in the

[1] 12 U.S.C. 5465(e)(1). The Financial Stability Oversight Council designated NSCC a systemically important financial market utility on July 18, 2012. *See* Financial Stability Oversight Council 2012 Annual Report, Appendix A, *http://www.treasury.gov/initiatives/fsoc/Documents/2012%20Annual%20Report.pdf.* Therefore, NSCC is required to comply with the Payment, Clearing and Settlement Supervision Act and file advance notices with the Commission. *See* 12 U.S.C. 5465(e).

[2] 17 CFR 240.19b–4(n)(1)(i).

[3] As part of its ongoing monitoring of its membership, NSCC utilizes an internal credit risk rating matrix to rate its risk exposures to its members based on a scale from 1 (the strongest) to 7 (the weakest). Members that fall within the weakest three rating categories (*i.e.,* 5, 6, and 7) are placed on NSCC's ''Watch List'' and, as provided under NSCC's Rules and Procedures (''Rules''), may be subject to enhanced surveillance or additional margin charges. *See* Section 4 of Rule 2B and Section I(B)(1) of Procedure XV of NSCC's Rules, *available at http://dtcc.com/~/media/Files/Downloads/legal/rules/nscc_rules.pdf.*

[4] *See* Securities Exchange Act Release No. 75899 (September 11, 2015), 80 FR 55883 (September 17, 2015) (File No. SR–NSCC–2015–803). NSCC also filed a proposed rule change with the Commission pursuant to Section 19(b)(1) of the Exchange Act and Rule 19b–4 thereunder, seeking approval of changes to its Rules necessary to implement the Advance Notice. 15 U.S.C. 78s(b)(1) and 17 CFR 240.19b–4, respectively. This proposed rule change was published in the **Federal Register** on September 2, 2015. Securities Exchange Act Release No. 75768 (August 27, 2015), 80 FR 53219 (September 2, 2015) (SR–NSCC–2015–003).

[5] *See* Section 4 of Rule 2B and Section I(B)(1) of Procedure XV of NSCC's Rules, *supra* Note 3.

[6] 15 U.S.C. 78s(b)(1).

[7] 12 U.S.C. 5465(e)(1).

[8] *See Principles for financial market infrastructures,* issued by the Committee on Payment and Settlement Systems and the Technical Committee of the International Organization of Securities Commissions 47 n.65 (April 2012), *available at http://www.bis.org/publ/cpss101a.pdf.*

credit-worthiness of the issuer, possibly resulting in a loss to NSCC.

Therefore, the overall impact of NSCC's proposal, as described above, on risks presented by NSCC will be to reduce NSCC's exposure to this type of wrong-way risk by enhancing its margin methodology as applied to the family-issued securities of its members that are on its Watch List, and present a heightened credit risk to the clearing agency or have demonstrated higher risk related to their ability to meet settlement. NSCC believes a reduction in its exposures to wrong-way risk through a margining methodology that more effectively captures the risk characteristics of these positions will contribute to the goal of maintaining financial stability in the event of a member default and reduce systemic risk overall. Because NSCC members that are on its Watch List present a heightened credit risk to the clearing agency or have demonstrated higher risk related to their ability to meet settlement, NSCC believes that this charge will more effectively capture the risk characteristics of these positions and can help mitigate NSCC's exposure to wrong-way risk.

NSCC stated in the Advance Notice that it will continue to evaluate its exposures to wrong-way risk, specifically wrong-way risk presented by family-issued securities, including by reviewing the impact of expanding the application of the proposed margining methodology to the family-issued securities of those members that are not on the Watch List. NSCC is proposing to apply the enhanced margining methodology to the family-issued securities of members that are on the Watch List at this time because, as stated above, these members present a heightened credit risk to the clearing agency or have demonstrated higher risk related to their ability to meet settlement. As such, there is a clear and more urgent need to address NSCC's exposure to wrong-way risk presented by these firms' family-issued securities. However, any future change to the margining methodology as applied to the family-issued securities of members that are not on the Watch List would be subject to a separate proposed rule change pursuant to Section 19(b)(1) of the Exchange Act,[9] and the rules thereunder and an advance notice pursuant to Section 806(e)(1) of the Payment, Clearing and Settlement Supervision Act,[10] and the rules thereunder.

[9] 15 U.S.C. 78s(b)(1).

[10] 12 U.S.C. 5465(e)(1).

II. Discussion and Commission Findings

Although the Payment, Clearing and Settlement Supervision Act does not specify a standard of review for an advance notice, the Commission believes that the stated purpose of the Payment, Clearing and Settlement Supervision Act is instructive.[11] The stated purpose of the Payment, Clearing and Settlement Supervision Act is to mitigate systemic risk in the financial system and promote financial stability by, among other things, promoting uniform risk management standards for systemically important financial market utilities and strengthening the liquidity of systemically important financial market utilities.[12]

Section 805(a)(2) of the Payment, Clearing and Settlement Supervision Act[13] authorizes the Commission to prescribe risk management standards for the payment, clearing, and settlement activities of designated clearing entities and financial institutions engaged in designated activities for which it is the supervisory agency or the appropriate financial regulator. Section 805(b) of the Payment, Clearing and Settlement Supervision Act[14] states that the objectives and principles for the risk management standards prescribed under Section 805(a) shall be to:

- Promote robust risk management;
- promote safety and soundness;
- reduce systemic risks; and
- support the stability of the broader financial system.

The Commission has adopted risk management standards under Section 805(a)(2) of the Payment, Clearing and Settlement Supervision Act (''Clearing Agency Standards'') and the Exchange Act.[15] The Clearing Agency Standards became effective on January 2, 2013, and require registered clearing agencies to establish, implement, maintain, and enforce written policies and procedures that are reasonably designed to meet certain minimum requirements for their operations and risk management practices on an ongoing basis.[16] As such, it is appropriate for the Commission to review advance notices against these Clearing Agency Standards, and the objectives and principles of these risk management standards as described in Section 805(b) of the Payment, Clearing and Settlement Supervision Act.[17]

The Commission believes the proposal in the Advance Notice is consistent with the objectives and principles described in Section 805(b) of the Payment, Clearing and Settlement Supervision Act,[18] and the Clearing Agency Standards, in particular, Rule 17Ad–22(b)(1)[19] and Rule 17Ad–22(b)(2)[20] under the Exchange Act, as described in detail below.

Consistency with Section 805(b) of the Act. The objectives and principles of Section 805(b) of the Payment, Clearing and Settlement Supervision Act are to promote robust risk management, promote safety and soundness, reduce systemic risks, and support the stability of the broader financial system.[21] By enhancing the margin methodology applied to family-issued securities of members that are on NSCC's Watch List, the proposal will assist NSCC in collecting margin that more accurately reflects NSCC's exposure to a clearing member that clears family-issued securities and will assist NSCC in its continuous efforts to improve the reliability and effectiveness of its risk-based margining methodology by taking into account specific wrong-way risk. As such, the proposal will help NSCC, as a CCP, promote robust risk management, and thus contributing to the goal of maintaining financial stability in the event of a member default.

Consistency with Rule 17Ad–22(b)(1). Rule 17Ad–22(b)(1)[22] under the Exchange Act requires a CCP, such as NSCC, to ''establish, implement, maintain and enforce written policies and procedures reasonably designed to . . . limit its exposures to potential losses from defaults by its participants under normal market conditions . . . .'' NSCC faces specific wrong-way risk in all circumstances where a member submits family-issued securities to NSCC for clearance, including under normal market conditions. By enhancing the margin methodology applied to family-issued securities of NSCC's members that are on its Watch List, the proposal will limit NSCC's exposure to potential losses from the

[11] *See* 12 U.S.C. 5461(b).

[12] *Id.*

[13] 12 U.S.C. 5464(a)(2).

[14] 12 U.S.C. 5464(b).

[15] 17 CFR 240.17Ad–22.

[16] The Clearing Agency Standards are substantially similar to the risk management standards established by the Board of Governors of the Federal Reserve System governing the operations of designated financial market utilities that are not clearing entities and financial institutions engaged in designated activities for which the Commission or the Commodity Futures Trading Commission is the Supervisory Agency. *See* Financial Market Utilities, 77 FR 45907 (August 2, 2012).

[17] 12 U.S.C. 5464(b).

[18] *Id.*

[19] 17 CFR 240.17Ad–22(b)(1).

[20] 17 CFR 240.17Ad–22(b)(2).

[21] 12 U.S.C. 5464(b).

[22] 17 CFR 240.17Ad–22(b)(1).

default of a member on NSCC's Watch List with family-issued securities under normal market conditions. As such, the Commission believes that the proposal is consistent with Rule 17Ad–22(b)(1).

Consistency with Rule 17Ad–22(b)(2). Rule 17Ad–22(b)(2)[23] under the Exchange Act requires a CCP, such as NSCC, to ''establish, implement, maintain and enforce written policies and procedures reasonably designed to . . . [u]se margin requirements to limit its credit exposures to participants under normal market conditions and use risk-based models and parameters to set margin requirements . . . .'' By enhancing the margin methodology applied to family-issued securities of NSCC's members that are on its Watch List, the proposal will better account for and cover NSCC's credit exposure to less creditworthy members. In addition, by taking into account specific wrong-way risk arising from family-issued securities submitted to NSCC, the proposal is consistent with using risk based models and parameters to set margin requirements. As such, the Commission believes that the proposal is consistent with Rule 17Ad–22(b)(2).

III. Conclusion

It is therefore noticed, pursuant to Section 806(e)(1)(I) of the Payment, Clearing and Settlement Supervision Act,[24] that the Commission *does not object* to Advance Notice and that NSCC is *authorized* to implement the proposal.

By the Commission.

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–25700 Filed 10–8–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–76081; File No. 265–29]

Equity Market Structure Advisory Committee

AGENCY: Securities and Exchange Commission.

ACTION: Notice of meeting.

SUMMARY: The Securities and Exchange Commission Equity Market Structure Advisory Committee is providing notice that it will hold a public meeting on Tuesday, October 27, 2015, in Multi-Purpose Room LL–006 at the Commission's headquarters, 100 F Street NE., Washington, DC The meeting will begin at 9:30 a.m. (EDT) and will be open to the public, except for a period of approximately 60 minutes when the Committee will meet in an administrative work session during lunch. The public portions of the meeting will be webcast on the Commission's Web site at *www.sec.gov*. Persons needing special accommodations to take part because of a disability should notify the contact person listed below. The public is invited to submit written statements to the Committee. The meeting will focus on Rule 610 of SEC Regulation NMS and the regulatory structure of trading venues.

DATES: The public meeting will be held on Tuesday, October 27, 2015. Written statements should be received on or before October 22, 2015.

ADDRESSES: The meeting will be held at the Commission's headquarters, 100 F Street NE., Washington, DC. Written statements may be submitted by any of the following methods:

Electronic Statements

- Use the Commission's Internet submission form (*http://www.sec.gov/rules/other.shtml*); or
- Send an email message to *rule-comments@sec.gov*. Please include File Number 265–29 on the subject line; or

Paper Statements

- Send paper statements in triplicate to Brent J. Fields, Federal Advisory Committee Management Officer, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File No. 265–29. This file number should be included on the subject line if email is used. To help us process and review your statement more efficiently, please use only one method. The Commission will post all statements on the Commission's Internet Web site at SEC Web site at (*http://www.sec.gov/comments/265–29/265–29.shtml*).

Statements also will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Room 1580, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. All statements received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

FOR FURTHER INFORMATION CONTACT: Arisa Tinaves Kettig, Special Counsel, at (202) 551–5676, Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–7010.

SUPPLEMENTARY INFORMATION: In accordance with Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C.–App. 1, and the regulations thereunder, Stephen Luparello, Designated Federal Officer of the Committee, has ordered publication of this notice.

Dated: October 6, 2015.

Brent J. Fields,

Committee Management Officer.

[FR Doc. 2015–25759 Filed 10–8–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–76078: File No. SR–FINRA–2015–020]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Order Approving a Proposed Rule Change, as Amended by Amendment No. 1, To Expand FINRA's Alternative Trading System Transparency Initiative by Publishing OTC Equity Volume Executed Outside ATSs

October 5, 2015.

I. Introduction

On June 23, 2015, the Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend Rule 6110, Trading Otherwise than on an Exchange and 6610 regarding the OTC Reporting Facility to expand FINRA's alternative trading system (''ATS'') transparency initiative. The changes would provide for publication of the remaining equity volume executed over-the-counter (''OTC'') by FINRA members, including activity in non-ATS electronic trading systems and internalized trades. The proposed rule change was published for comment in the **Federal Register** on July 9, 2015.[3] The Commission received two comments on the proposal.[4] FINRA

[23] 17 CFR 240.17Ad–22(b)(2).

[24] 12 U.S.C. 5465(e)(1)(I).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 75356 (July 2, 2015), 80 FR 39463 (''Notice''). The Notice contains a detailed description of the proposal.

[4] *See* letter from Kerry Baker Relf, Head of Content Acquisition and Rights Management, Thomson Reuters to Brent J. Fields, Secretary, Commission, dated July 20, 2015, (''Thomson Reuters Letter'') and letter from Theodore R. Lazo, Managing Director and Associate General Counsel,

responded to the comments and amended the proposed rule change on September 22, 2015.[5] This order approves the proposed rule change, as amended.

II. Description of the Proposed Rule Change

Under FINRA rules, each member operating an ATS must report its weekly volume, by security, to FINRA.[6] FINRA makes the reported volume and trade count information for equity securities publicly available on its Web site. FINRA is proposing to amend Rules 6110 and 6610 to make public the remaining OTC equity (''non-ATS'') volume by member firm and security, which FINRA will publish.[7] FINRA believes the proposed rule change will make the OTC market more transparent and will enable the public to better understand firms' off-exchange equity trading activity as investors will be able to review the proposed non-ATS volume together with the current ATS volume reports, which effectively encompass all equity volume effected OTC.

FINRA will derive a firm's non-ATS volume information from OTC trades reported to its equity trade reporting facilities.[8] FINRA will base a firm's non-ATS volume on trades reported for dissemination purposes (''tape reports'') on which the firm is identified as the member with the trade reporting obligation.[9]

FINRA will publish on its Web site weekly volume information (number of trades and shares) by firm and security, with the exceptions noted below, on a two-week or four-week delayed basis—the same time frames specified for ATS volume publication.[10] Specifically, volume information would be published on a two-week delayed basis for NMS stocks in Tier 1 under the NMS Plan to Address Extraordinary Market Volatility[11] and on a four-week delayed basis for all other NMS stocks and OTC Equity Securities.[12] FINRA also will publish aggregate volume totals across all NMS stocks and aggregate volume totals across all OTC Equity Securities for each calendar month, on a one-month delayed basis.[13]

FINRA will publish non-ATS volume information at the firm level rather than on an MPID-by-MPID basis[14] because outside the ATS context, not all firms have a separate MPID for each unique trading center at the firm. Thus, publishing volume information at the MPID level might not provide meaningful or consistent information to the marketplace. For members that use more than one MPID for their non-ATS trading, FINRA will aggregate and publish the non-ATS trading volume for all non-ATS MPIDs belonging to the firm under a single ''parent'' identifier or firm name.[15]

FINRA does not believe that publishing volume information for each firm that executed only a small number of trades or shares in any given period would provide meaningful information to the marketplace. Accordingly, FINRA will combine volume from all members that do not meet a specified minimum threshold and publish the volume information for those members on an aggregated basis. For example, if five firms each execute 10 trades in the reporting period in a security, their 50 trades would be aggregated and published as a single line item; the firms and their volume information would not be identified separately. For a firm with more than one non-ATS MPID, the total volume across all of its non-ATS MPIDs would be combined to determine whether the *de minimis* threshold has been met.[16]

FINRA is proposing to establish a *de minimis* threshold of fewer than on average 200 non-ATS transactions per day executed by the firm across all securities (for displaying aggregate volume across all securities by firm) or in a specific security (for displaying volume in a particular security by firm) during the one-week reporting period.[17] Based on its review of a one-week period in June 2014, FINRA states that absent this threshold, approximately 300 individual firms would have had volume attributed by name, versus only 62 firms if the threshold had been applied.[18] Moreover, those 62 firms would account for 98.99 percent of all trading volume.[19] Thus, if a firm averages fewer than 200 non-ATS transactions per day across all securities during the reporting period, FINRA would aggregate the firm's volume with that of similarly situated firms when displaying aggregate volume across all securities by firm. Additionally, because the published volume data would also be organized by security, if a firm averaged fewer than 200 non-ATS transactions per day in a given security during the reporting period, FINRA would aggregate the firm's volume in that security with that of similarly situated firms, even if the firm averages more than 200 non-ATS transactions per day across all securities during the reporting period. Thus, FINRA would publish all of the OTC volume, but volume for members meeting the *de minimis* threshold would not be attributed by name.[20] FINRA will not charge a fee for the data published pursuant to the proposed rule change; it will be publicly available on FINRA's Web site in a downloadable format.[21]

III. Discussion and Findings

After carefully considering the proposed rule change, the comments submitted, and FINRA's response to the comments, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder

Securities Industry and Financial Markets Association, to Brent J. Fields, Secretary, Commission, dated July 30, 2015, (''SIFMA Letter'').

[5] *See* letter from Lisa C. Horrigan, Associate General Counsel, FINRA, to Robert W. Errett, Deputy Secretary, Commission, (''FINRA Response Letter'').

[6] Notice, *supra* note 3, at 39464. *See also* FINRA Rule 4552.

[7] Notice, *supra* note 3, at 39464.

[8] *Id.* at 39464. There are four equity trade reporting facilities: The Alternative Display Facility, the two Trade Reporting Facilities (''TRFs''), and the OTC Reporting Facility. Members report OTC transactions in NMS stocks to the ADF and the TRFs. Members report transactions in ''OTC Equity Securities,'' as well as transactions in Restricted Equity Securities, effected pursuant to Rule 144A, under the Securities Act of 1933, to the OTC Reporting Facility. *Id.* at 39464 n.5.

[9] *Id.* at 39464. A firm's published trading volume information would exclude trades for which the firm is the reported contra-party and trades that are reported for regulatory or clearing purposes only (''non-tape reports''). *Id.*

[10] *Id.* at 39464.

[11] Tier 1 NMS stocks include those NMS stocks in the S&P 500 Index or the Russell 1000 Index and certain ETPs. *See id.* at 39464 n.8. FINRA will make changes to the Tier 1 NMS stocks in accordance with the Indices. *Id.*

[12] Non-ATS volume data will be displayed in the same format in which ATS volume data is displayed today, *i.e.,* aggregate volume for each firm across all NMS stocks (Tier 1 and all other NMS stocks) and OTC equity securities; aggregate volume for each security across all firms; and volume for each security by each firm (except with respect to the *de minimis* volume discussed below). *See id.* at 39464 n.9.

[13] *Id.* at 39464.

[14] Under FINRA rules for ATS reporting, members must use an MPID for reporting order and trade information. *Id.* An ''MPID'' is a unique market participant identifier.

[15] *Id.* at 39464. FINRA is able to identify all MPIDs belonging to a given firm based on currently available information, and as such, members will not have a new reporting obligation as a result of this proposal. *Id.* at 39464 n.11. FINRA also notes that a firm's ATS volume will continue to be published separately under the unique MPID(s) for each ATS operated by the firm. *Id.* at 39464.

[16] *Id.*

[17] *Id.* FINRA states that it based this proposed threshold on the level of trading activity used by the Commission to identify ''small market makers'' for purposes of exemptive relief from Rule 605 of Regulation NMS. *Id.* FINRA also proposes a technical change to the proposed rule text to clarify that the *de minimis* threshold will be applied for purposes of the monthly non-ATS volume information. *See* FINRA Response Letter at 3–4, 7.

[18] *Id.*

[19] *Id.* at 39464–65.

[20] *Id.*

[21] *Id.*

applicable to a national securities association.[22] In particular, the Commission finds that the proposed rule change is consistent with Section 15A(b)(6) of the Act,[23] which requires, among other things, that FINRA rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest, because the proposed rule change will make the OTC market more transparent by providing trade and quotation information on non-ATS trading.

The Commission received two comment letters expressing general support for the proposal.[24] The Thomson Reuters Letter supports the proposal, noting that there is interest both on the buy-side and the sell-side in ATS data and additional OTC data.[25] The SIFMA Letter supports the proposal but makes certain suggestions.[26]

The Commission believes that the stated objectives of the proposal—to expand transparency by publishing the remaining equity volume executed OTC by FINRA members, including non-ATS electronic trading systems and internalized trades—further the purposes of the Act. By enhancing transparency concerning non-ATS OTC equity volume information, the proposal is designed to help prevent fraudulent and manipulative acts and practices and to protect investors and the public interest. Publishing this weekly volume data, organized by firm and by security, would increase the amount of information that is publicly available concerning OTC equity trading occurring off of ATSs. As commenters noted, such added transparency would facilitate better understanding of OTC trading. Further, the proposal would not impose any additional reporting requirements on firms because FINRA would derive the non-ATS volume data from OTC trades reported to FINRA's equity trade reporting facilities. Thus, costs to member firms as a result of the proposal—if any—would be minimal.

SIFMA suggested that a four-week (rather than two-week) publication timeframe for Tier 1 NMS stocks based on a concern that a two-week timeframe may result in unintended information leakage.[27] In this regard, SIFMA suggested that, in cases where the firm is an active market maker or is trading a large position on behalf of a customer—especially in less liquid stocks—the two-week publication time frame and weekly aggregation disclosure could allow reverse engineering of trading.[28]

In response, FINRA states that it considered the potential for information leakage in developing its proposal and believes it has taken adequate steps to mitigate that potential by, among other things, proposing to publish non-ATS volume information on the same delayed basis that is used for ATS volume data, as well as at the firm—rather than MPID—level and not further segregating volume information by trading capacity or trading desk.[29] FINRA also states that there would be nothing in the published non-ATS volume data to indicate whether the executing firm was acting for its own proprietary account or as agent or riskless principal on behalf of a customer or another broker-dealer.[30] FINRA further notes that the published non-ATS volume data would identify only the executing party and not the contra party to the trade.[31] Thus, FINRA does not believe that users of the published non-ATS volume data would reasonably be able to determine with any certainty the identity of the actual parties to the transaction or the capacity in which the executing firm is acting.[32]

FINRA also notes that generally the more liquid NMS stocks are in Tier 1 and that only volume information relating to non-ATS transactions in Tier 1 NMS stocks would be published on a two-week delay, while the non-ATS volume in remaining NMS stocks, as well as OTC equity securities, would be published on a four-week delay. FINRA believes it has taken appropriate steps to address firms' concerns regarding information leakage by delaying publication of the information and limiting the granularity of the published information to firm and security.[33] FINRA also notes that this approach is similar to the approach it uses for ATS volume information, and that firms have not complained to FINRA about information leakage.[34] Thus, FINRA believes that under the proposed rule change, the potential for information leakage with respect to less liquid stocks already is mitigated.[35] However, FINRA states that it will consider whether modifications are appropriate following implementation of the proposed rule change.[36]

FINRA also believes that aggregation of trading volumes on a monthly, rather than weekly, basis would lessen the value and utility of the published information.[37] FINRA believes that, weekly publication of non-ATS volume, together with the weekly ATS data, would enable the public to understand a firm's trading volume off exchanges. FINRA also states that it anticipates that the public would use the published ATS and non-ATS volume information to better understand issues such as the impact of ATS and non-ATS trading volumes on price efficiency or order routing behavior. FINRA believes that the publication of weekly data would enable the public to study those trends at a relatively higher frequency and thus make more reliable conclusions about historical trends. FINRA also believes that, given the speed and frequency of information arrival in financial markets, monthly data might mask the deviations in short-term routing trends and render the published data less useful.[38]

The timeframe for making the non-ATS trade data publicly available—on a two-week delayed basis for Tier 1 NMS stocks and a four-week delayed basis for all other NMS stocks and OTC Equity Securities—is designed to balance the desire to inform the public about non-ATS trading activity with the desire to protect the trading strategies of member firms. Although SIFMA advocated for a four-week delay in publishing data on Tier 1 NMS stocks,[39] the Commission believes that that FINRA has adequately considered the risk of information leakage in developing the proposal and

[22] In approving this proposed rule change, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[23] 15 U.S.C. 78*o*–3(b)(6).

[24] *See supra* note 4.

[25] *Id.* The Thomson Reuters Letter also states that it anticipates enhancing the granularity and timeliness of its market share analytics product as a result of the proposal.

[26] *See* SIFMA Letter, *supra* note 4. The SIFMA letter also states that FINRA should eliminate the current requirement for ATSs to report volume information to FINRA because it now has access through its own systems to all ATS volume information without the need for a separate reporting requirement. *See* SIFMA Letter, *supra* note 4, at 3. FINRA stated that this will be addressed in a separate proposed rule change. *See* Notice, *supra* note 3, at 39467.

[27] *See* SIFMA Letter, *supra* note 4, at 3.

[28] *Id.*

[29] Notice, *supra* note 3, at 39467. FINRA also notes that firms have not come to it with any complaints regarding information leakage since it began publishing ATS volume information. *Id.* at 39465. In addition, FINRA notes that SIFMA did not provide any specifics regarding how the information leakage might be manifested in the published non-ATS volume data or how likely it is to actually occur.

[30] FINRA Response Letter, supra note 5, at 4.

[31] *Id.* at 5.

[32] *Id.* at 4–5.

[33] *See* Notice, supra note 3, at 39465.

[34] *Id.*

[35] FINRA Response Letter, supra note 5, at 5.

[36] *See* Notice, supra note 3, at 39465.

[37] FINRA Response Letter, supra note 5, at 5. FINRA also noted that the other commenter and commenters on the related Regulatory Notice support the publication of weekly data. *Id.* at 6–7.

[38] *Id.* at 7.

[39] *See* SIFMA Letter, supra note 4, at 3.

has taken adequate steps to mitigate that risk.

The Commission also believes that the proposal to publish non-ATS trade data by firm, rather than by MPID, is appropriate. The Commission notes FINRA's representation that not all firms have separate MPIDs for unique trading centers at firms (outside the ATS context) and that publishing non-ATS volume data at the MPID level may not provide meaningful or consistent information to the marketplace. Therefore, the Commission further believes that for members using more than one MPID for their non-ATS trading, FINRA's proposal to aggregate and publish non-ATS volume data for non-ATS MPIDs belonging to a firm under a single parent identifier or firm name is appropriate.

Lastly, the Commission believes that the proposal to aggregate volume for all members that do not meet a *de minimis* threshold of fewer than on average 200 non-ATS transactions per day executed by the firm across all securities (for displaying aggregate volume across all securities by firm) or in a specific security (for displaying volume in a particular security by firm) during the one-week reporting period is appropriate. The Commission notes that FINRA's review of a one-week period found that, absent this threshold, approximately 300 individual firms would have had volume attributed by name, versus only 62 firms if the threshold had been applied, and that those 62 firms would account for 98.99 percent of all trading volume, representing a significant improvement in the transparency of this segment of the market.

IV. Conclusion

It is therefore ordered pursuant to Section 19(b)(2) of the Act[40] that the proposed rule change (SR–FINRA–2015–020), as amended, be and hereby is approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[41]

Robert W. Errett,

Deputy Secretary.

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[40] 15 U.S.C. 78s(b)(2).

[41] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–76076; File No. SR–NASDAQ–2015–075]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Order Granting Approval of Proposed Rule Change, as Modified by Amendment Nos. 1 and 2 Thereto, Relating to the Listing and Trading of Shares of the First Trust SSI Strategic Convertible Securities ETF of First Trust Exchange-Traded Fund IV

October 5, 2015.

I. Introduction

On July 2, 2015, The NASDAQ Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares (''Shares'') of the First Trust SSI Strategic Convertible Securities ETF of First Trust Exchange-Traded Fund IV (''Fund'') under Nasdaq Rule 5735 (''Managed Fund Shares''). The proposed rule change was published for comment in the **Federal Register** on July 20, 2015.[3] On September 2, 2015, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On September 21, 2015, the Exchange filed Amendment No. 1 to the proposed rule change,[6] and on September 28, 2015, the Exchange filed Amendment No. 2 to the proposed rule change.[7] The Commission received no comments on the proposal. This order grants approval of the proposed rule change, as modified by Amendment Nos. 1 and 2 thereto.

II. Description of the Proposal

The Fund will be an actively-managed exchange-traded fund. The Shares will be offered by the First Trust Exchange-Traded Fund IV (''Trust''), which is registered with the Commission as an investment company and has filed a registration statement on Form N–1A with the Commission.[8] First Trust Advisors L.P. will be the investment adviser (''Adviser'') to the Fund. SSI Investment Management Inc. will serve as investment sub-adviser (''Sub-Adviser'') to the Fund and provide day-to-day portfolio management. First Trust Portfolios L.P. (''Distributor'') will be the principal underwriter and distributor of the Fund's Shares. Brown Brothers Harriman & Co. will act as the administrator, accounting agent, custodian, and transfer agent to the Fund.

The Exchange has made the following representations and statements in describing the Fund and its investment strategy, including the Fund's portfolio holdings and investment restrictions.[9]

A. The Exchange's Description of the Fund's Principal Investment Policies

According to the Exchange, the investment objective of the Fund will be to seek total return. To achieve its objective, the Fund will invest, under normal market conditions,[10] at least

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 75447 (July 14, 2015), 80 FR 42847 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 75817, 80 FR 54351 (Sept. 9, 2015). The Commission determined that it was appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the comments received. Accordingly, the Commission designated October 16, 2015 as the date by which it should approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change.

[6] In Amendment No. 1 to the proposed rule change, the Exchange amended and replaced the filing, SR–NASDAQ–2015–075, in its entirety.

[7] In Amendment No. 2 to the proposed rule change, as modified by Amendment No. 1 thereto, the Exchange clarified the description of the daily disclosure of the Fund's portfolio by deleting references to ''commodity.'' Amendment Nos. 1 and 2 to the proposed rule change are also available on the Commission's Web site at: *http://www.sec.gov/comments/sr-nasdaq-2015-075/nasdaq2015075.shtml.*

[8] *See* Post-Effective Amendment No. 120 to Registration Statement on Form N–1A for the Trust, dated June 25, 2015 (File Nos. 333–174332 and 811–22559) (''Registration Statement''). The Exchange notes that the Commission has issued an order, upon which the Trust may rely, granting certain exemptive relief under the Investment Company Act of 1940 (''1940 Act''). *See* Investment Company Act Release No. 30029 (Apr. 10, 2012) (File No. 812–13795) (''Exemptive Relief''). In addition, the Exchange notes that the Commission has issued no-action relief, upon which the Trust may rely, regarding the Fund's ability to invest in options contracts, futures contracts, and swap agreements notwithstanding certain representations in the application for the Exemptive Relief. *See* Commission No-Action Letter from the Office of Exemptive Applications/Office of Investment Company Regulation entitled, ''Derivatives Use by Actively-Managed ETFs'' (Dec. 6, 2012).

[9] The Commission notes that additional information regarding the Fund and the Shares, including investment strategies, risks, creation and redemption procedures, fees, Fund holdings disclosure policies, distributions, and taxes can be found in the Notice and the Registration Statement, as applicable. *See* Notice and Registration Statement, *supra* notes 3 and 8, respectively.

[10] The term ''under normal market conditions'' as used herein includes, but is not limited to, the

Continued

80% of its net assets (including investment borrowings) in the following convertible securities: [11] Convertible notes, bonds, and debentures; convertible preferred securities; mandatory convertible securities; [12] contingent convertible securities; [13] synthetic convertible securities; [14] corporate bonds and preferred securities with attached warrants; [15] and convertible Rule 144A securities [16] (collectively, ''Convertible Securities'').[17]

According to the Exchange, the Sub-Adviser, through its investment process, will attempt to identify attractive Convertible Securities based on its positive view of the Underlying Security or its view of the company's potential for credit improvement. The Sub-Adviser will begin its investment process by evaluating a large universe of available Convertible Securities and screening for liquidity and convexity. Convexity is the ratio of upside move in the Convertible Security in conjunction with appreciation of the Underlying Security relative to the downside move in the Convertible Security in conjunction with depreciation of the Underlying Security. The screening process will rely on the Sub-Adviser's fundamental credit evaluation of the issuers. This credit analysis will allow the Sub-Adviser to attempt to identify the downside risk of the Convertible Security, assess the value of the embedded equity, and understand the amount of participation expected with a change in the price of the Underlying Security.

Once attractive Convertible Securities (*i.e.,* Convertible Securities that are most highly ranked, based on a ranking system incorporating target characteristics) have been identified, the Sub-Adviser will use fundamental equity analysis to determine which of the attractive Convertible Securities it believes have a sound Underlying Security with potential for increase in value. In conjunction with its analysis, the Sub-Adviser will review the overall economic situation. The Sub-Adviser will, at times, overweight or underweight different economic sectors, market capitalizations, and credit quality exposures relative to the available universe of Convertible Securities. The Sub-Adviser may also adjust the sensitivity of the portfolio to movements in the equity market and to interest rates based on the macroeconomic outlook. The Fund may manage the market exposure defensively during periods of market distress.

The Fund will invest in Convertible Securities of any credit quality (including unrated securities) and with effective or final maturities of any length. Convertible Securities may be issued by domestic or foreign entities.

The Fund will hold debt securities (including, in the aggregate, Convertible Securities and the debt securities described below) of at least 13 non-affiliated issuers.

B. The Exchange's Description of the Fund's Non-Principal Investment Policies

The Fund may invest up to 20% of its net assets in short-term debt securities and other short-term debt instruments described below, as well as cash equivalents, or it may hold cash. Short-term debt instruments are issued by issuers having a long-term debt rating of at least A by Standard & Poor's Ratings Services (''S&P Ratings''), Moody's Investors Service, Inc. (''Moody's'') or Fitch Ratings (''Fitch'') and have a maturity of one year or less. The Fund may invest in the following short-term debt instruments: (1) Fixed rate and floating rate U.S. government securities, including bills, notes, and bonds differing as to maturity and rates of interest, which are either issued or guaranteed by the U.S. Treasury or by U.S. government agencies or instrumentalities; (2) certificates of deposit issued against funds deposited in a bank or savings and loan association; (3) bankers' acceptances, which are short-term credit instruments used to finance commercial transactions; (4) repurchase agreements,[18] which involve purchases of debt securities; (5) bank time deposits, which are monies kept on deposit with banks or savings and loan associations for a stated period of time at a fixed rate of interest; (6) commercial paper, which is short-term unsecured promissory notes; [19] and (7) corporate debt obligations.

The Fund may invest up to 20% of its net assets in exchange-traded notes (''ETNs'').

The Fund may invest up to 20% of its net assets in exchange-listed equity securities (''Equity Securities'').[20] In addition to U.S. exchange-listed equity securities of domestic issuers, Equity Securities may include securities of foreign issuers that are listed on U.S. or

absence of adverse market, economic, political or other conditions, including extreme volatility or trading halts in the fixed income markets or the financial markets generally; operational issues causing dissemination of inaccurate market information; or force majeure type events such as systems failure, natural or man-made disaster, act of God, armed conflict, act of terrorism, riot or labor disruption, or any similar intervening circumstance.

[11] Convertible securities are investment instruments that are normally convertible or exchangeable into equity securities (which are referred to as ''Underlying Securities'') or the cash equivalent thereof. These equity-linked instruments offer the potential for equity market participation with potential mitigated downside risk in periods of equity market declines.

[12] Mandatory convertible securities are distinguished as a subset of convertible securities because the conversion is not optional and the conversion price is based solely upon the market price of the underlying equity security. Mandatory convertible securities automatically convert on maturity.

[13] Contingent convertible securities (which generally provide for conversion under certain circumstances) are distinguished as a subset of convertible securities. Similar to mandatory convertible securities (and unlike traditional convertible securities), some contingent convertible securities provide for mandatory conversion under certain circumstances. In addition, various contingent convertible securities may contain features that limit an investor's ability to convert the security unless certain conditions are met.

[14] A synthetic convertible security will (i) consist of two or more distinct securities whose economic characteristics, when taken together, resemble those of traditional convertible securities (*i.e.,* an income-producing security and the right to acquire an equity security through, for example, an option or a warrant) or (ii) be an exchangeable or equity-linked security issued by a broker-dealer, investment bank, or other financial institution with proceeds going directly to the broker-dealer, investment bank, or other financial institution, as applicable, that has economic characteristics similar to those of traditional convertible securities. The Exchange represents that the Fund's investments in options will be limited to options that represent a component of a synthetic convertible security, and any such options will be exchange-listed. In addition, the Fund will limit its investments in synthetic convertible securities to 10% of its net assets (calculated at the time of investment).

[15] Other than warrants that represent a component of a synthetic convertible security, the Fund's investments in warrants will be limited to such attached warrants, and all such attached warrants will be exchange-listed.

[16] Under normal market conditions, convertible Rule 144A securities will have at the time of original issuance $100 million or more principal amount outstanding to be considered eligible investments.

[17] The Adviser expects that, under normal market conditions, generally, for a Convertible Security to be considered as an eligible investment, after taking into account such an investment, at least 75% of the Fund's net assets that are invested in Convertible Securities will be invested in Convertible Securities that have at the time of original issuance $200 million or more par amount outstanding.

[18] The Fund intends to enter into repurchase agreements only with financial institutions and dealers believed by the Adviser or the Sub-Adviser to present minimal credit risks in accordance with criteria approved by the Board of Trustees of the Trust. The Adviser or the Sub-Adviser will review and monitor the creditworthiness of such institutions. The Adviser or the Sub-Adviser will monitor the value of the collateral at the time the transaction is entered into and at all times during the term of the repurchase agreement.

[19] The Fund may only invest in commercial paper rated A–1 or higher by S&P Ratings, Prime-1 or higher by Moody's, or F1 or higher by Fitch.

[20] The Fund may hold Equity Securities either through direct investment or upon conversion of a Convertible Security into its corresponding Underlying Security (referred to as a ''Post-Conversion Underlying Security'').

foreign exchanges as well as investments in equity securities that are in the form of American Depositary Receipts (''ADRs'') or Global Depositary Receipts (''GDRs,'' and together with ADRs, ''Depositary Receipts'').[21]

The Fund may invest in exchange-listed equity index futures contracts, in exchange-listed and over-the-counter (''OTC'') index credit default swaps, and in forward foreign currency exchange contracts; however, the Exchange represents that the Fund will limit the aggregate notional value of its positions in these instruments (calculated at the time of investment) to 20% of the value of its net assets. The use of futures contracts may allow the Fund to obtain net long or short exposures to selected equity indexes. Index credit default swaps may be used to gain exposure to a basket of credit risk by ''selling protection'' against default or other credit events, or to hedge a broad market credit risk by ''buying protection.'' Forward foreign currency exchange contracts may be used to protect the value of the Fund's portfolio against uncertainty in the level of future currency exchange rates.[22] The Fund's investments in derivative instruments will be consistent with the Fund's investment objective and the 1940 Act and will not be used to seek to achieve a multiple or inverse multiple of an index. The Fund will only enter into transactions in OTC index credit default swaps and forward foreign currency exchange contracts with counterparties that the Adviser or the Sub-Adviser reasonably believes are capable of performing under the applicable agreement.[23]

C. The Exchange's Description of the Fund's Investment Restrictions

The Fund may not invest 25% or more of the value of its total assets in securities of issuers in any one industry. This restriction does not apply to obligations issued or guaranteed by the U.S. government or its agencies or instrumentalities or to securities of other investment companies.[24]

The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid assets (calculated at the time of investment), including Rule 144A securities deemed illiquid by the Adviser or the Sub-Adviser.[25] The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are held in illiquid assets. Illiquid assets include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.[26]

III. Discussion and Commission Findings

After careful review, the Commission finds that the Exchange's proposal to list and trade the Shares is consistent with the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange.[27] In particular, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Exchange Act,[28] which requires, among other things, that the Exchange's rules be designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Commission also finds that the proposal to list and trade the Shares on the Exchange is consistent with Section 11A(a)(1)(C)(iii) of the Exchange Act,[29] which sets forth the finding of Congress that it is in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities.

Quotation and last sale information for the Shares will be available via Nasdaq proprietary quote and trade services, as well as in accordance with the Unlisted Trading Privileges and the Consolidated Tape Association (''CTA'') plans for the Shares. Quotation and last sale information for U.S. exchange-listed equity securities will be available from the exchanges on which they are traded as well as in accordance with any applicable CTA plans. On each business day, before commencement of trading in Shares in the Regular Market Session[30] on the Exchange, the Fund will disclose on its Web site the identities and quantities of the portfolio of securities and other assets (the ''Disclosed Portfolio'' as defined in Nasdaq Rule 5735(c)(2)) held by the Fund that will form the basis for the Fund's calculation of net asset value (''NAV'') at the end of the business day.[31] The NAV of the

[21] The Fund will not invest in any unsponsored Depositary Receipts. In addition, for the avoidance of doubt, the term ''Equity Securities'' may include exchange-listed equity securities of business development companies (''BDCs'').

[22] The Fund may also enter into foreign currency transactions on a spot (*i.e.,* cash) basis.

[23] The Fund will seek, where possible, to use counterparties, as applicable, whose financial status is such that the risk of default is reduced; however, the risk of losses resulting from default is still possible. The Adviser or the Sub-Adviser will evaluate the creditworthiness of counterparties on an ongoing basis. In addition to information provided by credit agencies, the Adviser's or Sub-Adviser's analysis will evaluate each approved counterparty using various methods of analysis and may consider the Adviser's or Sub-Adviser's past experience with the counterparty, its known disciplinary history and its share of market participation.

[24] *See* Form N–1A, Item 9. The Commission has taken the position that a fund is concentrated if it invests more than 25% of the value of its total assets in any one industry. *See, e.g.,* Investment Company Act Release No. 9011 (Oct. 30, 1975), 40 FR 54241 (Nov. 21, 1975).

[25] In reaching liquidity decisions, the Adviser and the Sub-Adviser may consider the following factors: The frequency of trades and quotes for the security; the number of dealers wishing to purchase or sell the security and the number of other potential purchasers; dealer undertakings to make a market in the security; and the nature of the security and the nature of the marketplace in which it trades (*e.g.,* the time needed to dispose of the security, the method of soliciting offers, and the mechanics of transfer).

[26] The Commission has stated that long-standing Commission guidelines have required open-end funds to hold no more than 15% of their net assets in illiquid securities and other illiquid assets. *See* Investment Company Act Release No. 28193 (Mar. 11, 2008), 73 FR 14618 (Mar. 18, 2008), footnote 34. *See also* Investment Company Act Release No. 5847 (Oct. 21, 1969), 35 FR 19989 (Dec. 31, 1970) (Statement Regarding ''Restricted Securities''); Investment Company Act Release No. 18612 (Mar. 12, 1992), 57 FR 9828 (Mar. 20, 1992) (Revisions of Guidelines to Form N–1A). A fund's portfolio security is illiquid if it cannot be disposed of in the ordinary course of business within seven days at approximately the value ascribed to it by the fund. *See* Investment Company Act Release No. 14983 (Mar. 12, 1986), 51 FR 9773 (Mar. 21, 1986) (adopting amendments to Rule 2a–7 under the 1940 Act); Investment Company Act Release No. 17452 (Apr. 23, 1990), 55 FR 17933 (Apr. 30, 1990) (adopting Rule 144A under the Securities Act of 1933).

[27] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[28] 15 U.S.C. 78f(b)(5).

[29] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[30] *See* Nasdaq Rule 4120(b)(4) (describing the three trading sessions on the Exchange: (1) Pre-Market Session from 4:00 a.m. to 9:30 a.m., E.T.; (2) Regular Market Session from 9:30 a.m. to 4:00 p.m. or 4:15 p.m., E.T.; and (3) Post-Market Session from 4:00 p.m. or 4:15 p.m. to 8:00 p.m., E.T.).

[31] On a daily basis, the Fund will disclose on the Fund's Web site the following information regarding each portfolio holding, as applicable to the type of holding: Ticker symbol, CUSIP number or other identifier, if any; a description of the holding (including the type of holding, such as the type of swap); the identity of the security, index, or other asset or instrument underlying the holding, if any; for options, the option strike price; quantity held (as measured by, for example, par value, notional value, or number of shares, contracts, or units); maturity date, if any; coupon rate, if any; effective date, if any; market value of the holding;

Continued

Fund will be determined as of the close of trading (normally 4:00 p.m., E.T.) on each day the New York Stock Exchange is open for business.[32] Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's closing price and trading volume information for the Shares will be published daily in the financial section of newspapers. Pricing information for Exchange-Listed Convertible Securities; ETNs; Depositary Receipts, BDCs, Post-Conversion Underlying Securities, and other Equity Securities; exchange-listed equity index futures contracts; and exchange-listed index credit default swaps will be available from the applicable listing exchange and from major market data vendors. Pricing information for OTC Convertible Securities (including convertible notes, bonds, and debentures; convertible preferred securities; mandatory convertible securities; contingent convertible securities; synthetic convertible securities; corporate bonds and preferred securities with attached warrants; [33] and convertible Rule 144A securities); Short-Term Debt Instruments (including short-term U.S. government securities, commercial paper, bankers' acceptances, and short-term corporate debt obligations, all as set forth under ''Other Investments of the Fund''); repurchase agreements; OTC index credit default swaps; and forward foreign currency exchange contracts will be available from major broker-dealer firms or major market data vendors or pricing services. The Fund's Web site will include a form of the prospectus for the Fund and additional data relating to NAV and other applicable quantitative information.

The Commission further believes that the proposal to list and trade the Shares is reasonably designed to promote fair disclosure of information that may be necessary to price the Shares appropriately and to prevent trading when a reasonable degree of transparency cannot be assured. The Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily and that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time. Trading in the Shares will be halted under the conditions specified in Nasdaq Rules 4120 and 4121, including the trading pause provisions under Nasdaq Rules 4120(a)(11) and (12). Trading in the Shares may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable,[34] and trading in the Shares will be subject to Nasdaq Rule 5735(d)(2)(D), which sets forth circumstances under which trading in the Shares may be halted. The Exchange states that it has a general policy prohibiting the distribution of material, non-public information by its employees. Further, the Commission notes that the Reporting Authority [35] that provides the Disclosed Portfolio must implement and maintain, or be subject to, procedures designed to prevent the use and dissemination of material, non-public information regarding the actual components of the portfolio.[36] In addition, the Exchange states that neither the Adviser nor the Sub-Adviser is a broker-dealer, although the Adviser is affiliated with the Distributor, a broker-dealer. The Adviser has implemented a fire wall with respect to its affiliation with the Distributor regarding access to information concerning the composition of or changes to the portfolio, and personnel who make decisions on the Fund's portfolio composition will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding the Fund's portfolio. The Exchange represents that trading in the Shares will be subject to the existing trading surveillances, administered by both Nasdaq and also the Financial Industry Regulatory Authority (''FINRA'') on behalf of the Exchange, and that these surveillances are designed to detect violations of Exchange rules and applicable federal securities laws.[37] The Exchange further represents that these procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable federal securities laws. Moreover, prior to the commencement of trading, the Exchange states that it will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares.

The Exchange represents that the Shares are deemed to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities. In support of this proposal, the Exchange has also made the following representations:

(1) The Shares will be subject to Rule 5735, which sets forth the initial and continued listing criteria applicable to Managed Fund Shares.

(2) The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions.

(3) FINRA, on behalf of the Exchange, will communicate as needed regarding trading in the Shares and the exchange-traded securities and instruments held by the Fund (including Exchange-Listed Convertible Securities; ETNs; Depositary Receipts, BDCs, Post-Conversion Underlying Securities, and other Equity Securities; exchange-listed equity index futures contracts; and exchange-listed index credit default swaps) with other markets and other entities that are members of the Intermarket Surveillance Group (''ISG''),[38] and FINRA may obtain trading information regarding trading in the Shares and the exchange-traded securities and instruments held by the Fund from these markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and the exchange-traded securities and instruments held by the Fund from markets and other entities that are members of ISG, which includes securities and futures exchanges, or with which the Exchange has in place a comprehensive surveillance sharing agreement.

(4) Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares.

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and percentage weighting of the holding in the Fund's portfolio.

[32] NAV will be calculated for the Fund by taking the market price of the Fund's total assets, including interest or dividends accrued but not yet collected, minus all liabilities, and dividing this amount by the total number of Shares outstanding.

[33] Although the attached warrants will be exchange-listed, for purposes of obtaining pricing information, these Convertible Securities will typically be treated as single non-exchange-listed instruments.

[34] These reasons may include: (1) The extent to which trading is not occurring in the securities or the other assets constituting the Disclosed Portfolio of the Fund; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present. With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares.

[35] Nasdaq Rule 5730(c)(4) defines ''Reporting Authority.''

[36] *See* Nasdaq Rule 5735(d)(2)(B)(ii).

[37] The Exchange states that FINRA surveils trading on the Exchange pursuant to a regulatory services agreement and that the Exchange is responsible for FINRA's performance under this regulatory services agreement.

[38] For a list of the current members of ISG, *see www.isgportal.org.* The Exchange notes that not all components of the Disclosed Portfolio may trade on markets that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.

Specifically, the Information Circular will discuss the following: (a) The procedures for purchases and redemptions of Shares in creation units (and that Shares are not individually redeemable); (b) Nasdaq Rule 2111A, which imposes suitability obligations on Nasdaq members with respect to recommending transactions in the Shares to customers; (c) how information regarding the Intraday Indicative Value is disseminated; (d) the risks involved in trading the Shares during the Pre-Market and Post-Market Sessions when an updated Intraday Indicative Value will not be calculated or publicly disseminated; (e) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (f) trading information.

(5) For initial and continued listing, the Fund must be in compliance with Rule 10A–3 under the Act.[39]

(6) Under normal market conditions, the Fund will invest at least 80% of its total assets in Convertible Securities.

(7) The Adviser expects that, under normal market conditions, generally, for a Convertible Security to be considered as an eligible investment, after taking into account such an investment, at least 75% of the Fund's net assets that are invested in Convertible Securities will be invested in Convertible Securities that will have at the time of original issuance $200 million or more par amount outstanding.

(8) At least 90% of the Fund's net assets that are invested in Exchange-Listed Convertible Securities; ETNs; Depositary Receipts, BDCs, Post-Conversion Underlying Securities, and other Equity Securities; exchange-listed equity index futures contracts; and exchange-listed index credit default swaps (in the aggregate) will be invested in investments that trade in markets that are members of ISG or are parties to a comprehensive surveillance sharing agreement with the Exchange. Further, at least 90% of the Underlying Securities corresponding to the pre-conversion Convertible Securities held by the Fund (measured by par value) will trade in markets that are members of ISG or parties to a comprehensive surveillance sharing agreement with the Exchange.

(9) The Fund's investments in options will be limited to options that represent a component of a synthetic convertible security, and any such options will be exchange-listed. The Fund will limit its investments in synthetic convertible securities to 10% of its net assets (calculated at the time of investment).

(10) The Fund may invest in exchange-listed equity index futures contracts, in exchange-listed and OTC index credit default swaps, and in forward foreign currency exchange contracts; however, the Fund will limit the aggregate notional value of its positions in these instruments (calculated at the time of investment) to 20% of the value of its net assets.

(11) The Fund intends to enter into repurchase agreements only with financial institutions and dealers believed by the Adviser or the Sub-Adviser to present minimal credit risks in accordance with criteria approved by the Board of Trustees of the Trust. The Adviser or the Sub-Adviser will review and monitor the creditworthiness of such institutions. The Adviser or the Sub-Adviser will monitor the value of the collateral at the time the transaction is entered into and at all times during the term of the repurchase agreement.

(12) The Fund may only invest in commercial paper rated A–1 or higher by S&P Ratings, Prime-1 or higher by Moody's or F1 or higher by Fitch.

(13) Under normal market conditions, convertible Rule 144A securities will have at the time of original issuance $100 million or more principal amount outstanding to be considered eligible investments.

(14) The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid assets (calculated at the time of investment), including Rule 144A securities deemed illiquid by the Adviser or the Sub-Adviser.[40] The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are held in illiquid assets.

(15) The Fund will only enter into transactions in OTC index credit default swaps and forward foreign currency exchange contracts with counterparties that the Adviser or the Sub-Adviser reasonably believes are capable of performing under the applicable agreement, and the Fund will seek, where possible, to use counterparties whose financial status is such that the risk of default is reduced.

(16) The Fund's investments in derivative instruments will be consistent with the Fund's investment objective and the 1940 Act and will not be used to seek to achieve a multiple or inverse multiple of an index.

(17) A minimum of 100,000 Shares will be outstanding at the commencement of trading on the Exchange.

This approval order is based on all of the Exchange's representations, including those set forth above and in Amendment Nos. 1 and 2 to the proposal, and the Exchange's description of the Fund.

For the foregoing reasons, the Commission finds that the proposed rule change, as modified by Amendment Nos. 1 and 2 thereto, is consistent with Section 6(b)(5) of the Act[41] and the rules and regulations thereunder applicable to a national securities exchange.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[42] that the proposed rule change (SR–NASDAQ–2015–075), as modified by Amendment Nos. 1 and 2 thereto, be, and it hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[43]

Robert W. Errett,

Deputy Secretary.

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[39] *See* 17 CFR 240.10A–3.

[40] In reaching liquidity decisions, the Adviser and the Sub-Adviser may consider the following factors: The frequency of trades and quotes for the security; the number of dealers wishing to purchase or sell the security and the number of other potential purchasers; dealer undertakings to make a market in the security; and the nature of the security and the nature of the marketplace in which it trades (*e.g.,* the time needed to dispose of the security, the method of soliciting offers and the mechanics of transfer).

[41] 15 U.S.C. 78f(b)(5).

[42] 15 U.S.C. 78s(b)(2).

[43] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–76070; File No. SR–BATS–2015–82]

Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Related to Fees for Use of BATS Exchange, Inc.

October 5, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 30, 2015, BATS Exchange,

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b 4.

Inc. (the ''Exchange'' or ''BATS'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange has designated the proposed rule change as one establishing or changing a member due, fee, or other charge imposed by the Exchange under Section 19(b)(3)(A)(ii) of the Act[3] and Rule 19b–4(f)(2) thereunder,[4] which renders the proposed rule change effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange filed a proposal to amend its fees and rebates applicable to Members[5] of the Exchange pursuant to Rule 15.1(a) and (c) (''Fee Schedule'') applicable to the use of the Exchange's equities trading platform (''BZX Equities'') to: (i) Adopt a new Step-Up Tier 4 under footnote 2; and (ii) amend the Tape B Volume Tier under footnote 13 to: (A) Adopt a new Tape B Volume Tier to be named ''Tier 1''; and (B) rename the existing Tape B Volume Tier as ''Tier 2''.

The text of the proposed rule change is available at the Exchange's Web site at *www.batstrading.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes amend [sic] the BZX Equities Fee Schedule to: (i) Adopt a new Step-Up Tier 4 under footnote 2; and (ii) amend the Tape B Volume Tier under footnote 13 to: (A) Adopt a new Tape B Volume Tier to be named ''Tier 1''; and (B) rename the existing Tape B Volume Tier as ''Tier 2''. As is the case with any other rebates on the Fee Schedule, to the extent that a Member qualifies for higher rebates than those provided under the proposed tiers, the higher rebates shall apply.

Step-Up Tier 4

Currently, the Exchange determines the liquidity adding rebate that it will provide to Members using the Exchange's tiered pricing structure, which is based on the Member meeting certain volume tiers based on their ADAV[6] as a percentage of TCV[7] or ADV[8] as a percentage of TCV. Under such pricing structure, a Member will receive an adding rebate of anywhere between $0.0020 and $0.0032 per share executed, depending on the volume tier for which such Member qualifies. The Exchange also maintains additional Step-Up Tiers in addition to the volume tiers described above. The Step-Up Tiers provide Members with additional ways to qualify for enhanced rebates.

The Exchange currently offers three Step-Up Tiers under footnote 2 of its Fe [sic] Schedule. Under Tier 1, a Members [sic] receives a rebate of $0.0025 per share where their Step-Up Add TCV[9] from January 2014 is equal to or greater than 0.07%. Under Tier 2, a Members [sic] receives a rebate of $0.0029 per share where their Step-Up Add TCV from January 2014 is equal to or greater than 0.10%. Lastly, under Tier 3, a Members [sic] receives a rebate of $0.0030 per share where their Step-Up Add TCV from January 2014 is equal to or greater than 0.15%. The Exchange proposes to add a fourth tier under footnote 2. Under proposed Tier 4, a Members [sic] would receive a rebate of $0.0030 per share where their Step-Up Add TCV from August 2015 is equal to or greater than 0.08%; and (2) Member's ADAV as a percentage of TCV is equal to or greater than 0.35%.

Tape B Volume Tiers

Currently, the Exchange offers a rebate of $0.0020 per share as the standard rebate for orders with fee code B, which applies to orders that add liquidity to the Exchange in Tape B securities. The Exchange also offers a Tape B Volume Tier that provide Members with the opportunity to earn a higher rebate by meeting certain volume metrics. Specifically, the Tape B Volume Tier provides a rebate of $0.0027 per share to a Member's orders with fee code B for which the Member's Tape B ADAV as a percentage of TCV is equal to or greater than 0.08%. The Exchange proposes to adopt a new Tape B Volume Tier to be named ''Tier 1'' under footnote 13 and rename the existing Tape B Volume Tier as ''Tier 2''. Under proposed Tier 1, a rebate of $0.0025 per share would be provided to a Member's orders with a fee code of B for which the Member's Tape B ADAV as a percentage of TCV is equal to or greater than 0.05%.

Implementation Date

The Exchange proposes to implement this amendment to its Fee Schedule on October 1, 2015.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the objectives of Section 6 of the Act,[10] in general, and furthers the objectives of Section 6(b)(4),[11] in particular, as it is designed to provide for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities. The

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b–4(f)(2).

[5] A Member is defined as ''any registered broker or dealer that has been admitted to membership in the Exchange.'' *See* Exchange Rule 1.5(n).

[6] As provided in the Fee Schedule, for purposes of BATS Equities pricing, ''ADAV'' means average daily added volume calculated as the number of shares added per day on a monthly basis; the Exchange excludes from the ADAV calculation routed shares as well as shares added on any day that the Exchange's system experiences a disruption that lasts for more than 60 minutes during regular trading hours (''Exchange System Disruption''), on any day with a scheduled early market close and on the last Friday in June (the ''Russell Reconstitution Day'').

[7] As provided in the Fee Schedule, for purposes of BATS Equities pricing, ''TCV'' means total consolidated volume calculated as the volume reported by all exchanges and trade reporting facilities to a consolidated transaction reporting plan for the month for which the fees apply, excluding volume on any day that the Exchange experiences an Exchange System Disruption, on any with a scheduled early market close and the Russell Reconstitution Day.

[8] As provided in the fee schedule, for purposes of BATS Equities pricing, ''ADV'' means average daily volume calculated as the number of shares added or removed, combined, per day on a monthly basis; the Exchange excludes from the ADV calculation routed shares, and shares added on any day that the Exchange's system experiences an Exchange System Disruption, on any day with a scheduled early market close and on the Russell Reconstitution Day.

[9] As provided in the fee schedule, for purposes of BATS Equities pricing, ''Step-Up Add TCV'' means ADAV as a percentage of TCV in the relevant baseline month subtracted from current ADAV as a percentage of TCV.

[10] 15 U.S.C. 78f.

[11] 15 U.S.C. 78f(b)(4).

Exchange also notes that it operates in a highly-competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive. The proposed rule change reflects a competitive pricing structure designed to incent market participants to direct their order flow to the Exchange. The Exchange believes that the proposed rates are equitable and non-discriminatory in that they apply uniformly to all Members. The Exchange believes the fees and credits remain competitive with those charged by other venues and therefore continue to be reasonable and equitably allocated to Members.

Volume-based rebates and fees such as those proposed herein have been widely adopted by equities and options exchanges and are equitable because they are open to all Members on an equal basis and provide additional benefits or discounts that are reasonably related to the value to an exchange's market quality associated with higher levels of market activity, such as higher levels of liquidity provision and/or growth patterns, and introduction of higher volumes of orders into the price and volume discovery processes. The Exchange believes that proposed tiers are a reasonable, fair and equitable, and not unfairly discriminatory allocation of fees and rebates because they will provide Members with an additional incentive to reach certain thresholds on the Exchange.

Further, the Exchange believes that the proposed tiers will provide such enhancements in market quality on the Exchange by incentivizing participation. The Exchange notes that it is not proposing to modify any of the existing Step-Up Tiers or the Tape B Volume Tier (other than to rename the existing Tape B Volume Tier as Tier 2), but rather to add two new tiers that will provide Members with additional ways to receive higher rebates. Accordingly, under the proposal a Member will receive either the same or a higher rebate than they would receive today. Accordingly, the Exchange believes that the proposed additions to the Exchange's tiered pricing structure and incentives are not unfairly discriminatory because they will apply uniformly to all Members and are consistent with the overall goals of enhancing market quality on the Exchange.

In particular, the Exchange believes the addition of a second Tape B Volume Tier is a reasonable means to encourage Members to increase their liquidity in Tape B securities. The Exchange also believes providing a rebate of $0.0025 per share where a Member's Tape B ADAV as a percentage of TCV is equal to or greater than 0.05% is also equitable and reasonable. The Exchange notes that it currently provides a rebate of $0.0027 per share to Member's Tape B ADAV as a percentage of TCV is equal to or greater than 0.08%. Such pricing programs thereby reward a Member's growth pattern in Tape B securities and such increased volume increases potential revenue to the Exchange, and will allow the Exchange to continue to provide and potentially expand the incentive programs operated by the Exchange. The Exchange also believes that the rebate amount provided by proposed Tier 1 is equitable and reasonable as compared to the existing Tape B Volume Tier because it reflects the lower criteria necessary to achieve the tier.

The Exchange believes that providing additional financial incentives to Members that demonstrate an increase over their August 2015 Step-Up Add TCV through the new proposed Step-Up Tier 4 offers additional, flexible ways to achieve financial incentives from the Exchange and encourage Members to add liquidity to the Exchange. The Exchange believes that these incentives are reasonable, fair and equitable because the liquidity from each of these proposals also benefits all investors by deepening the Exchange's liquidity pool, offering additional flexibility for all investors to enjoy cost savings, supporting the quality of price discovery, promoting market transparency and improving investor protection. Such pricing programs thereby reward a Member's growth pattern and such increased volume increase [sic] potential revenue to the Exchange, and will allow the Exchange to continue to provide and potentially expand the incentive programs operated by the Exchange. These pricing programs are also fair and equitable in that they are available to all Members and will result in Members receiving either the same or an increased rebate than they would currently receive.

The Exchange also believes proposing a baseline eligibility for the proposed Step-Up Tier 4 is equitable and reasonable. The Exchange notes that current Tier 3 provides the same rebate as that proposed for Tier 4, $0.0030 per share. However, Tier 3 calculates a Member's Step-Up Add TCV from a January 2014 baseline, while proposed Tier 4 would calculate a Member's Step-Up Add TCV from an August 2015 baseline. The primary objective of differing baseline eligibility criteria for the Step-Up Tiers is to increase the number of Members who may be eligible to achieve either the [sic] tier and receives [sic] the same $0.0030 per share rebate. The choice of baseline criteria will enhance the value of the Step-Up Tiers to Members whose market participation was higher in January 2014 than August 2015, thereby encouraging them to increase their volume on the Exchange over such baseline. It also provides Members with additional means to achieve the $0.0030 per share rebate that may not satisfy the current baseline criteria set forth in Tier 3 that is based on a Step-Up Add TCV from January 2014. Such increased volume would increase potential revenue to the Exchange and allow the Exchange to spread its administrative and infrastructure costs over a greater number of shares, which would result in lower per share costs. The Exchange may then pass on these savings to Members in the form of reduced fees. The increased liquidity would also benefit all investors by deepening the Exchange's liquidity pool, offering additional flexibility for all investors to enjoy cost savings, supporting the quality of price discovery, promoting market transparency and improving investor protection.

Lastly, the Exchange believes that it is reasonable and equitable to offer an enhanced rebate to Members who satisfy a certain baseline eligibility because the Exchange believes that such Members are most likely to provide consistent liquidity during periods of market stress and to manage their quotes/orders in a coordinated manner that promotes price discovery and market stability.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe its proposed amendments to its Fee Schedule would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposed changes represent a significant departure from previous pricing offered by the Exchange or pricing offered by the Exchange's competitors. Additionally, Members may opt to disfavor the Exchange's pricing if they believe that alternatives offer them better value. Accordingly, the Exchange does not believe that the proposed change will impair the ability of Members or competing venues to maintain their competitive standing in the financial markets.

The Exchange does not believe that the proposed new tiers would burden competition, but instead, enhances [sic] competition, as they are intended to increase the competitiveness of and

draw additional volume to the Exchange. As stated above, the Exchange notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues if the deem fee structures to be unreasonable or excessive. The proposed changes are generally intended to enhance the rebates for liquidity added to the Exchange, which is intended to draw additional liquidity to the Exchange. The Exchange does not believe the proposed tiers would burden intramarket competition as they would apply to all Members uniformly.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from Members or other interested parties.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [12] and paragraph (f) of Rule 19b–4 thereunder.[13] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–BATS–2015–82 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–BATS–2015–82. 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 Web site (*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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–BATS–2015–82, and should be submitted on or before October 30, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–25697 Filed 10–8–15; 8:45 am]

BILLING CODE 8011–01–P

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–76077; File No. SR–NSCC–2015–003]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Approving Proposed Rule Change to Enhance NSCC's Margining Methodology as Applied to Family-Issued Securities of Certain NSCC Members

October 5, 2015.

On August 14, 2015, National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') proposed rule change SR–NSCC–2015–003 pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] to change its margin charge with respect to a member's positions in securities that are issued by such member or its affiliate (*i.e.,* ''family-issued securities'') by excluding positions in these securities, when the member is on NSCC's Watch List,[3] from its volatility margining model. The proposed rule change was published for comment in the **Federal Register** on September 2, 2015.[4] The Commission did not receive comment letters regarding the proposed change. For the reasons discussed below, the Commission is granting approval of the proposed rule change.

I. Description of the Proposed Rule Change

The following is a description of the proposed rule change, as provided by NSCC:

The proposed rule change consists of amendments to NSCC's Rules in order to enhance NSCC's margining methodology as applied to family-issued securities of NSCC Members [5] that are placed on NSCC's ''Watch List'', *i.e.,* those Members who present a heightened credit risk to NSCC or have demonstrated higher risk related to their ability to meet settlement, as more fully described below.

Background

As a central counterparty, NSCC occupies an important role in the securities settlement system by interposing itself between counterparties to financial transactions and thereby reducing the risk faced by participants and contributing to global

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] As part of its ongoing monitoring of its membership, NSCC utilizes an internal credit risk rating matrix to rate its risk exposures to its members based on a scale from 1 (the strongest) to 7 (the weakest). Members that fall within the weakest three rating categories (*i.e.,* 5, 6, and 7) are placed on NSCC's ''Watch List'' and, as provided under NSCC's Rules and Procedures (''Rules''), may be subject to enhanced surveillance or additional margin charges. *See* Section 4 of Rule 2B and Section I(B)(1) of Procedure XV of NSCC's Rules, *available at http://dtcc.com/~/media/Files/Downloads/legal/rules/nscc_rules.pdf.*

[4] *See* Securities Exchange Act Release No. 75768 (August 27, 2015), 80 FR 53219 (September 2, 2015) (SR–NSCC–2015–003). NSCC also filed an advance notice with the Commission seeking approval of changes to its Rules necessary to implement the proposed rule change. This advance notice was published in the **Federal Register** on September 17, 2015. Securities Exchange Act Release No. 75899 (September 11, 2015), 80 FR 55883 (September 17, 2015) (File No. SR–NSCC–2015–803).

[5] Terms not defined herein are defined in the Rules, *available at http://dtcc.com/~/media/Files/Downloads/legal/rules/nscc_rules.pdf.*

financial stability. The effectiveness of a central counterparty's risk controls and the adequacy of its financial resources are critical to achieving these risk-reducing goals. In that context, NSCC continuously reviews its margining methodology in order to ensure the reliability of its margining in achieving the desired coverage. In order to be most effective, NSCC must take into consideration the risk characteristics specific to certain securities when margining those securities.

Among the various risks that NSCC considers when evaluating the effectiveness of its margining methodology are its counterparty risks and identification and mitigation of ''wrong-way'' risk, particularly specific wrong-way risk, defined as the risk that an exposure to a counterparty is highly likely to increase when the creditworthiness of that counterparty deteriorates.[6] NSCC has identified an exposure to wrong-way risk when it acts as central counterparty to a Member with respect to positions in securities that are issued by that Member or that Member's affiliate. These positions are referred to as ''family-issued securities.'' In the event that a Member with unsettled long positions in family-issued securities defaults, NSCC would close out those positions following a likely drop in the credit-worthiness of the issuer, possibly resulting in a loss to NSCC.

NSCC has proposed to address its exposure to this type of wrong-way risk in two steps. First, NSCC has proposed in this filing to enhance its margin methodology as applied to the family-issued securities of its Members that are on its Watch List by excluding these securities from the volatility component, or ''VaR'' charge, and then charging an amount calculated by multiplying the absolute value of the long net unsettled positions in that Member's family-issued securities by a percentage that is no less than 40%. The haircut rate to be charged will be determined based on the Member's rating on the credit risk rating matrix and the type of family-issued security submitted to NSCC. Fixed income securities that are family-issued securities will be charged a haircut rate of no less than 80% for firms that are rated 6 or 7 on the credit risk rating matrix, and no less than 40% for firms that are rated 5 on the credit risk rating matrix; and equity securities that are family-issued securities will be charged a haircut rate of 100% for firms that are rated 6 or 7 on the credit risk rating matrix, and no less than 50% for firms that are rated 5 on the credit risk rating matrix. NSCC will have the authority to adjust these haircut rates from time to time within these parameters as described in Procedure XV of NSCC's Rules without filing a proposed rule change with the Commission pursuant to Section 19(b)(1) of the Act,[7] and the rules thereunder, or an advance notice with the Commission pursuant to Section 806(e)(1) of the Clearing Supervision Act,[8] and the rules thereunder.

Because NSCC Members that are on its Watch List present a heightened credit risk to the clearing agency or have demonstrated higher risk related to their ability to meet settlement, NSCC believes that this charge will more effectively capture the risk characteristics of these positions and can help mitigate NSCC's exposure to wrong-way risk.

Second, NSCC will continue to evaluate its exposures to wrong-way risk, specifically wrong-way risk presented by family-issued securities, including by reviewing the impact of expanding the application of the proposed margining methodology to the family-issued securities of those Members that are not on the Watch List. NSCC has proposed to apply the enhanced margining methodology to the family-issued securities of Members that are on the Watch List at this time because, as stated above, these Members present a heightened credit risk to the clearing agency or have demonstrated higher risk related to their ability to meet settlement. As such, there is a clear and more urgent need to address NSCC's exposure to wrong-way risk presented by these firms' family-issued securities.

However, any future change to the margining methodology as applied to the family-issued securities of Members that are not on the Watch List would be subject to a separate proposed rule change pursuant to Section 19(b)(1) of the Act,[9] and the rules thereunder, and an advance notice pursuant to Section 806(e)(1) of the Clearing Supervision Act,[10] and the rules thereunder.

Implementation

The effective date of the proposed rule change will be announced via a NSCC Important Notice. NSCC expects to run these changes in a test environment for a three month parallel period prior to implementation. Details and dates regarding this test will be communicated to Members through an NSCC Important Notice. As stated above, NSCC will conduct additional analysis of its exposure to wrong-way risk, and, following implementation of this proposed rule change, will engage in outreach to its membership when evaluating whether to expand the application of the proposed enhanced margining methodology to Members not on its Watch List.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act[11] directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and rules and regulations thereunder applicable to such organization. The Commission believes the proposal is consistent with Section 17A(b)(3)(F) of the Act,[12] and Rule 17Ad–22(b)(1)[13] and Rule 17Ad–22(b)(2)[14] under the Act, as described in detail below.

Consistency with Section 17A(b)(3)(F) of the Act. Section 17A(b)(3)(F) of the Act requires, among other things, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions, as well as, in general, protect investors and the public interest.[15] By enhancing the margin methodology applied to family-issued securities of members that are on NSCC's Watch List, the proposal will assist NSCC in collecting margin that more accurately reflects NSCC's exposure to a clearing member that clears family-issued securities and will assist NSCC in its continuous efforts to improve the reliability and effectiveness of its risk-based margining methodology by taking into account specific wrong-way risk. As such, the proposal will help NSCC, as a central counterparty, promote robust risk management, and thus promoting the prompt and accurate clearance and settlement of securities transactions, as well as, in general, protecting investors and the public interest.

Consistency with Rule 17Ad–22(b)(1). Rule 17Ad–22(b)(1)[16] under the Act requires a CCP, such as NSCC, to

[6] *See Principles for financial market infrastructures,* issued by the Committee on Payment and Settlement Systems and the Technical Committee of the International Organization of Securities Commissions 47 n.65 (April 2012), *available at http://www.bis.org/publ/cpss101a.pdf.*

[7] 15 U.S.C. 78s(b)(1).

[8] 12 U.S.C. 5465(e)(1).

[9] 15 U.S.C. 78s(b)(1).

[10] 12 U.S.C. 5465(e)(1).

[11] 15 U.S.C. 78s(b)(2)(C).

[12] 15 U.S.C. 78q–1(b)(3)(F).

[13] 17 CFR 240.17Ad–22(b)(1).

[14] 17 CFR 240.17Ad–22(b)(2).

[15] 15 U.S.C. 78q–1(b)(3)(F).

[16] 17 CFR 240.17Ad–22(b)(1).

''establish, implement, maintain and enforce written policies and procedures reasonably designed to . . . limit its exposures to potential losses from defaults by its participants under normal market conditions . . . .'' NSCC faces specific wrong-way risk in all circumstances where a member submits family-issued securities to NSCC for clearance, including under normal market conditions. By enhancing the margin methodology applied to family-issued securities of NSCC's members that are on its Watch List, the proposal will limit NSCC's exposure to potential losses from the default of a member on NSCC's Watch List with family-issued securities under normal market conditions. As such, the Commission believes that the proposal is consistent with Rule 17Ad–22(b)(1).

Consistency with Rule 17Ad–22(b)(2). Rule 17Ad–22(b)(2) [17] under the Act requires a CCP, such as NSCC, to ''establish, implement, maintain and enforce written policies and procedures reasonably designed to . . . [u]se margin requirements to limit its credit exposures to participants under normal market conditions and use risk-based models and parameters to set margin requirements . . . '' By enhancing the margin methodology applied to family-issued securities of NSCC's members that are on its Watch List, the proposal will better account for and cover NSCC's credit exposure to less creditworthy members. In addition, by taking into account specific wrong-way risk arising from family-issued securities submitted to NSCC, the proposal is consistent with using risk based models and parameters to set margin requirements. As such, the Commission believes that the proposal is consistent with Rule 17Ad–22(b)(2).

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposal is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act [18] and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that proposed rule change SR–NSCC–2015–003 be, and hereby is, APPROVED.[19]

[17] 17 CFR 240.17Ad–22(b)(2).

[18] 15 U.S.C. 78q–1.

[19] In approving the proposed rule change, the Commission considered the proposal's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–25702 Filed 10–8–15; 8:45 a.m.]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–76072; File No. SR–NYSE–2015–43]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending Its Price List To Change the Monthly Fees for the Use of Certain Ports

October 5, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 23, 2015, New York Stock Exchange LLC (''NYSE'' or the ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Price List to change the monthly fees for the use of certain ports. The Exchange proposes to implement the fee change effective October 1, 2015. The text of the proposed rule change is available on the Exchange's Web site 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 Exchange proposes to amend its Price List to change the monthly fees for the use of certain ports.[3] The Exchange proposes to implement the fee changes on October 1, 2015.

The Exchange currently makes ports available that provide connectivity to the Exchange's trading systems (*i.e.,* ports for entry of orders and/or quotes (''order/quote entry ports'')) and charges $200 per port per month for users of 1–5 ports, and $500 per port per month for users of 6 or more ports. The Exchange also currently makes ports available for drop copies and charges $500 per port per month.[4]

[20] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Exchange has a Common Customer Gateway (''CCG'') that accesses the equity trading systems that it shares with its affiliates, NYSE MKT LLC (''NYSE MKT'') and NYSE Arca, Inc. (''NYSE Arca''), and all ports connect to the CCG. *See, e.g.,* Securities Exchange Act Release No. 64542 (May 25, 2011), 76 FR 31659 (June 1, 2011) (SR–NYSE–2011–13). All NYSE member organizations are also NYSE MKT member organizations and, accordingly, a member organization utilizes its ports for activity on both NYSE and/or NYSE MKT and is charged port fees based on the total number of ports connected to the CCG, whether the ports are used to quote and trade on NYSE, NYSE MKT, and/or both, because those trading systems are integrated. *See* Supplementary Material .10 to Rule 2. The NYSE Arca trading platform is not integrated in the same manner. Therefore, it does not share its ports with NYSE or NYSE MKT.

[4] Only one fee per drop copy port applies, even if receiving drop copies from multiple order/quote entry ports. In addition, the Price List provides that (i) users of the Exchange's Risk Management Gateway service (''RMG'') are not charged for order/quote entry ports if such ports are designated as being used for RMG purposes, and (ii) Designated Market Makers (''DMMs'') are not charged for order/quote entry ports that connect to the Exchange via the DMM Gateway. *See* Securities Exchange Act Release No. 68229 (November 14, 2012), 77 FR 69688 (November 20, 2012) (SR–NYSE–2012–60). Two methods are available to DMMs to connect to the Exchange: DMM Gateway and CCG. Only DMMs may connect to the DMM Gateway and only when acting in their capacity as a DMM. DMMs are required to use the DMM Gateway for certain DMM-specific functions that relate to the DMM's role on the Exchange and the obligations attendant therewith, which are not applicable to other market participants on the Exchange. By contrast, non-DMMs as well as DMMs may use the CCG. Use of the CCG by a DMM is optional, and a DMM that connects to the Exchange via CCG can use the relevant order/quote entry port for orders and quotes both in its capacity as a DMM and for orders and quotes in other securities. Because DMMs are required to utilize DMM Gateway, but not CCG, to fulfill their functions as DMMs, DMMs are not charged for order/quote entry ports that connect to the Exchange via the DMM Gateway. However, DMMs, like other market participants, are charged for order/entry ports that connect to the Exchange via the CCG.

The Exchange proposes to standardize the port fee for connecting to CCG and charge $550 per port per month, regardless of the number of users and whether the port is used for order/quote entry or for drop copies. The Exchange believes that standardizing the port fees will permit the Exchange to offset, in part, its infrastructure costs associated with making such ports available. The proposed change would also encourage users to become more efficient with their usage of the ports thereby resulting in a corresponding increase in the efficiency that the Exchange would be able to realize with respect to managing its own infrastructure. In this regard, as users decrease the number of ports that they utilize, the Exchange would similarly be able to decrease the amount of its hardware that it is required to support to interface with such ports.

The proposed change is not otherwise intended to address any other issues, and the Exchange is not aware of any problems that member organizations would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[6] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposal to amend the port fees constitutes an equitable allocation of fees because all similarly situated member organizations and other market participants would be charged the same rates. The Exchange believes that the proposed change to the monthly rates is reasonable because the proposed port fees are expected to permit the Exchange to offset, in part, its infrastructure costs associated with making such ports available, including costs based on gateway software and hardware enhancements and resources dedicated to gateway development, quality assurance, and support. In this regard, the Exchange believes that the proposed fees are competitive with those charged by other exchanges.[7] The proposed change is also reasonable because the proposed per port rates would encourage users to become more efficient with, and reduce the number of ports used, thereby resulting in a corresponding increase in the efficiency that the Exchange would be able to realize with respect to managing its own infrastructure.

The Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition.

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[8] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposed change will permit the Exchange to set fees for ports that are competitive with those charged by other exchanges.[9] Moreover, the Exchange believes that the proposal to amend the port fees would encourage users to become more efficient with, and reduce the number of ports used. In this regard, the Exchange believes that the proposal would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because the Exchange believes that a reduction in the number of ports would result in a decrease in the infrastructure that the Exchange is required to support for connectivity to its trading systems. This would also provide incentive for users to become more efficient with their use of ports and could therefore result in such users becoming more competitive due to decreased costs.

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that this proposal promotes a competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A) [10] of the Act and subparagraph (f)(2) of Rule 19b–4 [11] 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) [12] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSE–2015–43 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSE–2015–43. 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 Web site (*http://www.sec.gov/*

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(4) and (5).

[7] For example, the charge on the NASDAQ for a FIX Trading Port is $550 per port per month. *See* NASDAQ Rule 7015. A separate charge for Pre-Trade Risk Management ports also is applicable, which ranges from $400 to $600 and is capped at $25,000 per firm per month. *See* NASDAQ Rule 7016.

[8] 15 U.S.C. 78f(b)(8).

[9] *See supra* note 7.

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19b–4(f)(2).

[12] 15 U.S.C. 78s(b)(2)(B).

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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSE–2015–43, and should be submitted on or before October 30, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–25699 Filed 10–8–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–76071; File No. SR–NYSEMKT–2015–72]

Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending Its Price List To Change the Monthly Fees for the Use of Certain Ports

October 5, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 23, 2015, NYSE MKT LLC (the ''Exchange'' or ''NYSE MKT'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Price List to change the monthly fees for the use of certain ports. The Exchange proposes to implement the fee change effective October 1, 2015. The text of the proposed rule change is available on the Exchange's Web site 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 Exchange proposes to amend its Price List to change the monthly fees for the use of certain ports.[3] The Exchange proposes to implement the fee changes on October 1, 2015.

The Exchange currently makes ports available that provide connectivity to the Exchange's trading systems (*i.e.,* ports for entry of orders and/or quotes (''order/quote entry ports'')) and charges $200 per port per month for users of 1–5 ports, and $500 per port per month for users of 6 or more ports. The Exchange also currently makes ports available for drop copies and charges $500 per port per month.[4]

The Exchange proposes to standardize the port fee for connecting to CCG and charge $550 per port per month, regardless of the number of users and whether the port is used for order/quote entry or for drop copies. The Exchange believes that standardizing the port fees will permit the Exchange to offset, in part, its infrastructure costs associated with making such ports available. The proposed change would also encourage users to become more efficient with their usage of the ports thereby resulting in a corresponding increase in the efficiency that the Exchange would be able to realize with respect to managing its own infrastructure. In this regard, as users decrease the number of ports that they utilize, the Exchange would similarly be able to decrease the amount of its hardware that it is required to support to interface with such ports.

The proposed change is not otherwise intended to address any other issues, and the Exchange is not aware of any problems that member organizations would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[6] in particular, because it provides for the

[13] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Exchange has a Common Customer Gateway (''CCG'') that accesses the equity trading systems that it shares with its affiliates, New York Stock Exchange LLC (''NYSE'') and NYSE Arca, Inc. (''NYSE Arca''), and all ports connect to the CCG *See, e.g.,* Securities Exchange Act Release No. 64543 (May 25, 2011), 76 FR 31667 (June 1, 2011) (SR–NYSEAmex–2011–20). All NYSE MKT member organizations are also NYSE member organizations and, accordingly, a member organization utilizes its ports for activity on both NYSE and/or NYSE MKT and is charged port fees based on the total number of ports connected to the CCG, whether the ports are used to quote and trade on NYSE, NYSE MKT, and/or both, because those trading systems are integrated. *See* Supplementary Material .10 to Rule 2. The NYSE Arca trading platform is not integrated in the same manner. Therefore, it does not share its ports with NYSE or NYSE MKT.

[4] Only one fee per drop copy port applies, even if receiving drop copies from multiple order/quote entry ports. In addition, the Price List provides that (i) users of the Exchange's Risk Management Gateway service (''RMG'') are not charged for order/quote entry ports if such ports are designated as being used for RMG purposes, and (ii) Designated Market Makers (''DMMs'') are not charged for order/quote entry ports that connect to the Exchange via the DMM Gateway. *See* Securities Exchange Act Release No. 68261 (November 19, 2012), 77 FR 70522 (November 26, 2012) (SR–NYSEMKT–2012–64). Two methods are available to DMMs to connect to the Exchange: DMM Gateway and CCG. Only DMMs may connect to the DMM Gateway and only when acting in their capacity as a DMM. DMMs are required to use the DMM Gateway for certain DMM-specific functions that relate to the DMM's role on the Exchange and the obligations attendant therewith, which are not applicable to other market participants on the Exchange. By contrast, non-DMMs as well as DMMs may use the CCG. Use of the CCG by a DMM is optional, and a DMM that connects to the Exchange via CCG can use the relevant order/quote entry port for orders and quotes both in its capacity as a DMM and for orders and quotes in other securities. Because DMMs are required to utilize DMM Gateway, but not CCG, to fulfill their functions as DMMs, DMMs are not charged for order/quote entry ports that connect to the Exchange via the DMM Gateway. However, DMMs, like other market participants, are charged for order/entry ports that connect to the Exchange via the CCG.

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(4) and (5).

equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposal to amend the port fees constitutes an equitable allocation of fees because all similarly situated member organizations and other market participants would be charged the same rates. The Exchange believes that the proposed change to the monthly rates is reasonable because the proposed port fees are expected to permit the Exchange to offset, in part, its infrastructure costs associated with making such ports available, including costs based on gateway software and hardware enhancements and resources dedicated to gateway development, quality assurance, and support. In this regard, the Exchange believes that the proposed fees are competitive with those charged by other exchanges.[7] The proposed change is also reasonable because the proposed per port rates would encourage users to become more efficient with, and reduce the number of ports used, thereby resulting in a corresponding increase in the efficiency that the Exchange would be able to realize with respect to managing its own infrastructure.

The Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition.

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[8] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposed change will permit the Exchange to set fees for ports that are competitive with those charged by other exchanges.[9] Moreover, the Exchange believes that the proposal to amend the port fees would encourage users to become more efficient with, and reduce the number of ports used. In this regard, the Exchange believes that the proposal would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because the Exchange believes that a reduction in the number of ports would result in a decrease in the infrastructure that the Exchange is required to support for connectivity to its trading systems. This would also provide incentive for users to become more efficient with their use of ports and could therefore result in such users becoming more competitive due to decreased costs.

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that this proposal promotes a competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)[10] of the Act and subparagraph (f)(2) of Rule 19b–4[11] 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)[12] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NYSEMKT–2015–72 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEMKT–2015–72. 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 Web site (*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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEMKT–2015–72, and should be submitted on or before October 30, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–25698 Filed 10–8–15; 8:45 am]

BILLING CODE 8011–01–P

[7] For example, the charge on the NASDAQ for a FIX Trading Port is $550 per port per month. *See* NASDAQ Rule 7015. A separate charge for Pre-Trade Risk Management ports also is applicable, which ranges from $400 to $600 and is capped at $25,000 per firm per month. *See* NASDAQ Rule 7016.

[8] 15 U.S.C. 78f(b)(8).

[9] *See supra* note 7.

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19b–4(f)(2).

[12] 15 U.S.C. 78s(b)(2)(B).

[13] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC–31860; File No. 812–14365]

Harvest Capital Credit Corporation, et al.; Notice of Application

October 5, 2015.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit a business development company (''BDC'') to co-invest in portfolio companies with certain affiliated investment funds and certain affiliated persons' proprietary accounts.

APPLICANTS: Harvest Capital Credit Corporation (''HCC''); HCAP Advisors LLC (the ''BDC Adviser''); JMP Credit Advisors LLC (''JMPCA''); JMP Group LLC (''JMPG LLC''), JMP Group Inc. (''JMPG''), JMP Capital LLC (''JMP Capital''), JMP Credit Corporation (''JMP Credit''), and JMP Holding LLC (''JMP Holding'' and together with JMPG LLC, JMPG, JMP Capital, and JMP Credit, the ''JMPG Companies'').

FILING DATES: The application was filed on October 1, 2014, and amended on February 11, 2015, and June 2, 2015.

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 October 30, 2015, 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, 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: Brent J. Fields, Secretary, U.S. Securities and Exchange Commission, 100 F St. NE., Washington, DC 20549–1090. Applicants: Richard Buckanavage, Harvest Capital Credit Corporation, 767 Third Avenue, 25th Floor, New York, NY 10017; Steven Boehm, Esq., and Harry Pangas, Esq., Sutherland Asbill & Brennan LLP, 700 Sixth Street NW., Suite 700, Washington, DC 20001–3980.

FOR FURTHER INFORMATION CONTACT: Anil K. Abraham, Senior Special Counsel, at (202) 551–2614 or James M. Curtis, Branch Chief, at (202) 551–6712 (Chief Counsel's Office, Division of Investment Management).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site 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.

Applicants' Representations

1. HCC is a Delaware corporation organized in February 2011 as a closed-end management investment company that has elected to be regulated as a BDC under section 54(a) of the Act.[1] HCC's Objectives and Strategies[2] are to generate both current income and capital appreciation primarily by making direct investments in the form of subordinated debt, senior debt, and minority equity investments in privately-held, small to mid-sized U.S. companies. The board of directors of HCC (the ''HCC Board,'' and together with any board of directors of a Future Regulated Fund (defined below), the ''Boards,'' and each, a ''Board,'' as applicable) is composed of five directors, three of whom are not ''interested persons,'' as defined in section 2(a)(19) of the Act (''Non-Interested Directors''), of HCC. Each Regulated Fund invests or intends to invest its assets so as to qualify for U.S. federal income tax treatment as a regulated investment company.

2. JMPG was incorporated in Delaware in January 2000 and completed its initial public offering in May 2007. On January 1, 2015, JMP Merger Corp., a Delaware corporation and wholly-owned subsidiary of JMPG LLC, merged with and into JMPG, with JMPG as the surviving entity. Consequently, JMPG LLC replaced JMPG as the publicly traded company, and JMPG LLC's common stock is currently listed on the New York Stock Exchange under the symbol ''JMP.''

3. JMPG LLC is a Delaware limited liability company and, together with its subsidiaries, is a full-service investment banking and asset management firm that provides investment banking, sales and trading, and equity research services to corporate and institutional clients, and alternative asset management products and services to institutional investors and high net-worth individuals. JMPG, JMP Capital, JMP Credit, and JMP Holding are direct or indirect wholly-owned subsidiaries of JMPG LLC.

4. The JMPG Companies, from time to time, may hold various financial assets in a principal capacity (together, in such capacity, ''Existing JMPG Proprietary Accounts,'' and together with any Future JMPG Proprietary Account (defined below), the ''JMPG Proprietary Accounts'').

5. The BDC Adviser and JMPCA are Delaware limited liability companies registered with the Commission as investment advisers under the Investment Advisers Act of 1940 (the ''Advisers Act''). The BDC Adviser is a majority-owned subsidiary of JMPG LLC. The BDC Adviser serves as investment adviser to HCC and manages HCC's portfolio in accordance with HCC's Objectives and Strategies. JMPCA, a wholly-owned subsidiary of JMPG LLC, serves as the administrator to HCC. JMPCA also serves as investment adviser to several collateralized loan obligation vehicles (''CLOs'') and manages the portfolios of the CLOs.

6. Applicants seek an order (''Order'') to permit one or more Regulated Funds[3] and/or one or more Affiliated Funds[4] to

[1] Section 2(a)(48) defines a BDC to be any closed-end investment company that operates for the purpose of making investments in securities described in sections 55(a)(1) through 55(a)(3) of the Act and makes available significant managerial assistance with respect to the issuers of such securities.

[2] ''Objectives and Strategies'' means a Regulated Fund's (defined below) investment objectives and strategies, as described in the Regulated Fund's registration statement on Form N–2, other filings the Regulated Fund has made with the Commission under the Securities Act of 1933 (the ''Securities Act''), or under the Securities Exchange Act of 1934, and the Regulated Fund's reports to shareholders.

[3] ''Regulated Fund'' means HCC and any Future Regulated Fund. ''Future Regulated Fund'' means any closed-end management investment company (a) that is registered under the Act or has elected to be regulated as BDC, (b) whose investment adviser is an Adviser, and (c) that intends to participate in the Co-Investment Program (defined below). The term ''Adviser'' means (a) the BDC Adviser and JMPCA and (b) any future investment adviser that controls, is controlled by or is under common control with JMPG LLC and is registered as an investment adviser under the Advisers Act.

[4] ''Affiliated Fund'' means the Existing JMPG Proprietary Accounts, any Future JMPG Proprietary Accounts, and any Future Affiliated Funds. ''Future JMPG Proprietary Account'' means any direct or indirect, wholly- or majority-owned subsidiary of JMPG LLC that is formed in the future and, from time to time, may hold various financial assets in a principal capacity. ''Future Affiliated Fund'' means any entity (a) whose investment adviser is an Adviser, (b) that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act,

participate in the same investment opportunities through a co-investment program (the ''Co-Investment Program'') where such participation would otherwise be prohibited by section 17(d) or section 57(a)(4) and rule 17d–1 by (a) co-investing with each other in securities issued by issuers in private placement transactions in which an Adviser negotiates terms in addition to price; [5] and (b) making additional investments in securities of such issuers, including through the exercise of warrants, conversion privileges, and other rights to purchase securities of the issuers (''Follow-On Investments''). ''Co-Investment Transaction'' means any transaction in which a Regulated Fund (or its Wholly-Owned Investment Sub, as defined below) has participated together with one or more other Regulated Funds and/or one or more Affiliated Funds in reliance on the requested Order. ''Potential Co-Investment Transaction'' means any investment opportunity in which a Regulated Fund (or its Wholly-Owned Investment Sub) could not participate together with one or more Affiliated Funds and/or one or more other Regulated Funds without obtaining and relying on the Order.[6]

7. Applicants state that a Regulated Fund may, from time to time, form one or more Wholly-Owned Investment Subs.[7] Such a subsidiary would be prohibited from investing in a Co-Investment Transaction with any Affiliated Fund or Regulated Fund because it would be a company controlled by its parent Regulated Fund for purposes of section 57(a)(4) and rule 17d–1. Applicants request that each Wholly-Owned Investment Sub be permitted to participate in Co-Investment Transactions in lieu of its parent Regulated Fund and that the Wholly-Owned Investment Sub's participation in any such transaction be treated, for purposes of the requested Order, as though the parent Regulated Fund were participating directly. Applicants represent that this treatment is justified because a Wholly-Owned Investment Sub would have no purpose other than serving as a holding vehicle for the Regulated Fund's investments, and, therefore, no conflicts of interest could arise between the Regulated Fund and the Wholly-Owned Investment Sub. The Regulated Fund's Board would make all relevant determinations under the Conditions with regard to a Wholly-Owned Investment Sub's participation in a Co-Investment Transaction, and the Regulated Fund's Board would be informed of, and take into consideration, any proposed use of a Wholly-Owned Investment Sub in the Regulated Fund's place. If the Regulated Fund proposes to participate in the same Co-Investment Transaction with any of its Wholly-Owned Investment Subs, the Board of the Regulated Fund will also be informed of, and take into consideration, the relative participation of the Regulated Fund and the Wholly-Owned Investment Sub.

8. When considering Potential Co-Investment Transactions for any Regulated Fund, the applicable Adviser will consider only the Objectives and Strategies, investment policies, investment positions, capital available for investment, and other pertinent factors applicable to that Regulated Fund. The Regulated Fund Advisers expect that any portfolio company that is an appropriate investment for a Regulated Fund should also be an appropriate investment for one or more other Regulated Funds and/or one or more Affiliated Funds, with certain exceptions based on available capital or diversification.[8]

9. Other than pro rata dispositions and Follow-On Investments as provided in Conditions 7 and 8, and after making the determinations required in Conditions 1 and 2(a), the Adviser will present each Potential Co-Investment Transaction and the proposed allocation to the directors of the Board eligible to vote under section 57(o) of the Act (''Eligible Directors''), and the ''required majority,'' as defined in section 57(o) of the Act (''Required Majority'') [9] will approve each Co-Investment Transaction prior to any investment by the participating Regulated Fund.

10. With respect to the pro rata dispositions and Follow-On Investments provided in Conditions 7 and 8, a Regulated Fund may participate in a pro rata disposition or Follow-On Investment without obtaining prior approval of the Required Majority if, among other things: (i) The proposed participation of each Regulated Fund and Affiliated Fund in such disposition is proportionate to its outstanding investments in the issuer immediately preceding the disposition or Follow-On Investment, as the case may be; and (ii) the Board of the Regulated Fund has approved that Regulated Fund's participation in pro rata dispositions and Follow-On Investments as being in the best interests of the Regulated Fund. If the Board does not so approve, any such disposition or Follow-On Investment will be submitted to the Regulated Fund's Eligible Directors. The Board of any Regulated Fund may at any time rescind, suspend or qualify its approval of pro rata dispositions and Follow-On Investments with the result that all dispositions and/or Follow-On Investments must be submitted to the Eligible Directors.

11. No Non-Interested Director of a Regulated Fund will have a financial interest in any Co-Investment Transaction, other than through share ownership in one of the Regulated Funds.

Applicants' Legal Analysis

1. Section 57(a)(4) of the Act prohibits certain affiliated persons of a BDC from participating in joint transactions with the BDC or a company controlled by a BDC in contravention of rules as prescribed by the Commission. Under section 57(b)(2) of the Act, any person who is directly or indirectly controlling, controlled by, or under common control with a BDC is subject to section 57(a)(4). Applicants submit that each of the Regulated Funds and Affiliated Funds could be deemed to be a person related to each Regulated Fund in a manner described by section 57(b) by virtue of being under common control. Section 57(i) of the Act provides that, until the Commission prescribes rules under section 57(a)(4), the Commission's rules under section 17(d) of the Act applicable to registered closed-end investment companies will be deemed to apply to transactions subject to section 57(a)(4). Because the Commission has not adopted any rules under section 57(a)(4), rule 17d–1 also applies to joint transactions with Regulated Funds that are BDCs. Section 17(d) of the Act and rule 17d–1 under

and (c) that intends to participate in the Co-Investment Program.

[5] The term ''private placement transactions'' means transactions in which the offer and sale of securities by the issuer are exempt from registration under the Securities Act.

[6] All existing entities that currently intend to rely upon the requested Order have been named as applicants. Any other existing or future entity that subsequently relies on the Order will comply with the terms and conditions of the application.

[7] The term ''Wholly-Owned Investment Sub'' means an entity (i) that is wholly-owned by a Regulated Fund (with the Regulated Fund at all times holding, beneficially and of record, 100% of the voting and economic interests); (ii) whose sole business purpose is to hold one or more investments on behalf of the Regulated Fund; (iii) with respect to which the Regulated Fund's Board has the sole authority to make all determinations with respect to the entity's participation under the conditions of the application; and (iv) that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act.

[8] The Regulated Funds, however, will not be obligated to invest, or co-invest, when investment opportunities are referred to them.

[9] In the case of a Regulated Fund that is a registered closed-end fund, the Board members that make up the Required Majority will be determined as if the Regulated Fund were a BDC subject to section 57(o).

the Act are applicable to Regulated Funds that are registered closed-end investment companies.

2. Section 17(d) of the Act and rule 17d–1 under the Act prohibit affiliated persons of a registered investment company from participating in joint transactions with the company unless the Commission has granted an order permitting such transactions. In passing upon applications under rule 17d–1, the Commission considers whether the company's participation in the joint transaction is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

3. Applicants state that in the absence of the requested relief, the Regulated Funds would be, in some circumstances, limited in their ability to participate in attractive and appropriate investment opportunities. Applicants believe that the proposed terms and conditions will ensure that the Co-Investment Transactions are consistent with the protection of each Regulated Fund's shareholders and with the purposes intended by the policies and provisions of the Act. Applicants state that the Regulated Funds' participation in the Co-Investment Transactions will be consistent with the provisions, policies, and purposes of the Act and on a basis that is not different from or less advantageous than that of other participants.

4. Under Condition 16 below, if the Advisers, the principals of any of the Advisers (the ''Principals''), or any person controlling, controlled by, or under common control with the Advisers or the Principals, and the Affiliated Funds (collectively, the ''Holders'') own in the aggregate more than 25 percent of the outstanding voting shares of a Regulated Fund (the ''Shares''), then the Holders will vote such Shares as directed by an independent third party (such as the trustee of a voting trust or a proxy adviser) when voting on (1) the election of directors; (2) the removal of one or more directors; or (3) any matters requiring approval by the vote of a majority of the outstanding voting securities, as defined in section 2(a)(42) of the Act. Applicants believe that this Condition will ensure that the Non-Interested Directors will act independently in evaluating the Co-Investment Program, because the ability of the Advisers or the Principals to influence the Non-Interested Directors by a suggestion, explicit or implied, that the Non-Interested Directors can be removed will be limited significantly. Applicants represent that the Non-Interested Directors shall evaluate and approve any such voting trust or proxy adviser, taking into account its qualifications, reputation for independence, cost to the shareholders, and other factors that they deem relevant.

Applicants' Conditions

Applicants agree that the Order will be subject to the following Conditions:

1. Each time an Adviser considers a Potential Co-Investment Transaction for an Affiliated Fund or another Regulated Fund that falls within a Regulated Fund's then-current Objectives and Strategies, the Regulated Fund's Adviser will make an independent determination of the appropriateness of the investment for such Regulated Fund in light of the Regulated Fund's then-current circumstances.

2. (a) If the Adviser deems a Regulated Fund's participation in any Potential Co-Investment Transaction to be appropriate for the Regulated Fund, it will then determine an appropriate level of investment for the Regulated Fund.

(b) If the aggregate amount recommended by the applicable Adviser to be invested by the applicable Regulated Fund in the Potential Co-Investment Transaction, together with the amount proposed to be invested by the other participating Regulated Funds and Affiliated Funds, collectively, in the same transaction, exceeds the amount of the investment opportunity, the investment opportunity will be allocated among them pro rata based on each participant's capital available for investment in the asset class being allocated, up to the amount proposed to be invested by each. The applicable Adviser will provide the Eligible Directors of each participating Regulated Fund with information concerning each participating party's available capital to assist the Eligible Directors with their review of the Regulated Fund's investments for compliance with these allocation procedures.

(c) After making the determinations required in Conditions 1 and 2(a), the applicable Adviser will distribute written information concerning the Potential Co-Investment Transaction (including the amount proposed to be invested by each participating Regulated Fund and Affiliated Fund) to the Eligible Directors of each participating Regulated Fund for their consideration. A Regulated Fund will co-invest with one or more other Regulated Funds and/or one or more Affiliated Funds only if, prior to the Regulated Fund's participation in the Potential Co-Investment Transaction, a Required Majority concludes that:

(i) the terms of the Potential Co-Investment Transaction, including the consideration to be paid, are reasonable and fair to the Regulated Fund and its shareholders and do not involve overreaching in respect of the Regulated Fund or its shareholders on the part of any person concerned;

(ii) the Potential Co-Investment Transaction is consistent with:

(A) the interests of the shareholders of the Regulated Fund; and

(B) the Regulated Fund's then-current Objectives and Strategies;

(iii) the investment by any other Regulated Funds or Affiliated Funds would not disadvantage the Regulated Fund, and participation by the Regulated Fund would not be on a basis different from or less advantageous than that of other Regulated Funds or Affiliated Funds; provided that, if any other Regulated Fund or Affiliated Fund, but not the Regulated Fund itself, gains the right to nominate a director for election to a portfolio company's board of directors or the right to have a board observer or any similar right to participate in the governance or management of the portfolio company, such event shall not be interpreted to prohibit the Required Majority from reaching the conclusions required by this Condition (2)(c)(iii), if:

(A) the Eligible Directors will have the right to ratify the selection of such director or board observer, if any;

(B) the applicable Adviser agrees to, and does, provide periodic reports to the Regulated Fund's Board with respect to the actions of such director or the information received by such board observer or obtained through the exercise of any similar right to participate in the governance or management of the portfolio company; and

(C) any fees or other compensation that any Affiliated Fund or any Regulated Fund or any affiliated person of any Affiliated Fund or any Regulated Fund receives in connection with the right of an Affiliated Fund or a Regulated Fund to nominate a director or appoint a board observer or otherwise to participate in the governance or management of the portfolio company will be shared proportionately among the participating Affiliated Funds (who each may, in turn, share its portion with its affiliated persons) and the participating Regulated Funds in proportion to the amount of each party's investment; and

(iv) the proposed investment by the Regulated Fund will not benefit the Advisers, the Affiliated Funds or the

other Regulated Funds or any affiliated person of any of them (other than the parties to the Co-Investment Transaction), except (A) to the extent permitted by Condition 13, (B) to the extent permitted by section 17(e) or 57(k) of the Act, as applicable, (C) indirectly, as a result of an interest in the securities issued by one of the parties to the Co-Investment Transaction, or (D) in the case of fees or other compensation described in Condition 2(c)(iii)(C).

3. Each Regulated Fund has the right to decline to participate in any Potential Co-Investment Transaction or to invest less than the amount proposed.

4. The applicable Adviser will present to the Board of each Regulated Fund, on a quarterly basis, a record of all investments in Potential Co-Investment Transactions made by any of the other Regulated Funds or Affiliated Funds during the preceding quarter that fell within the Regulated Fund's then-current Objectives and Strategies that were not made available to the Regulated Fund, and an explanation of why the investment opportunities were not offered to the Regulated Fund. All information presented to the Board pursuant to this Condition will be kept for the life of the Regulated Fund and at least two years thereafter, and will be subject to examination by the Commission and its staff.

5. Except for Follow-On Investments made in accordance with Condition 8,[10] a Regulated Fund will not invest in reliance on the Order in any issuer in which another Regulated Fund, Affiliated Fund, or any affiliated person of another Regulated Fund or Affiliated Fund is an existing investor.

6. A Regulated Fund will not participate in any Potential Co-Investment Transaction unless the terms, conditions, price, class of securities to be purchased, settlement date, and registration rights will be the same for each participating Regulated Fund and Affiliated Fund. The grant to an Affiliated Fund or another Regulated Fund, but not the Regulated Fund, of the right to nominate a director for election to a portfolio company's board of directors, the right to have an observer on the board of directors or similar rights to participate in the governance or management of the portfolio company will not be interpreted so as to violate this Condition 6, if Conditions 2(c)(iii)(A), (B) and (C) are met.

7. (a) If any Affiliated Fund or any Regulated Fund elects to sell, exchange or otherwise dispose of an interest in a security that was acquired in a Co-Investment Transaction, the applicable Advisers will:

(i) notify each Regulated Fund that participated in the Co-Investment Transaction of the proposed disposition at the earliest practical time; and

(ii) formulate a recommendation as to participation by each Regulated Fund in the disposition.

(b) Each Regulated Fund will have the right to participate in such disposition on a proportionate basis, at the same price and on the same terms and conditions as those applicable to the participating Affiliated Funds and Regulated Funds.

(c) A Regulated Fund may participate in such disposition without obtaining prior approval of the Required Majority if: (i) The proposed participation of each Regulated Fund and each Affiliated Fund in such disposition is proportionate to its outstanding investments in the issuer immediately preceding the disposition; (ii) the Board of the Regulated Fund has approved as being in the best interests of the Regulated Fund the ability to participate in such dispositions on a pro rata basis (as described in greater detail in the application); and (iii) the Board of the Regulated Fund is provided on a quarterly basis with a list of all dispositions made in accordance with this Condition. In all other cases, the Adviser will provide its written recommendation as to the Regulated Fund's participation to the Eligible Directors, and the Regulated Fund will participate in such disposition solely to the extent that a Required Majority determines that it is in the Regulated Fund's best interests.

(d) Each Affiliated Fund and each Regulated Fund will bear its own expenses in connection with any such disposition.

8. (a) If any Affiliated Fund or any Regulated Fund desires to make a Follow-On Investment in a portfolio company whose securities were acquired in a Co-Investment Transaction, the applicable Advisers will:

(i) Notify each Regulated Fund that participated in the Co-Investment Transaction of the proposed transaction at the earliest practical time; and

(ii) formulate a recommendation as to the proposed participation, including the amount of the proposed Follow-On Investment, by each Regulated Fund.

(b) A Regulated Fund may participate in such Follow-On Investment without obtaining prior approval of the Required Majority if: (i) The proposed participation of each Regulated Fund and each Affiliated Fund in such investment is proportionate to its outstanding investments in the issuer immediately preceding the Follow-On Investment; and (ii) the Board of the Regulated Fund has approved as being in the best interests of the Regulated Fund the ability to participate in Follow-On Investments on a pro rata basis (as described in greater detail in the application). In all other cases, the Adviser will provide its written recommendation as to the Regulated Fund's participation to the Eligible Directors, and the Regulated Fund will participate in such Follow-On Investment solely to the extent that a Required Majority determines that it is in the Regulated Fund's best interests.

(c) If, with respect to any Follow-On Investment:

(i) the amount of the opportunity is not based on the Regulated Funds' and the Affiliated Funds' outstanding investments immediately preceding the Follow-On Investment; and

(ii) the aggregate amount recommended by the Adviser to be invested by each Regulated Fund in the Follow-On Investment, together with the amount proposed to be invested by the participating Affiliated Funds in the same transaction, exceeds the amount of the opportunity; then the amount invested by each such party will be allocated among them pro rata based on each participant's capital available for investment in the asset class being allocated, up to the amount proposed to be invested by each.

(d) The acquisition of Follow-On Investments as permitted by this Condition will be considered a Co-Investment Transaction for all purposes and subject to the other Conditions set forth in this application.

9. The Non-Interested Directors of each Regulated Fund will be provided quarterly for review all information concerning Potential Co-Investment Transactions and Co-Investment Transactions, including investments made by other Regulated Funds or Affiliated Funds that the Regulated Fund considered but declined to participate in, so that the Non-Interested Directors may determine whether all investments made during the preceding quarter, including those investments that the Regulated Fund considered but declined to participate in, comply with the Conditions of the Order. In addition, the Non-Interested Directors will consider at least annually the continued appropriateness for the Regulated Fund of participating in new and existing Co-Investment Transactions.

[10] This exception applies only to Follow-On Investments by a Regulated Fund in issuers in which that Regulated Fund already holds investments.

10. Each Regulated Fund will maintain the records required by section 57(f)(3) of the Act as if each of the Regulated Funds were a BDC and each of the investments permitted under these Conditions were approved by the Required Majority under section 57(f) of the Act.

11. No Non-Interested Director of a Regulated Fund will also be a director, general partner, managing member or principal, or otherwise an ''affiliated person'' (as defined in the Act) of an Affiliated Fund.

12. The expenses, if any, associated with acquiring, holding or disposing of any securities acquired in a Co-Investment Transaction (including, without limitation, the expenses of the distribution of any such securities registered for sale under the Securities Act) will, to the extent not payable by the Advisers under their respective investment advisory agreements with Affiliated Funds and the Regulated Funds, be shared by the Regulated Funds and the Affiliated Funds in proportion to the relative amounts of the securities held or to be acquired or disposed of, as the case may be.

13. Any transaction fee (including break-up or commitment fees but excluding broker's fees contemplated by section 17(e) or 57(k) of the Act, as applicable), received in connection with a Co-Investment Transaction will be distributed to the participating Regulated Funds and Affiliated Funds on a pro rata basis based on the amounts they invested or committed, as the case may be, in such Co-Investment Transaction. If any transaction fee is to be held by an Adviser pending consummation of the transaction, the fee will be deposited into an account maintained by such Adviser at a bank or banks having the qualifications prescribed in section 26(a)(1) of the Act, and the account will earn a competitive rate of interest that will also be divided pro rata among the participating Regulated Funds and Affiliated Funds based on the amounts they invest in such Co-Investment Transaction. None of the Affiliated Funds, the Advisers, the other Regulated Funds or any affiliated person of the Regulated Funds or Affiliated Funds will receive additional compensation or remuneration of any kind as a result of or in connection with a Co-Investment Transaction (other than (a) in the case of the Regulated Funds and the Affiliated Funds, the pro rata transaction fees described above and fees or other compensation described in Condition 2(c)(iii)(C); and (b) in the case of an Adviser, investment advisory fees paid in accordance with the agreement between the Adviser and the Regulated Fund or Affiliated Fund.

14. The JMPG Proprietary Accounts will not be permitted to invest in a Potential Co-Investment Transaction except to the extent the aggregate demand from the Regulated Funds and the other Affiliated Funds is less than the total investment opportunity.

15. Each Adviser will maintain written policies and procedures reasonably designed to ensure compliance with the foregoing Conditions. These policies and procedures will require, among other things, that each Adviser will be notified of all Potential Co-Investment Transactions that fall within the then-current Objectives and Strategies of any Regulated Fund it advises and will be given sufficient information to make its independent determination and recommendations under Conditions 1, 2(a), 7 and 8.

16. If the Holders own in the aggregate more than 25% of the outstanding Shares of a Regulated Fund, then the Holders will vote such Shares as directed by an independent third party (such as the trustee of a voting trust or a proxy adviser) when voting on (1) the election of directors; (2) the removal of one or more directors; or (3) any matters requiring approval by the vote of a majority of the outstanding voting securities, as defined in section 2(a)(42) of the Act.

For the Commission, by the Division of Investment Management, under delegated authority.

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–25760 Filed 10–8–15; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

Audit and Financial Management Advisory Committee (AFMAC)

AGENCY: U.S. Small Business Administration.

ACTION: Notice of open Federal advisory committee meeting.

SUMMARY: The SBA is issuing this notice to announce the location, date, time, and agenda for the next meeting of the Audit and Financial Management Advisory Committee (AFMAC).

The meeting will be open to the public.

DATES: The meeting will be held on Thursday, October 29, 2015, starting at 1:00 p.m. until approximately 3:00 p.m. Eastern Time.

ADDRESSES: The meeting will be held at the U.S. Small Business Administration, 409 3rd Street SW., Office of Performance Management and Chief Financial Officer Conference Room, 6th Floor, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., Appendix 2), SBA announces the meeting of the AFMAC. The AFMAC is tasked with providing recommendation and advice regarding the Agency's financial management, including the financial reporting process, systems of internal controls, audit process and process for monitoring compliance with relevant laws and regulations.

The purpose of the meeting is to discuss the SBA's Financial Reporting, Audit Findings Remediation, Ongoing OIG Audits including the Information Technology Audit, FMFIA Assurance/A–123 Internal Control Program, Credit Modeling, Performance Management, Acquisition Division Update, Improper Payments and current initiatives.

FOR FURTHER INFORMATION CONTACT: The meeting is open to the public, however advance notice of attendance is requested. Anyone wishing to attend and/or make a presentation to the AFMAC must contact Tami Perriello by fax or email, in order to be placed on the agenda. Tami Perriello, Chief Financial Officer, 409 3rd Street SW., 6th Floor, Washington, DC 20416, phone: (202) 205–6449, fax: (202) 481–6194, email: *tami.perriello@sba.gov.*

Additionally, if you need accommodations because of a disability or require additional information, please contact Donna Wood at (202) 619–1608, email: *Donna.Wood@sba.gov;* SBA, Office of Chief Financial Officer, 409 3rd Street SW., Washington, DC 20416. For more information, please visit our Web site at *http://www.sba.gov/aboutsba/sbaprograms/cfo/index.html.*

Dated: September 30, 2015.

Miguel L'Heureux,

White House Liaison.

[FR Doc. 2015–25821 Filed 10–8–15; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is publishing this notice to comply with requirements of the Paperwork Reduction Act (PRA) (44 U.S.C. Chapter 35), which requires agencies to submit proposed reporting

and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission. This notice also allows an additional 30 days for public comments.

DATES: Submit comments on or before November 9, 2015.

ADDRESSES: Comments should refer to the information collection by name and/or OMB Control Number and should be sent to: *Agency Clearance Officer,* Curtis Rich, Small Business Administration, 409 3rd Street SW., 5th Floor, Washington, DC 20416; and *SBA Desk Officer,* Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Curtis Rich, Agency Clearance Officer, (202) 205–7030 *curtis.rich@sba.gov.*

Copies: A copy of the Form OMB 83–1, supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

SUPPLEMENTARY INFORMATION: All 8(a) participants are required to provide semiannual information on any agents, representatives, attorneys, and accounts receiving compensation to assist in obtaining a Federal contract for the participant. The information addresses the amount of compensation received and description of the activities performed in return for such compensation. The information is used to ensure that participants do not engage in any improper or illegal activity in connection with obtaining a contract.

Solicitation of Public Comments:

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

Summary of Information Collections:

Title: Representatives Used and Compensation Paid for Services in Connection with Obtaining Federal Contracts.

Description of Respondents: 8(a) Program Participants.

Form Number: SBA Form 1790.

Total Estimated Annual Responses: 11,902.

Total Estimated Annual Hour Burden: 2975.50.

Curtis B. Rich,

Management Analyst.

[FR Doc. 2015–25822 Filed 10–8–15; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 9315]

Notice of Public Meeting

The Department of State will conduct an open meeting at 9:00 a.m. on Thursday, November 12, 2015, in Room 5L18–01 of the United States Coast Guard Headquarters Building, 2703 Martin Luther King Jr. Ave. SE., Washington, DC 20593. The primary purpose of the meeting is to prepare for the 28th Extraordinary Council Session (CES28), the 29th Assembly (A29), and the 115th Council Session (C115) of the International Maritime Organization (IMO), to be held at the IMO Headquarters, United Kingdom, November 19–20; November 23–December 2; and, December 3, respectively.

The agenda items for CES28, to be considered include:

—Adoption of the agenda
—Report of the Secretary-General on credentials
—Strategy, planning and reform
—Resource management
—Results-based budget for the 2016–2017 biennium
—Report on the 37th Consultative Meeting of Contracting Parties to the London Convention 1972 and the 10th Meeting of Contracting Parties to the 1996 Protocol to the London Convention
—Report of the Council to the Assembly on the work of the Organization since the twenty-eighth regular session of the Assembly
—Protection of vital shipping lanes
—Periodic review of administrative requirements in mandatory IMO instruments
—External relations
—Report on the status of the Convention and membership of the Organization
—Report on the status of conventions and other multilateral instruments in respect of which the Organization performs functions
—Substantive items for inclusion in the provisional agendas for the next two sessions of the Council
—Supplementary agenda items, if any

The agenda items for A29, to be considered include:

—Adoption of the agenda
—Election of the President and the Vice-Presidents of the Assembly
—Consideration of proposed amendments to the Rules of Procedure of the Assembly
—Application of Article 61 of the IMO Convention—Report of the Council to the Assembly on any requests by Members for waiver
—Establishment of committees of the Assembly
—Consideration of the reports of the committees of the Assembly
—Report of the Council to the Assembly on the work of the Organization since the twenty-eighth regular session of the Assembly
—Strategy, planning and reform
— IMO Member State Audit Scheme
—Consideration of the reports and recommendations of the Maritime Safety Committee
—Consideration of the reports and recommendations of the Legal Committee
—Consideration of the reports and recommendations of the Marine Environment Protection Committee
—Consideration of the reports and recommendations of the Technical Co-operation Committee
—Consideration of the reports and recommendations of the Facilitation Committee
—Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 and the 1996 Protocol thereto: report on the performance of Secretariat functions and other duties
—Progress report to the Assembly on Periodic review of administrative requirements in mandatory IMO instruments
—Resource management
—Global maritime training institutions
—External relations
—Report on the status of the Convention and membership of the Organization
—Report on the status of conventions and other multilateral instruments in respect of which the Organization performs functions
—Election of Members of the Council, as provided for in Articles 16 and 17 of the IMO Convention
—Election of Members of the IMO Staff Pension Committee
—Appointment of the External Auditor
—Approval of the appointment of the Secretary-General
—Date and place of the thirtieth session of the Assembly
—Farewell to Mr. Sekimizu
—Supplementary agenda items, if any

No agenda was published for C115.

Members of the public may attend this meeting up to the seating capacity

of the room. To facilitate the building security process, and to request reasonable accommodation, those who plan to attend should contact the meeting coordinator, LCDR Tiffany Duffy, by email at *tiffany.a.duffy@uscg.mil,* or by phone at (202) 372–1376, not later than November 5th, 7 days prior to the meeting. Requests made after November 5, 2015 might not be able to be accommodated. Please note that due to security considerations, two valid, government issued photo identifications must be presented to gain entrance to the Headquarters building. The Headquarters building is accessible by taxi and privately owned conveyance (public transportation is not generally available). However, parking in the vicinity of the building is extremely limited. Additional information regarding this and other IMO-related public meetings may be found at: *www.uscg.mil/imo.*

Dated: September 21, 2015.

Jonathan W. Burby,

Coast Guard Liaison Officer, Office of Ocean and Polar Affairs, Department of State.

[FR Doc. 2015–25791 Filed 10–8–15; 8:45 am]

BILLING CODE 4710–09–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in Utah

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of limitation of claims for Judicial Review of actions by FHWA.

SUMMARY: This notice announces actions taken by FWHA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to the proposed Porter Rockwell Boulevard Project in Salt Lake County in the State of Utah. These actions grant approvals for the project.

DATES: By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of FHWA actions on the highway project will be barred unless the claim is filed on or before March 7, 2016. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: Bryan Dillon, Urban Area Engineer, FHWA Utah Division, 2520 West 4700 South, Suite 9A, Salt Lake City, Utah 84129; telephone: 801–955–3517; email: *bryan.dillon@dot.gov.* The FHWA Utah Division Office's normal business hours are 7:30 a.m. to 4:30 p.m. (Mountain Standard Time), Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has taken final agency action subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the Porter Rockwell Boulevard Project in the State of Utah. The Porter Rockwell Boulevard Project proposes to provide transportation improvements along Porter Rockwell Boulevard, between Mountain View Corridor, Redwood Road, and the 14600 South interchange at I–15, in Salt Lake County, Utah.

The project consists of the following improvements: Widening Porter Rockwell Boulevard from four travel lanes to six travel lanes between Mountain View Corridor and Redwood Road; Widening Porter Rockwell Boulevard from two travel lanes to six travel lanes between Freedom Point Way and 14600 South; Constructing a new six-lane roadway on new alignment between Redwood Road and Freedom Point Way to connect existing sections of Porter Rockwell Boulevard at Redwood Road on the west and at Freedom Point Way on the east; Constructing a bridge over the Jordan River, the UPRR/UTA Frontrunner rail line, and several canals, which would be designed for a 50 year lifespan and would be of sufficient width to carry six travel lanes, plus pedestrian/bicycle facilities; Improving the Porter Rockwell Boulevard/Redwood Road intersection to accommodate the 2040 travel demand; Constructing an intersection at 14600 South that would curve Porter Rockwell Boulevard to the east to connect directly to the 1–15 interchange; and Incorporating a new bicycle route and multi-use trail facility as part of the roadway and providing a connection between the new trail and the Jordan River Parkway Trail.

The actions by FHWA and the laws under which such actions were taken are described in the Porter Rockwell Boulevard Environmental Assessment (EA) and in the Finding of No Significant Impact (FONSI) issued on August 26, 2015, and in other documents in the project records. The EA, FONSI, and other project records are available by contacting FHWA at the address provided above.

This notice applies to all FHWA decisions as of the issuance date of this notice and all laws under which such actions were taken. Laws generally applicable to such actions include but are not limited to:

- *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351; Federal-Aid Highway Act [23 U.S.C. 109].
- *Wildlife:* Endangered Species Act [16 U.S.C. 1531–1544 and 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d); Migratory Bird Treaty Act [16 U.S.C. 703–712].
- *Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archaeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11].
- *Noise:* Federal-Aid Highway Act of 1970 [Public Law 91–605, 84 Stat. 1713]
- *Executive Orders:* E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13287 Preserve America.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(l)(1).

Issued on: September 29, 2015.

Ivan Marrero,

Division Administrator, Utah Division.

[FR Doc. 2015–25549 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Lynnwood Link Extension Project in Washington

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of limitation on claims for judicial review of actions by FHWA and other Federal agencies

SUMMARY: This notice announces actions taken by FHWA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed transportation project, the Sound Transit Lynnwood Link Extension Project, located in the cities of Seattle, Shoreline, Mountlake Terrace, and Lynnwood, WA. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before March 7, 2016. If the Federal law that authorizes judicial review of a claim provides a time period

of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: Lindsey Handel, Area Engineer, Federal Highway Administration—Washington Division, 711 South Capitol Way, Suite 501, Olympia, WA 98501. Office hours are 8:00 a.m. to 4:00 p.m. (Pacific Time), (360) 753–9550, *Lindsey.Handel@dot.gov* . You may also contact Steven Kennedy, Sound Transit, (206) 398–5302, *steven.kennedy@soundtransit.org.*

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has taken final agency actions by issuing a Record of Decision (ROD) for the Lynnwood Link Extension Project. The proposed project would extend the Sound Transit Link light rail system from Northgate in Seattle north into Shoreline, Mountlake Terrace, and Lynnwood in Snohomish County. The 8.5-mile project corridor would generally follow Interstate 5. Project components include traction power substations along the project alignment, new noise walls and relocation of existing noise walls, relocation of underground and overhead utilities, crossover tracks, stormwater management facilities, park-and-ride facilities, and interchange, intersection, street, and sidewalk improvements. Final agency actions: Section 4(f) de minimis impact determination; Section 106 finding of no adverse effect; project-level air quality conformity; and Record of Decision, dated August 31, 2015. Supporting documentation: Final Environmental Impact Statement, dated April 3, 2015.

The EIS and ROD can be viewed and downloaded from the project Web site at *http://www.soundtransit.org/LLE* or viewed at the Seattle, King County, and Sno-Isle Public Libraries. This notice applies to all Federal agency decisions on the project, as of the issuance date of this notice, and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109].

2. Air: Clean Air Act, as amended [42 U.S.C. 7401–7671(q)].

3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

4. Wildlife: Endangered Species Act [16 U.S.C. 1531–1544]; Anadromous Fish Conservation Act [16 U.S.C. 757(a)–757(g)]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Magnuson-Stevenson Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*].

5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11]; Archaeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001–3013].

6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act [7 U.S.C. 4201–4209]; the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended [42 U.S.C. 61].

7. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251–1377 (Section 404, Section 401, Section 319); Coastal Zone Management Act [16 U.S.C. 1451–1465]; Land and Water Conservation Fund [16 U.S.C. 4601–4604]; Safe Drinking Water Act [42 U.S.C. 300(f)-300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; TEA–21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001–4128].

8. Hazardous Materials: Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986 [PL 99–499]; Resource Conservation and Recovery Act [42 U.S.C. 6901–6992(k)].

9. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(l)(1).

Dated: September 21, 2015.

Frederick A. Judd IV,

Division Administrator, Olympia, Washington.

[FR Doc. 2015–25593 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0009]

Request for Approval of a New Information Collection

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments.

DATES: Written comments should be submitted on or before November 9, 2015.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attention: NHTSA Desk Officer.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Elizabeth Mazzae, Applied Crash Avoidance Research Division, Vehicle Research and Test Center, NHTSA, 10820 State Route 347—Bldg. 60, East Liberty, Ohio 43319; Telephone (937) 666–4511; Facsimile: (937) 666–3590; email address: *elizabeth.mazzae@dot.gov.*

SUPPLEMENTARY INFORMATION: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). In compliance with these requirements, this notice announces that the following information collection request has been forwarded to OMB. In the April 30, 2015, **Federal Register,**[1] NHTSA published a 60-day notice requesting public comment on the proposed collection of information. We received two comments.

First, the Alliance of Automobile Manufacturers (the ''Alliance'')

[1] 80 FR 24314 (April 30, 2015).

expressed concern with NHTSA's ''continued focus on simulator research'' as a basis for our driver distraction guidance. Specifically, the Alliance stated ''that the study method proposed will not yield the meaningful and reliable metrics that will assist in saving lives and preventing crashes. Instead, such metrics and acceptance criteria should be developed using naturalistic driving data.'' The Alliance qualified that this advice would not preclude the use of simulators for conducting development tests, but such tests and any auditory-vocal distraction metrics should be validated and calibrated against real-world data before putting forth recommendations. The Alliance also noted studies on auditory-vocal distraction it believes NHTSA should consider in formulating guidelines.

The objectives of the current work, to develop a low-cost, standardized test protocol and task acceptance criteria for evaluating the distraction potential of tasks performed with integrated systems, cannot be accomplished through naturalistic research. To achieve the greatest degree of repeatability and experimental control, the test protocol will use driving simulator and visual occlusion testing.

As the Alliance suggests, NHTSA will be conducting an on-road component to its research supporting the development of driver distraction guidelines for auditory-vocal interfaces that will be discussed in a **Federal Register** information collection request notice at a later date. NHTSA will pull from many sources in formulating its auditory-vocal guidelines. This will include analyzing data from NHTSA research studies as well as other relevant studies in this area of research.

Second, American Honda Motor Company, Inc. (Honda) commented that the quality of the NHTSA's driver distraction measurement research would be enhanced if Honda's ''Pedal Tracking and Detection Response Task'' (PT–DRT) method was included in this NHTSA research. Honda proposed that NHTSA collect objective data using the PT–DRT method as part of the current research. Honda also indicated that they would like NHTSA to adopt the PT–DRT method as an acceptable alternative to the currently allowed task acceptance protocol in NHTSA's Driver Distraction Guidelines.

NHTSA intends to conduct this research using a method that builds on the protocol developed for NHTSA's Visual-Manual Driver Distraction Guidelines and incorporates the extensively researched Detection Response Task (DRT). NHTSA intends for our Guidelines test protocol to be complementary and integrated, to the extent possible, to achieve an assessment that is both robust and efficient to conduct.

NHTSA believes that the scientific basis for the DRT method being standardized by ISO is strong. Furthermore, the results of research by ISO member organizations have been robust. The DRT will provide an easy to implement, reliable, and well-vetted method for comparing distraction effects of secondary tasks with that of a reference task (*i.e.,* radio tuning).

NHTSA has received briefings and demonstrations of the PT–DRT method by Honda and has been impressed with their scientific, reasoned approach and willingness to share information with NHTSA. However, we feel it is most efficient and cost-effective for us at this point to move forward with investigating the incorporation of the well-vetted DRT into our driving simulator based method and not to add a second, new test method to the planned research. NHTSA wishes to clarify that the research will determine the test methods that we will use in evaluating auditory-vocal secondary tasks performed by drivers, vehicle manufacturers may use whatever method they desire to assess their own vehicles.

OMB Control Number: To be issued at time of approval.

Title: Driver Distraction Measurement Research.

Form Numbers: None.

Type of Review: New information collection.

Abstract: NHTSA seeks to collect information from the public as part of a multi-study research effort that supports the development of measurement techniques for auditory-vocal interactions involving in-vehicle and portable devices used by motor vehicle drivers. Driving experiments will be conducted using driving simulator and visual occlusion apparatus research tools. Study participants will perform specific secondary tasks while driving and their performance and behavior (*e.g.,* eye glance locations and durations) will be recorded.

Information will be collected during participant recruitment to assess individuals' suitability for participation. Participants will complete a brief set of questions to assess the incidence and severity of any simulator-related discomfort. In the event a participant indicates they experienced severe discomfort, that participant's performance may be removed from the study and study staff will ensure that the person is well enough safely drive home or will arrange for another means of transportation.

Respondents: Web-based and print newspaper advertisements will be used to obtain respondents who are licensed drivers aged 18–70 years. Study participants must have no health conditions that may adversely affect driving performance, have average or better vision and hearing, and not require assistive devices to safely operate a vehicle. Criteria for participation also include driving at least 3,000 miles annually and experience using a cell phone while driving.

Estimated Number of Respondents: It is estimated that a total of 1,200 individuals will complete the first set of screening questions and 1,000 of those 1,200 will also complete the second set of screening questions. Of the 1,000, it is estimated that 500 individuals will meet criteria for participation. From those 500, approximately 300 individuals will be chosen to produce a balance of age and genders.

Estimated Time per Response: Completion of the screening questions is estimated to take approximately 5 minutes for the first set and 10 minutes for the second set. The simulator discomfort questionnaire is estimated to take 2 minutes per participant.

Total Estimated Burden: 278 total hours.

Frequency of Collection: The data collections described will be performed once to obtain the target number of 300 valid test participants.

NHTSA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED BURDEN HOURS

Question set	N	H	C	Cost	Time
Screening, Part 1	1200	0.0833	$79.00	$7,896.84	100
Screening, Part 2	1000	0.1677	79.00	13,248.30	168
Simulator Sickness	300	0.0333	48.00	479.52	10

TABLE 1—ESTIMATED BURDEN HOURS—Continued

Question set	N	H	C	Cost	Time
Total				21,624.66	278

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.95.

Nathaniel Beuse,

Associate Administrator, Vehicle Safety Research.

[FR Doc. 2015–25798 Filed 10–8–15; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35958]

Westmoreland County Industrial Development Corporation—Acquisition of Control Exemption—Turtle Creek Industrial Railroad, Inc.

Westmoreland County Industrial Development Corporation (WCIDC), a Class III rail carrier,[1] has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to acquire all of the stock of Turtle Creek Industrial Railroad, Inc. (TCIR), also a Class III rail carrier.

According to WCIDC, Dura-Bond Corporation (Dura-Bond), a noncarrier, currently controls TCIR. WCIDC and Dura-Bond have entered into a stock purchase agreement [2] dated September 26, 2013, by which WCIDC will acquire all of TCIR's stock from Dura-Bond. Once that transaction is consummated, WCIDC will control TCIR.

WCIDC intends to consummate this transaction on or shortly after October 25, 2015, the effective date of the exemption.

WCIDC states that: (i) The rail owned by WCIDC does not connect with the rail line owned by TCIR; (ii) the subject acquisition of control is not part of a series of anticipated transactions that would connect the rail line owned by TCIR with the rail line owned by WCIDC; and (iii) neither WCIDC nor TCIR are Class I carriers. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under Sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than October 16, 2015 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings referring to Docket No. FD 35958, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on WCIDC's representative: John N. Ward, Ward & Christner, P.C., 15 N. Main Street, Greensburg, PA 15601.

Board decisions and notices are available on our Web site at *WWW.STB.DOT.GOV.*

Decided: October 6, 2015.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Tia Delano,

Clearance Clerk.

[FR Doc. 2015–25783 Filed 10–8–15; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35964]

American Chemistry Council, The Chlorine Institute, and the Fertilizer Institute—Petition for Declaratory Order—Positive Train Control

On September 30, 2015, the American Chemistry Council, the Chlorine Institute, and the Fertilizer Institute (collectively Petitioners) filed a petition for an order ''declaring that the common carrier obligation, codified at 49 U.S.C. 11101(a), requires a Class I railroad to transport toxic inhalation hazard ('TIH') materials over main lines, as defined at 49 U.S.C. 20157(i)(2), although the Class I railroad has not equipped, or will not equip, such lines with an operable positive train control ('PTC') system by the December 31, 2015 deadline specified by 49 U.S.C. 20157(a).'' (Pet. 1.) According to the petition, some railroads have indicated that they intend to embargo TIH shipments, as early as Thanksgiving 2015, in light of the impending statutory PTC deadline. (Pet. 2, 5–6.) Petitioners request that the Board institute a declaratory order proceeding, consider the September 30 petition to be their opening statement, and promptly issue an expedited procedural schedule. On October 5, 2015, the Association of American Railroads (AAR) filed a petition requesting an alternate expedited procedural schedule and an oral hearing.

The Board has discretionary authority under 5 U.S.C. 554(e) and 49 U.S.C. 721 to issue a declaratory order to terminate a controversy or remove uncertainty. The Board will institute a declaratory order proceeding and establish a procedural schedule. The Board will consider the September 30 petition to be Petitioners' opening statement. Substantive replies to the opening statement will be due on October 23, 2015. Rebuttals will be due on November 2, 2015. The Board will rule on AAR's request for an oral hearing in a future order.

It is ordered:

1. A declaratory order proceeding is instituted.

2. Substantive replies to the September 30 opening statement are due by October 23, 2015.

3. Rebuttals are due by November 2, 2015.

4. Notice of this action will be published in the **Federal Register** on October 9, 2015.

5. This decision is effective on its service date.

Decided: October 6, 2015.

[1] WCIDC owns a common carrier line of railroad located between Scottdale and Greensburg, Pa. The lines are operated by Southwest Pennsylvania Railroad Company. *See Westmoreland Cty. Indus. Dev. Corp.—Acquis. Exemption—Sw. Pa. R.R.,* FD 32767 (ICC served Nov. 3, 1995).

[2] A redacted version of the agreement was filed with the notice of exemption. An unredacted version was filed concurrently under seal, along with a motion for protective order pursuant to 49 CFR 1104.14(b). That motion will be addressed in a separate decision.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2015–25806 Filed 10–8–15; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF VETERANS AFFAIRS

Loan Guaranty: Assistance to Eligible Individuals in Acquiring Specially Adapted Housing; Cost-of-Construction Index

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The U.S. Department of Veterans Affairs (VA) announces that the aggregate amounts of assistance available under the specially adapted housing (SAH) grant program will increase by 4.688 percent for fiscal year (FY) 2016.

FOR FURTHER INFORMATION CONTACT: John Bell III, Assistant Director for Loan Policy and Valuation, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–8786 (not a toll-free number).

DATES: October 9, 2015.

SUPPLEMENTARY INFORMATION: In accordance with 38 U.S.C. 2102(e) and 2102A(b)(2) and 38 CFR 36.4411, the Secretary of Veterans Affairs announces for FY 2016 the aggregate amounts of assistance available to veterans and servicemembers eligible for SAH program grants.

Public Law 110–289, the Housing and Economic Recovery Act of 2008, authorized the Secretary to increase the aggregate amounts of SAH assistance annually based on a residential home cost-of-construction index. The Secretary uses the Turner Building Cost Index for this purpose.

In the most recent quarter for which the Turner Building Cost Index is available, quarter two FY 2015, the index showed an increase of 4.688 percent over the index value in quarter two FY 2014. Pursuant to 38 CFR 36.4411(a), therefore, the aggregate amounts of assistance for SAH grants made pursuant to 38 U.S.C. 2101(a) or 2101(b) will increase by 4.688 percent for FY 2016.

Public Law 112–154, the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012, required that the same percentage of increase apply to grants authorized pursuant to 38 U.S.C. 2102A. See 38 U.S.C. 2102A(b)(2). As such, the maximum amount of assistance available under these grants, which are called grants for temporary residence adaptation (TRA grants), will also increase by 4.688 percent for FY 2016.

The increases are effective as of October 1, 2015.

Specially Adapted Housing: Aggregate Amounts of Assistance Available During Fiscal Year 2016

2101(a) Grants and TRA Grants

Effective October 1, 2015, the aggregate amount of assistance available for SAH grants made pursuant to 38 U.S.C. 2101(a) is $73,768 during FY 2016. The maximum TRA grant made to an individual who satisfies the eligibility criteria under 38 U.S.C. 2101(a) and 2102A is $32,384 during FY 2016.

2101(b) Grants and TRA Grants

Effective October 1, 2015, the aggregate amount of assistance available for SAH grants made pursuant to 38 U.S.C. 2101(b) is $14,754 during FY 2016. The maximum TRA grant made to an individual who satisfies the eligibility criteria under 38 U.S.C. 2101(b) and 2102A is $5,782 during FY 2016.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Robert L. Nabors II, Chief of Staff, approved this document on September 11, 2015, for publication.

Dated: October 6, 2015.

William F. Russo,

Director, Office of Regulation Policy and Management, Office of General Counsel.

[FR Doc. 2015–25792 Filed 10–8–15; 8:45 am]

BILLING CODE 8320–01–P

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CFR Checklist. Effective January 1, 2009, the CFR Checklist no longer appears in the Federal Register. This information can be found online at **http://bookstore.gpo.gov/.**

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