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Contents

Federal Register

Vol. 80, No. 91

Tuesday, May 12, 2015

Agriculture Department
See Animal and Plant Health Inspection Service
See Rural Housing Service

Animal and Plant Health Inspection Service
NOTICES
Privacy Act; Systems of Records, 27142–27145

Centers for Disease Control and Prevention
NOTICES
Meetings:
Advisory Council for the Elimination of Tuberculosis, 27175

Civil Rights Commission
NOTICES
Meetings; Sunshine Act, 27146

Coast Guard
RULES
Drawbridge Operations:
Charenton Canal, Baldwin, LA, 27099
Willamette River, Portland, OR, 27099–27100
Safety Zones:
Monongahela River Mile 68.0–68.8; Rices Landing, PA, 27100–27102
Special Local Regulations and Safety Zones:
Recurring Marine Events, Coast Guard Sector Northern New England Captain of the Port Zone, 27087–27099
Special Local Regulations:
Annual Kennewick, WA, Columbia Unlimited Hydroplane Races, 27086–27087
NOTICES
Meetings:
National Boating Safety Advisory Council, 27181–27182
Requests for Nominations:
National Boating Safety Advisory Council, 27182–27183

Commerce Department
See International Trade Administration
See Patent and Trademark Office
NOTICES
Service Contract Inventory, 27146

Commodity Futures Trading Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Regulations Governing Bankruptcies of Commodity Brokers, 27152–27153

Energy Department
See Federal Energy Regulatory Commission

Environmental Protection Agency
RULES
Air Quality State Implementation Plans; Approvals and Promulgations:
Washington: Infrastructure Requirements for the Fine Particulate Matter National Ambient Air Quality Standards, 27102–27107
PROPOSED RULES
Air Quality State Implementation Plans; Approvals and Promulgations:
Arizona; Infrastructure Requirements for Lead and Ozone, 27127–27134
Colorado; Interstate Transport of Pollution for the 2006 24-Hour PM2.5 NAAQS, 27121–27127
NOTICES
Meetings:
Chartered Science Advisory Board, Teleconferences, 27166–27167

Export-Import Bank
NOTICES
Applications for Long-Term Loans or Financial Guarantees in Excess of $100 million, 27167–27168

Federal Aviation Administration
RULES
Airworthiness Directives:
Airbus Airplanes, 27077–27081
GROB–WERKE Airplanes, 27072–27074
The Boeing Company Airplanes, 27069–27072, 27074–27077
Zodiac Aerotechnics, Formerly Intertechnique Aircraft Systems, Oxygen Mask Regulators, 27081–27086
PROPOSED RULES
Airworthiness Directives:
ATR – GIE Avions de Transport Regional Airplanes, 27114–27116
The Boeing Company Airplanes, 27116–27119
Amendment of Class E Airspace:
Audubon, IA; Corning, IA; Cresco, IA; Eagle Grove, IA; Guthrie Center, IA; Hampton, IA; Harlan, IA; Iowa Falls, IA; Knoxville, IA; Oelwein, IA; and Red Oak, IA, 27119–27121

Federal Communications Commission
RULES
Commercial Operations in the 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz Bands, 27107
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27168–27169
Meetings:
North American Numbering Council, 27169–27170

Federal Energy Regulatory Commission
NOTICES
Environmental Assessments; Availability, etc.:
Algonquin Gas Transmission, LLC; Atlantic Bridge Project, 27162–27165
Southern Natural Gas Company, LLC; North Main Lines Relocation Project, 27162
Texas Gas Transmission, LLC; Western Kentucky Lateral Project, 27157–27159
Virginia Southside Expansion Project II; Transcontinental Gas Pipe Line Co., LLC, 27159–27161
Filings:
Louisiana Generating, LLC, 27157
License Transfer Applications:
Confederated Salish and Kootenai Tribes; Energy Keepers, Inc., 27161

Hamilton, OH; American Municipal Power, Inc., 27166
Meetings:
Increasing Market and Planning Efficiency through Improved Software, 27153
Northern Indiana Public Service Co. v. Midcontinent Independent System Operator, Inc. and PJM Interconnection, LLC; Technical Conferences, 27155–27157
Reliability Technical Conference, 27165–27166
Staff Attendances, 27157
Meetings; Sunshine Act, 27153–27155

Federal Mine Safety and Health Review Commission
NOTICES
Meetings; Sunshine Act, 27170

Federal Railroad Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27228–27229
Applications:
Railroad Signal Systems; Discontinuances or Modifications, 27227
Petitions for Waivers of Compliance, 27227–27229

Federal Reserve System
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27171–27173
Changes in Bank Control:
Acquisitions of Shares of a Bank or Bank Holding Company, 27170–27171, 27173
Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 27171, 27173

Federal Retirement Thrift Investment Board
NOTICES
Meetings; Sunshine Act, 27173–27174

Federal Trade Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27174–27175

Fish and Wildlife Service
NOTICES
Privacy Act; Systems of Records, 27183–27185

Foreign Assets Control Office
NOTICES
Blocking or Unblocking of Persons and Properties, 27231–27232

Health and Human Services Department
See Centers for Disease Control and Prevention
See Indian Health Service
See National Institutes of Health
NOTICES
Meetings:
Advisory Committee on Minority Health, 27175–27176

Homeland Security Department
See Coast Guard

Indian Affairs Bureau
NOTICES
Meetings:
American Indian Education Study Group, 27185–27186

Indian Health Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
IHS Customer Service Satisfaction and Similar Surveys, 27176–27177
Funding Availability:
Injury Prevention Program; Correction, 27177
Guidance for Industry and Staff:
Tribal Management Grant Program; Correction, 27176

Interior Department
See Fish and Wildlife Service
See Indian Affairs Bureau
See Land Management Bureau
PROPOSED RULES
Land Exchange Procedures and Procedures to Amend the Hawaiian Homes Commission Act, 1920, 27134–27141

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Carbon and Certain Alloy Steel Wire Rod from Mexico, 27147–27148
Certain Magnesia Carbon Bricks from the People's Republic of China, 27146–27147

International Trade Commission
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Oil Country Tubular Goods from China, 27189
Investigations; Determinations, Modifications and Rulings, etc.:
Dental Implants, 27188
Incremental Dental Positioning Adjustment Appliances and Methods of Producing Same, 27187–27188

Land Management Bureau
NOTICES
Meetings:
Farmington District Resource Advisory Council, New Mexico, 27186–27187
Idaho Falls District Resource Advisory Council, 27187
State of Arizona Resource Advisory Council, 27186

National Archives and Records Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27189–27190

National Credit Union Administration
PROPOSED RULES
Corporate Credit Unions, 27108–27109
Share Insurance and Appendix, 27109–27114

National Highway Traffic Safety Administration
NOTICES
Petitions for Inconsequential Noncompliance:
General Motors, LLC, 27229–27230

National Institutes of Health
NOTICES
Meetings:
Carcinogens Monograph on Cobalt and Certain Cobalt Compounds, 27178–27179
Center for Scientific Review, 27179–27180

Eunice Kennedy Shriver National Institute of Child Health and Human Development, 27177–27178
National Cancer Institute, 27180
National Institute of General Medical Sciences, 27180
National Institute of Mental Health, 27181
National Institute on Deafness and Other Communication Disorders, 27180–27181

Nuclear Regulatory Commission
NOTICES
Combined Licenses:
Nuclear Innovation North America LLC; South Texas Project, Units 3 and 4, 27190–27191
Evaluation of a Proposed Risk Management Regulatory Framework, 27191–27193
Facility Operating and Combined Licenses:
Applications and Amendments Involving Proposed No Significant Hazards Considerations, etc., 27193–27204
Guidance:
Refining and Characterizing Heat Release Rates from Electrical Enclosures During Fire; Correction, 27204

Overseas Private Investment Corporation
NOTICES
Meetings; Sunshine Act, 27204–27205

Patent and Trademark Office
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Patents for Humanity Program, 27148–27150
Pro Bono Survey, 27150–27151
Rules for Patent Maintenance Fees, 27151–27152

Postal Regulatory Commission
NOTICES
New Postal Products, 27205

Presidential Documents
PROCLAMATIONS
Special Observances:
Military Spouse Appreciation Day (Proc. 9275), 27233–27236

Rural Housing Service
NOTICES
Meetings:
Section 538 Guaranteed Rural Rental Housing Program 2015 Industry Forums; Teleconferences and Web Conferences, 27145–27146

Securities and Exchange Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27219–27220, 27223
Meetings; Sunshine Act, 27219
Self-Regulatory Organizations; Proposed Rule Changes:
C2 Options Exchange, Inc., 27214–27216
Financial Industry Regulatory Authority, Inc., 27220–27222
New York Stock Exchange, LLC, 27217–27219
NYSE MKT, LLC, 27205–27207, 27210–27214
The NASDAQ Stock Market, LLC, 27207–27210, 27216–27217

Small Business Administration
NOTICES
Major Disaster Declarations:
Federal States of Micronesia, 27223–27224
Maine; Amendments, 27223

State Department
NOTICES
Culturally Significant Objects Imported for Exhibition:
Andrea del Sarto—The Renaissance Workshop in Action, 27224
Meetings:
Binational Bridges and Border Crossings Group, 27225
Overseas Schools Advisory Council, 27224–27225
Overseas Security Advisory Council, 27225
U.S. National Commission for UNESCO; Teleconferences, 27224

State Justice Institute
NOTICES
Meetings:
Board of Directors, 27225

Surface Transportation Board
NOTICES
Acquisition and Operation Exemptions:
Boot Hill and Western Railway Holding Co., Inc.; Boot Hill and Western Railway Co., LC, 27230–27231

Trade Representative, Office of United States
NOTICES
WTO Dispute Settlement Proceedings, 27225–27226

Transportation Department
See Federal Aviation Administration
See Federal Railroad Administration
See National Highway Traffic Safety Administration
See Surface Transportation Board
NOTICES
Meetings:
Intelligent Transportation Systems Connected Vehicle Reference Implementation Architecture Workshop, 27231

Treasury Department
See Foreign Assets Control Office

Veterans Affairs Department
NOTICES
Charter Renewals:
Veterans' Advisory Committee on Rehabilitation, 27232

Separate Parts In This Issue

Part II
Presidential Documents, 27233–27236

Reader Aids

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

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CFR PARTS AFFECTED IN THIS ISSUE

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

3 CFR

Proclamations:
9275.....27235

12 CFR

Proposed Rules:
704.....27108
745.....27109

14 CFR
39 (5 documents) 27069, 27072, 27074, 27077, 27081

Proposed Rules:
39 (2 documents) 27114, 27116
71.....27119

33 CFR
100 (2 documents) 27086, 27087
117 (2 documents) 27099
165 (2 documents) 27087, 27100

40 CFR
52.....27102

Proposed Rules:
52 (2 documents) 27121, 27127

43 CFR

Proposed Rules:
47.....27134
48.....27134

47 CFR
2.....27107

Rules and Regulations

Federal Register
Vol. 80, No. 91
Tuesday, May 12, 2015

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–1278; Directorate Identifier 2014–NM–223–AD; Amendment 39–18155; AD 2015–09–09]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are superseding Airworthiness Directive (AD) 2004–07–11 for all The Boeing Company Model 767–400ER series airplanes. AD 2004–07–11 requires repetitive high frequency eddy current (HFEC) inspections of the aft lower lugs of the deflection control track of the outboard flap for cracks, and replacement of any cracked deflection control track with a new track assembly. This AD retains those requirements, provides optional terminating action for the repetitive inspections, and adds airplane models to the applicability. This AD was prompted by our determination that additional airplane models require repetitive HFEC inspections of the aft lower lugs of the deflection control track of the outboard flap for cracks, and replacement of any cracked deflection control track with a new track assembly. We are issuing this AD to detect and correct fatigue cracking in the aft lower lug run-out region of the deflection control track, which could result in the loss of the secondary load path for the outboard flap, resulting in the loss of the outboard flap and consequent reduced controllability of the airplane in the event that the primary load path also fails.

DATES: This AD is effective May 27, 2015.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of May 27, 2015.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of May 11, 2004 (69 FR 17911, April 6, 2004).

We must receive any comments on this AD by June 26, 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:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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 *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–1278.

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–2015–1278; 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 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: Berhane Alazar, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6577; fax: 425–917–6590; email: *berhane.alazar@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

On March 22, 2004, we issued AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004), for all The Boeing Company Model 767–400ER series airplanes. AD 2004–07–11 required repetitive HFEC inspections of the aft lower lugs of the deflection control track of the outboard flap for cracks, and replacement of any cracked deflection control track with a new track assembly. AD 2004–07–11 resulted from reports of fatigue cracking in the aft lower lug run-out region of the deflection control track. We issued AD 2004–07–11 to detect and correct fatigue cracking of the deflection control track, which could result in the loss of the secondary load path for the outboard flap, resulting in the loss of the outboard flap and consequent reduced controllability of the airplane in the event that the primary load path also fails.

Actions Since AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004) Was Issued

Since we issued AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004), we have determined that additional airplane models are subject to the identified unsafe condition. The flap installations on certain Model 767–200 and –300 series airplanes, serial numbers 922 through 933 inclusive, are identical to those installed on Model 767–400ER series airplanes. Therefore, all of these models may be subject to the identified unsafe condition. We are issuing this AD to detect and correct fatigue cracking in the aft lower lug run-out region of the deflection control track, which could result in the loss of the secondary load path for the outboard flap, resulting in the loss of the outboard

flap and consequent reduced controllability of the airplane in the event that the primary load path also fails, on certain Model 767–200 and –300 series airplanes, serial numbers 922 through 933 inclusive.

Related Service Information Under 1 CFR Part 51

We reviewed Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014. The service information describes procedures for repetitive HFEC inspections of the aft lower lugs of the deflection control track of the outboard flap for cracks, and replacement of any cracked deflection control track with a new track assembly, part number 113T8333–9, which eliminates the need for the repetitive HFEC inspections. This service information is reasonably available at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–1278. Or see **ADDRESSES** for other ways to access this service information.

FAA's Determination

We are issuing 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.

AD Requirements

This AD retains all of the requirements of AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004). This AD continues to require repetitive HFEC inspections of the aft lower lugs of the deflection control track of the outboard flap for cracks, and replacement of any cracked deflection control track with a new track assembly. This AD adds airplane models to the applicability, and provides optional terminating action for the repetitive HFEC inspections even if no crack is found.

Change to AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004)

Since AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004) was issued, the AD format has been revised, and certain paragraphs have been rearranged. As a result, the corresponding paragraph designations have been redesignated in this AD, as listed in the following table:

REVISED PARAGRAPH DESIGNATIONS

Requirement in AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004)	Corresponding requirement in this AD
paragraph (a)	paragraph (g)
paragraph (b)	paragraph (h)
paragraph (c)	paragraph (i)

Clarification of Paragraph (c) of AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004)

We have added a reference to paragraph (h) of this AD to the corrective action requirements of paragraph (i) of this AD (which we referred to as paragraph (c) of AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004)). We have made this change to clarify the corrective action.

FAA's Justification and Determination of the Effective Date

This AD revises the applicability by adding airplanes that are not on the U.S. Register. Therefore, we find that notice and opportunity for prior public comment are unnecessary and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments before it becomes effective. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include Docket No. FAA–2015–1278 and directorate identifier 2014–NM–223–AD at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this 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 AD.

Costs of Compliance

The actions specified by this AD were previously required by AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004), which was applicable to approximately 38 airplanes. The actions required by AD 2004–07–11 take about 5 work-hours per airplane. In consideration of the compliance time and effective date of AD 2004–07–11, we assume that operators of the 38 airplanes subject to that AD have already initiated the required actions.

This AD would add no new costs associated with the airplanes of U.S. registry, but would be applicable to approximately 11 additional airplanes of the affected design in the worldwide fleet. The current costs for this AD are repeated for the convenience of affected operators, as follows:

ESTIMATED COSTS—REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained inspections from AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004).	5 work-hours × $85 per hour = $425 per inspection cycle.	$0	$425 per inspection cycle.	$16,150 per inspection cycle.

We estimate that it would take about 12 work-hours to do any necessary replacement that would be required based on the results of the inspection. We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this AD. We have no way of determining the number of aircraft that might need these actions.

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 part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004) and adding the following new AD:

2015–09–09 The Boeing Company: Amendment 39–18155; Docket No. FAA–2015–1278; Directorate Identifier 2014–NM–223–AD.

(a) Effective Date

This AD is effective May 27, 2015.

(b) Affected ADs

This AD replaces AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004).

(c) Applicability

This AD applies to The Boeing Company Model 767–200, -300, and -400ER series airplanes, certificated in any category, as identified in Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014.

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight controls; 57, Wings.

(e) Unsafe Condition

This AD was prompted by our determination that additional airplane models require repetitive high frequency eddy current (HFEC) inspections of the aft lower lugs of the deflection control track of the outboard flap for cracks, and replacement of any cracked deflection control track with a new track assembly. We are issuing this AD to detect and correct fatigue cracking in the aft lower lug run-out region of the deflection control track, which could result in the loss of the secondary load path for the outboard flap, resulting in the loss of the outboard flap and consequent reduced controllability of the airplane in the event that the primary load path also fails.

(f) Compliance

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

(g) Retained Initial Inspection for Model 767–400ER Series Airplanes

This paragraph restates the requirements of paragraph (a) of AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004), with revised service information. For airplanes identified in Group 1 in Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014: Before the accumulation of 12,000 total flight cycles, or within 1,200 flight cycles after May 11, 2004 (the effective date of AD 2004–07–11), whichever occurs later, perform an HFEC inspection for cracks in the aft lower lug of the deflection control track on the outboard flap, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767–27A0183, dated May 9, 2002; or Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014. As of the effective date of this AD, only Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014, may be used.

(h) Retained Repetitive Inspections With New Service Information

This paragraph restates the requirements of paragraph (b) of AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004), with new service information. For airplanes identified in Group 1 in Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014: If no crack is detected during any HFEC inspection required in paragraph (g) of this AD, repeat the inspection at intervals not to exceed 1,200 flight cycles.

(i) Retained Corrective Action and Added Terminating Action

This paragraph restates the requirements of paragraph (c) of AD 2004–07–11, Amendment 39–13555 (69 FR 17911, April 6, 2004), with revised service information, added terminating action, and added paragraph reference. For airplanes identified in Group 1 in Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014: If any crack is detected during any HFEC inspection required by paragraph (g) or (h) of this AD, before further flight, replace the deflection control track with a new track assembly, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767–27A0183, dated May 9, 2002; or Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014. Within 12,000 flight cycles following the replacement of deflection control track with a deflection control track, part number (P/N) 113T7333–3 or 113T8333–7, perform the HFEC inspection specified in paragraph (g) of this AD, and repeat inspections as specified in paragraph (h) of this AD until the deflection control track is replaced with a deflection control track, P/N 113T8333–9, as specified in paragraph (m) of this AD. As of the effective date of this AD, only Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014, may be used.

(j) New Initial Inspection for Model 767–200 and –300 Series Airplanes

For airplanes identified in Group 2 in Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014: Before the accumulation of 12,000 total flight cycles, or within 1,200 flight cycles after the effective date of this AD, whichever occurs later, do an HFEC inspection for cracks in the aft lower lug of the deflection control track on the outboard flap, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014.

(k) New Repetitive Inspections

For airplanes identified in Group 2 in Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014: If no crack is detected during any HFEC inspection required in paragraph (j) of this AD, repeat the inspection thereafter at intervals not to exceed 1,200 flight cycles.

(l) New Corrective Action and Terminating Action

For airplanes identified in Group 2 in Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014: If any crack is detected during any HFEC inspection required by paragraph (j) or (k) of this AD, before further flight, replace the deflection control track with a new track assembly, part number 113T8333–9, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014. This replacement terminates the inspection requirements of paragraphs (j) and (k) of this AD.

(m) Optional Terminating Action

Replacement of the deflection control track with a new track assembly, P/N 113T8333–

9, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014, terminates the inspection requirements of paragraphs (g), (h), (j), and (k) of this AD.

(n) Credit for Previous Actions

This paragraph provides credit for the actions specified in paragraphs (g), (h), (i), and (m) of this AD, if those actions were performed before the effective date of this AD using Boeing Service Bulletin 767–27A0183, Revision 1, dated April 4, 2014, which is not incorporated by reference in this AD.

(o) 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 (p)(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.

(p) Related Information

(1) For more information about this AD, contact Berhane Alazar, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6577; fax: 425–917–6590; email: *berhane.alazar@faa.gov.*

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

(q) 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 May 27, 2015.

(i) Boeing Service Bulletin 767–27A0183, Revision 2, dated September 25, 2014.

(ii) Reserved.

(4) The following service information was approved for IBR on May 11, 2004, (69 FR 17911, April 6, 2004).

(i) Boeing Alert Service Bulletin 767–27A0183, dated May 9, 2002.

(ii) Reserved.

(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 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 April 29, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–11137 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–0415; Directorate Identifier 2015–CE–001–AD; Amendment 39–18152; AD 2015–09–06]

RIN 2120–AA64

Airworthiness Directives; GROB–WERKE Airplanes

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

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2014–26–04 for certain GROB–WERKE Models G115EG and G120A airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as a defective starter solenoid. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective June 16, 2015.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of June 16, 2015.

The Director of the Federal Register approved the incorporation by reference of certain other publications listed in this AD as of February 9, 2015 (80 FR 155, January 5, 2015).

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–0415; or in person at the 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 service information identified in this AD, contact Grob Aircraft AG, Customer Service, Lettenbachstrasse 9, D–86874 Tussenhausen-Mattsies, Germany, telephone: + 49 (0) 8268–998–105; fax: + 49 (0) 8268–998–200; email: *productsupport@grob-aircraft.com;* Internet: *grob-aircraft.com.* You may view this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–0415.

FOR FURTHER INFORMATION CONTACT: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4123; fax: (816) 329–4090; email: *karl.schletzbaum@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to add an AD that would apply to certain GROB–WERKE Models G115EG and G120A airplanes. That NPRM was published in the **Federal Register** on February 26, 2015 (80 FR 10423), and proposed to supersede AD 2014–26–04, Amendment 39–18055 (80 FR 155, January 5, 2015).

The NPRM proposed to correct an unsafe condition for the specified products and was based on mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country. The MCAI states:

An operator of a G 115E aeroplane experienced a total loss of electrical power in flight. The investigation found that a defective starter solenoid had caused an internal short circuit which resulted in breakdown of the system voltage.

This condition, if not detected and corrected, could result in reduced control of the aeroplane.

To address this potential unsafe condition, GROB Aircraft AG issued Mandatory Service Bulletin (MSB) MSB1078–196 for G 115 aeroplanes and MSB 1121–144 for G 120 aeroplanes to provide instructions for inspection and corrective action. Consequently, EASA issued AD 2014–0212 to require a one-time inspection of the starter solenoid and, depending on findings, replacement of the starter. In addition, for G 115E aeroplanes, installation of a placard was required.

More recently, GROB Aircraft AG developed a modification to avoid loss of electrical power in case of electrical shortage in the starter solenoid, which was published in revised GROB MSB1078–196/1 and MSB1121–144/1.

Prompted by this development, EASA issued AD 2015–0010, retaining the requirements of EASA AD 2014–0212, which was superseded, and required installation of a starter relay.

Since that AD was issued, operator comments have indicated the existence of a logistical problem, resulting in the unnecessary grounding of aeroplanes.

For the reason described above, this AD is revised to amend paragraph (3), extending the compliance time for modification.

You may examine the MCAI on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2015-0415-0002.*

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (80 FR 10423, February 26, 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 the AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (80 FR 10423, February 26, 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 10423, February 26, 2015).

Relevant Service Information Under 1 CFR Part 51

We reviewed GROB Aircraft Service Bulletin No. MSB1078–196, dated July 14, 2014; GROB Aircraft Service Bulletin No. MSB1078–196/1, dated December 1, 2014; GROB Aircraft Service Bulletin No. MSB1121–144, dated July 14, 2014; and GROB Aircraft Service Bulletin No. MSB1121–144/3, dated February 20, 2015. The service information describes procedures for inspecting the starter solenoid, replacing damaged starters, and installing a starter relay. This information is reasonably available at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–0415, or you may see **ADDRESSES** for other ways to access this service information.

Costs of Compliance

We estimate that this AD will affect 6 products of U.S. registry. We also estimate that it will take about 4 work-hours per product to comply with the basic starter inspection requirement of this AD. The average labor rate is $85 per work-hour.

Based on these figures, we estimate the cost of this inspection on U.S. operators to be $2,040, or $340 per product.

In addition, we estimate that any necessary starter replacements will take about 4 work-hours and require parts costing $600, for a cost of $940 per product. We have no way of determining the number of products that may need this replacement.

We also estimate that it will take about 20 work-hours per product to comply with the starter relay installation requirement of this AD. The average labor rate is $85 per work-hour. Required parts would cost about $1,000 per product.

Based on these figures, we estimate the cost of this proposed installation on U.S. operators to be $16,200, or $2,700 per product.

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed above, I certify this AD:

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

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

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

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

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–0415; 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 the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Amendment 39–18055 (80 FR 155, January 5, 2015) and adding the following new AD:

2015–09–06 GROB–WERKE: Amendment 39–18152; Docket No. FAA–2015–0415; Directorate Identifier 2015–CE–001–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective June 16, 2015.

(b) Affected ADs

This AD supersedes AD 2014–26–04, Amendment 39–18055 (80 FR 155, January 5, 2015) (''AD 2014–26–04'').

(c) Applicability

This AD applies to GROB–WERKE Model G115EG airplanes, all serial numbers through 82323/E, and Model G120A airplanes, all serial numbers through 85063, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 80: Starting.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as a defective starter solenoid. We are issuing this AD to detect and correct defective starter solenoids, which could cause an internal short circuit and could result in reduced control. We are superseding AD 2014–26–04, Amendment 39–18055 (80 FR 155, January 5, 2015), requiring installation of a starter relay that will prevent loss of electrical power in case of electrical shortage in the starter solenoid.

(f) Actions and Compliance

Unless already done, do the actions in paragraphs (f)(1) through (f)(3) of this AD:

(1) Within the next 30 days after February 9, 2015 (the effective date retained from AD 2014–26–04), inspect the starter following Part A of the Accomplishment Instructions in GROB Aircraft Service Bulletin No. MSB1078–196, dated July 14, 2014; GROB Aircraft Service Bulletin No. MSB1078–196/1, dated December 1, 2014; GROB Aircraft Service Bulletin No. MSB1121–144, dated July 14, 2014; or GROB Aircraft Service Bulletin No. MSB1121–144/3, dated February 20, 2015, as applicable.

(2) If any damage is found on the starter during the inspection required in paragraph (f)(1) of this AD, before further flight, replace the starter with a serviceable part. Do the replacement following Part A of the Accomplishment Instructions in GROB Aircraft Service Bulletin No. MSB1078–196, dated July 14, 2014; GROB Aircraft Service Bulletin No. MSB1078–196/1, dated December 1, 2014; GROB Aircraft Service Bulletin No. MSB1121–144, dated July 14, 2014; or GROB Aircraft Service Bulletin No. MSB1121–144/3, dated February 20, 2015, as applicable.

(3) Within the next 100 hours time-in-service after June 16, 2015 (the effective date of this AD), install a starter relay following Part B of the Accomplishment Instructions in GROB Aircraft Service Bulletin No. MSB1078–196/1, dated December 1, 2014, or GROB Aircraft Service Bulletin No. MSB1121–144/3, dated February 20, 2015, as applicable.

(g) Credit for Actions Done in Accordance With Previous Service Information

Actions done before June 16, 2015 (the effective date of this AD) following the Accomplishment Instructions specified in GROB Aircraft Service Bulletin No. MSB1121–144/1, dated January 12, 2015; or GROB Aircraft Service Bulletin No. MSB1121–144/2, dated February 5, 2015, as applicable, are considered acceptable for compliance with the corresponding actions specified in paragraphs (f)(1) through (f)(2) of this AD.

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4146; fax: (816) 329–4090; email: *karl.schletzbaum@faa.gov.* Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(i) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2015–0010R1, dated February 4, 2015, for related information. You may examine the MCAI on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2015-0415-0002.*

(j) Material Incorporated by Reference

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

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

(3) The following service information was approved for IBR on June 16, 2015.

(i) GROB Aircraft Service Bulletin No. MSB1078–196/1, dated December 1, 2014.

(ii) GROB Aircraft Service Bulletin No. MSB1121–144/3, dated February 20, 2015.

(4) The following service information was approved for IBR on February 9, 2015 (80 FR 155, January 5, 2015).

(i) GROB Aircraft Service Bulletin No. MSB1078–196, dated July 14, 2014.

(ii) GROB Aircraft Service Bulletin No. MSB1121–144, dated July 14, 2014.

(5) For GROB Aircraft AG service information identified in this AD, contact Grob Aircraft AG, Customer Service, Lettenbachstrasse 9, D–86874 Tussenhausen-Mattsies, Germany, telephone: + 49 (0) 8268–998–105; fax: + 49 (0) 8268–998–200; email: *productsupport@grob-aircraft.com;* Internet: *grob-aircraft.com.*

(6) You may view this service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call 816–329–4148. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–0415.

(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 Kansas City, Missouri, on April 23, 2015.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–10071 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0429; Directorate Identifier 2014–NM–039–AD; Amendment 39–18151; AD 2015–09–05]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain The Boeing Company Model 747–400 and 747–400F series airplanes. This AD was prompted by reports of cracking in the main equipment center (MEC) drip shield and exhaust plenum. This AD requires installing a fiberglass reinforcing overcoat on the MEC drip shield. We are issuing this AD to prevent water penetration into the MEC, which could result in an electrical short and potential loss of several functions essential for safe flight.

DATES: This AD is effective June 16, 2015.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of June 16, 2015.

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 *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0429.

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–2014–0429; 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: Francis Smith, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone: 425–917–6596; fax: 425–917–6590; email: *Francis.Smith@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 The Boeing Company Model 747–400 and 747–400F series airplanes. The NPRM published in the **Federal Register** on July 9, 2014 (79 FR 38799). The NPRM was prompted by reports of cracking in the MEC drip shield and exhaust plenum. The NPRM proposed to require installing a fiberglass reinforcing overcoat on the MEC drip shield. We are issuing this AD to prevent water penetration into the MEC, which could result in an electrical short and potential loss of several functions essential for safe flight.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM (79 FR 38799, July 9, 2014) and the FAA's response to each comment.

Request To Use Later Revision of the Service Information

Boeing requested that the latest pending revision of Boeing Alert Service Bulletin 747–25A3640 (*i.e.,* Revision 1), be added to the NPRM (79 FR 38799, July 9, 2014). Boeing stated that illustrations shown in Figure 1 of the latest service information will clarify the repair location of the MEC drip shield.

We disagree with the commenter's request. We cannot include unapproved service information in the final rule as this would violate the Office of the Federal Register regulations for approving materials that are incorporated by reference. However, operators may request approval to use a later revision of the referenced service information as an alternative method of compliance (AMOC) under the provisions of paragraph (h)(1) of this AD. We have not changed this AD in this regard.

Request To Include Inspection and Repair Procedures for Cracks in the MEC Drip Shield

United Parcel Service (UPS) requested that the NPRM (79 FR 38799, July 9, 2014) be revised to add inspection and repair procedures for cracks in the MEC drip shield that do not appear in the Accomplishment Instructions of Boeing Alert Service Bulletin 747–25A3640, dated January 8, 2014. UPS stated that the NPRM was issued to address drip shield cracks that were found incidentally during compliance with AD 2011–16–06, Amendment 39–16764 (76 FR 47427, August 5, 2011), but in areas not specifically addressed by AD 2011–16–06. UPS stated that due to the potential existence of cracks undetected during the accomplishment of AD 2011–16–06, UPS believes that a specific inspection is warranted to find and correct such damage. UPS stated that an inspection of the area for drip shield cracks would mitigate potential safety risks, which may necessitate further regulatory action.

We disagree with the commenter's request. Boeing and the FAA do not have evidence to suspect that other areas in the drip shield system are at risk; further, instructions are not available for additional locations to be inspected or procedures to repair detected cracks at those locations at this time. A visual inspection may not detect existing cracks in all areas of the drip shield, such as in the bonded seams.

We find that the required installation adequately addresses the identified unsafe condition. Adding inspection and repair procedures would increase the overall work required, and would provide only a negligible benefit to safety. We have not changed this final rule in this regard.

Request To Revise the Compliance Time

UPS requested that the compliance time be changed from 24 months to 72 months for Model 747–400 BCF airplanes on which the corrective actions have been done as required by AD 2012–17–12, Amendment 39–17175 (77 FR 54798, September 6, 2012), and AD 2011–16–06, Amendment 39–16764 (76 FR 47427, August 5, 2011). UPS stated that it believes the drip shield to be a secondary moisture protection for the MEC on Model 747–400 BCF airplanes due to the absence of steerable power drive units with drains above the drip shield in question. UPS stated that the safety risk of undetected cracking of the drip shield has been significantly mitigated due to the corrective actions required by ADs 2012–17–12 and 2011–16–06.

We disagree with the commenter's request. The drip shield is a primary barrier for moisture protection, designed to specifically prevent water from entering the MEC. While there may be other sources of water drainage in the Model 747–400 BCF configuration that may reduce the chance of water being channeled to the drip shield, there is still a likelihood of water reaching the MEC drip shield, and its failure exposes critical hardware directly to water damage.

In addition, compliance with AD 2012–17–12, Amendment 39–17175 (77 FR 54798, September 6, 2012), and AD 2011–16–06, Amendment 39–16764 (76 FR 47427, August 5, 2011), would not help mitigate the unsafe condition identified in this final rule because, although the ADs are related, the specified corrective actions are applicable to different unsafe conditions in different locations. AD 2012–17–12 requires that affected operators modify and seal the floor panels from body stations 140 to 640 to prevent water leakage between the panels. AD 2011–16–06 requires affected operators to install a fiberglass reinforcing overcoat on the drip shield in a location prone to cracks; that location is different from the location identified in this final rule.

The risks of each unsafe condition identified in AD 2012–17–12, Amendment 39–17175 (77 FR 54798, September 6, 2012); AD 2011–16–06, Amendment 39–16764 (76 FR 47427, August 5, 2011); and this final rule; were evaluated separately. The unsafe

conditions and corresponding corrective actions are applicable to different groups of Model 747–400 airplanes, and although many are affected by more than one unsafe condition, all safety concerns identified were studied separately based on reports from multiple operators regarding multiple airplane configurations. Based on the frequency of reported failures, severity of outcome, and airplane usage, each study showed an unsafe condition if left uncorrected.

Addressing only one source of water intrusion would neither preclude nor diminish the probability of the other sources of water intrusion adversely affecting continued safe flight. For these reasons, we have not changed this final rule in this regard.

Request To Clarify Required for Compliance Statement in the Service Information

UPS requested clarification on the RC (required for compliance) statement found in paragraph (h)(4) of the NPRM (79 FR 38799, July 9, 2014). UPS asked whether the RC statement applies to all components of a step and whether other alternative procedures can be used in lieu of the accepted alternative procedure identified in each substep or steps in the figures.

We agree that clarification is necessary. Refer to FAA Advisory Circular (AC) No. 20–176A, dated June 16, 2014 (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf/0/979ddd1479e1ec6f86257cfc0052d4e9/$FILE/AC%2020-176A.PDF*). If the accomplishment step in the service information is labeled RC and has substeps or tasks with no paragraph designation under the labeled RC step, then all of the substeps or tasks must also be completed. In addition, if the accomplishment step in the service information is marked RC and states to do the work ''in accordance with'' a figure, drawing, or illustration, then all of the information in the figure, drawing, or illustration is mandatory.

If a step is marked RC and a procedure or document must be followed to accomplish a task in a service bulletin, the appropriate terminology to cite the procedure or document is ''in accordance with.'' However, if a step is marked RC and a procedure or document may be followed to accomplish an action (*e.g.,* the design approval holder's procedure or document may be used, but an FAA-accepted procedure could also be used), the appropriate terminology to use to cite the procedure or document is ''refer to . . . as an accepted procedure.'' We have not changed this final rule in this regard.

Conclusion

We reviewed the relevant data, considered the comments received, 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 (79 FR 38799, July 9, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 38799, July 9, 2014).

Related Service Information Under 1 CFR Part 51

We reviewed Boeing Alert Service Bulletin 747–25A3640, dated January 8, 2014. The service information describes procedures for installing a fiberglass reinforcing overcoat on the MEC drip shield. Refer to this service information for information on the procedures and compliance times. This service information is reasonably available; see **ADDRESSES** for ways to access this service information.

Costs of Compliance

We estimate that this AD affects 15 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
Installation of a fiberglass reinforcing overcoat on the MEC drip shield.	36 work-hours × $85 per hour = $3,060.	$0	$3,060	$45,900

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):

2015–09–05 The Boeing Company: Amendment 39–18151; Docket No. FAA–2014–0429; Directorate Identifier 2014–NM–039–AD.

(a) Effective Date

This AD is effective June 16, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 747–400 and 747–400F airplanes, certificated in any category, as identified in Boeing Alert Service Bulletin 747–25A3640, dated January 8, 2014.

(d) Subject

Air Transport Association (ATA) of America Code 25, Equipment/Furnishings.

(e) Unsafe Condition

This AD was prompted by reports of cracking in the main equipment center (MEC) drip shield and exhaust plenum. We are issuing this AD to prevent water penetration into the MEC, which could result in an electrical short and potential loss of several functions essential for safe flight.

(f) Compliance

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

(g) Installation

Within 24 months after the effective date of this AD, install a fiberglass reinforcing overcoat on the MEC drip shield, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747–25A3640, dated January 8, 2014.

(h) 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 (i) 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) If any service information contains steps that are identified as RC (Required for Compliance), those steps must be done to comply with this AD; any steps that are not labeled as RC are recommended. Those steps that are not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the steps labeled as RC can be done and the airplane can be put back in a serviceable condition. Any substitutions or changes to steps labeled as RC require approval of an AMOC.

(i) Related Information

For more information about this AD, contact Francis Smith, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone: 425–917–6596; fax: 425–917–6590; email: *Francis.Smith@faa.gov.*

(j) 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) Boeing Alert Service Bulletin 747–25A3640, dated January 8, 2014.

(ii) Reserved.

(3) For Boeing 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.*

(4) 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.

(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 April 17, 2015.

Victor Wicklund,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–10069 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–0636; Directorate Identifier 2012–NM–037–AD; Amendment 39–18154; AD 2015–09–08]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Airbus Model A300 B4–601, B4–603, and B4–605R airplanes; Model A300 F4–605R airplanes; Model A300 C4–605R Variant F airplanes; and Model A310–204 and –304 airplanes; powered by General Electric (GE) Model CF6–80C2 series engines. This AD was prompted by reports of two single-engine flameout events during inclement weather. This AD requires installing a shunt of the rotary selector (introducing an auto-relight function); and, for certain airplanes, a wiring modification to a certain circuit breaker panel. We are issuing this AD to prevent a long engine restart sequence after a non-selection of continuous relight by the crew and a flameout event of both engines, which could result in reduced controllability of the airplane, especially at low altitude.

DATES: This AD becomes effective June 16, 2015.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of June 16, 2015.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2012-0636;* or in person at the 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.

For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* Internet *http://www.airbus.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–2012–0636.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–2125; fax 425–227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus Model A300 B4–601, B4–603, and B4–605R airplanes; Model A300 F4–605R airplanes; Model A300 C4–605R Variant F airplanes; and Model A310–204 and –304 airplanes; powered by GE Model CF6–80C2 series engines. The SNPRM published in the **Federal Register** on March 5, 2014 (79 FR 12424). We preceded the SNPRM with a notice of proposed rulemaking (NPRM) that published in the **Federal Register** on June 18, 2012 (77 FR 36211).

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2014–0156, dated July 3, 2014 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition on Airbus Model A300 B4–601, B4–603, and B4–605R airplanes; Model A300 F4–605R airplanes; Model A300 C4–605R Variant F airplanes; and Model A310–204 and –304 airplanes; powered by GE Model CF6–80C2 series engines. The MCAI states:

> Two single flame-out events, attributed to inclement weather, occurred on Airbus Wide Body (WB) aeroplanes powered with GE CF6–80C2 engines.
>
> In the original design of Airbus WB aeroplanes, no auto-relight function is embodied. This means that, in case where the flight crew does not select continuous relight and a flame-out event occurs, a long engine restart sequence is necessary.
>
> This condition, if not corrected (if both engines have flamed out simultaneously), could possibly result in significantly reduced control of the aeroplane, especially at low altitude.
>
> To address this potentially unsafe condition, Airbus designed a modification by introducing auto-relight function for aeroplanes powered by GE CF6–80C2 engines and EASA issued AD 2011–0113 to require installation of that auto-relight function to increase restart capability without flight crew action.
>
> Since that [EASA] AD was issued, erroneous instructions have been identified in various revisions of related Airbus Service Bulletins (SB) A310–74–2003, SB A300–74–6003 and SB A300–74–9001, which meant that some of the instructions could not be accomplished and resulted in additional work for aeroplanes already modified.
>
> For the reason described above, this [EASA] AD retains the requirements of EASA AD 2011–0113, which is superseded, allows additional compliance time and requires the modification of the aeroplanes in accordance with the instructions of the latest applicable Airbus SB revision.
>
> For aeroplanes that have already been partially modified by an earlier (incorrect) issue of an SB, as applicable, this [EASA] AD requires additional work.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2012-0636-0002.*

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comments received. The following presents the comments received on the SNPRM (79 FR 12424, March 5, 2014) and the FAA's response to each comment.

Request To Withdraw the SNPRM (79 FR 12424, March 5, 2014) Based on the Rarity of Flameout Events

FedEx stated that data presented by GE showed that since January 2008, a total of seven engine flameouts attributed to inclement weather have been reported across the entire global population of all GE Model CF6–80C2 and CF6–80El series engines. FedEx pointed out that this corresponds to around 30 million flight hours and over 7 million flight departures. FedEx stated that the last event affecting an Airbus airplane was reported in 2006 and involved a power management controlled (PMC) engine. FedEx asserted that there has never been an inclement-weather-related engine flameout on a full authority digital engine control (FADEC) CF6–80C2-powered Airbus airplane reported to GE. FedEx stated that, in the text of the SNPRM (79 FR 12424, March 5, 2014), the FAA cites the occurrence of two single-engine flameout events. FedEx stated that, while it cannot be certain which events the FAA is referring to, it can confidently assert that those events did not occur on a FedEx-operated airplane. FedEx remarked that, if an event has occurred within the last eight years and involved a FADEC-controlled engine, GE is unaware of it. FedEx asked that the FAA consider, based on this experience, the extreme unlikelihood of such a rare event occurring on a GE-powered Airbus airplane simultaneously with the non-selection of continuous relight by well-trained crew members.

From these statements, we infer that FedEx is requesting that we withdraw the SNPRM (79 FR 12424, March 5, 2014) based on the rarity of engine flameout events. We disagree with this request. EASA's determination for corrective action in the MCAI is based on a risk assessment of the worldwide fleet, and not limited to the experience of the commenter's operations. While these events might not have happened on the commenter's airplanes, inclement weather is likely to occur during any flight, and at any altitude. Both the PMC-controlled and FADEC-controlled engines remain susceptible to flameout during inclement weather without corrective actions to address the unsafe condition. While we frequently utilize flightcrew procedures as interim actions to address an unsafe condition, when available we consider a design solution to mitigate the unsafe condition to be more effective than relying on flightcrew procedures alone. We have determined that it is necessary to proceed with issuing this AD to adequately address the identified unsafe condition. Affected operators, however, may request approval of an alternative method of compliance (AMOC), as specified in paragraph (j)(1) of this AD (designated as paragraph (i)(1) of the SNPRM (79 FR 12424, March 5, 2014), by submitting data substantiating that the AMOC would provide an acceptable level of safety. We have not changed this AD in this regard.

Request To Withdraw the SNPRM (79 FR 12424, March 5, 2014) Based on Unreasonable Risk Factor

FedEx stated that one of the primary justifications the FAA is using to establish the need for the SNPRM (79 FR 12424, March 5, 2014) is the concern that a long engine restart sequence could result in reduced controllability of the airplane ''especially at low altitude.'' FedEx agreed that an inability to achieve timely relight at low altitude would present a greater risk of an unsafe condition occurring and would perhaps provide ample justification for the subject modification. However, FedEx asserted that all data provided by GE indicate that this phenomenon does not occur at low altitudes. FedEx also stated that analysis of the primary root cause for the engine flameouts suggests that the flight envelope of concern is between approximately 10,000 feet above sea level (ASL) and 35,000 feet ASL during idle descent. FedEx

remarked that the average altitude at which these events have historically occurred is 22,000 feet ASL, with the lowest recorded altitude for a multi-engine event being 17,500 feet ASL. FedEx stated that in every recorded event, the flameout engines were restarted and continued to operate normally. FedEx concluded that, based on all the empirical data collected to date regarding the altitude at which these events occur, the momentary delay in restart time that is intended to be corrected by the modification does not seem to be significant enough to qualify as a reasonable risk factor.

From these statements, we infer that FedEx is requesting that we withdraw the SNPRM (79 FR 12424, March 5, 2014) based on data showing that the events do not indicate a reasonable risk factor. We disagree with the request. Any delay in the ability to restart engines could result in an unsafe condition regardless of the altitude where the flameout occurs. Inclement weather may exist below 10,000 feet ASL and the possibility of terrain could also reduce altitude available to allow an engine restart. As we stated previously, we consider a design solution to be a more effective mitigating action to address an unsafe condition rather than relying on flightcrew procedures alone and the past experience of flightcrews having difficulty restarting engines following flameout. We have not changed this AD in this regard.

Request To Reduce the Proposed Applicability

FedEx requested that the FAA consider reducing the applicability stated in the SNPRM (79 FR 12424, March 5, 2014) to include only the (relatively) higher-risk PMC-powered airplanes. FedEx stated that a factor specific to its operation addresses a point raised by the FAA, which is the small size of its non-FADEC fleet of Airbus airplanes. FedEx highlighted that data suggest that, since the implementation of the FADEC software, improvements of the rate of flameout events on all FADEC-controlled engines has dropped significantly and is well below corresponding rates on PMC-controlled Model CF6–80C2 series engines. FedEx stated that there are no recorded instances of a dual-engine flameout in inclement weather on any FADEC-controlled Model CF6–80C2 series engine installed on Airbus airplanes. FedEx also stated that it operates a much larger GE-powered Airbus fleet with FADEC-controlled engines than with PMC-controlled engines. FedEx agreed with the FAA statement that ''not all affected airplanes have FADEC-controlled engines installed,'' and that FedEx's exposure in this area is very limited.

We disagree with the commenter's request to reduce the applicability of this AD. The identified unsafe condition addressed in this AD applies to both types of GE Model CF6–80C2 series engines. The comparatively better in-flight shutdown rate of FADEC-controlled engines to PMC-controlled engines is inconsequential to the vulnerability in both engine designs due to flameout from icing conditions. Icing conditions are anticipated to occur, and no mitigating actions have been offered to address icing vulnerability in both engine designs. As we stated previously, a design solution is more effective than reliance on flightcrew procedures alone. We have not changed this AD in this regard.

Actions Since SNPRM (79 FR 12424, March 5, 2014) was Issued

Since the SNPRM (79 FR 12424, March 5, 2014) was issued, EASA has issued AD 2014–0156, dated July 3, 2014, which supersedes EASA AD 2011–0113, dated June 17, 2011. EASA AD 2014–0156 adds revised service information (Airbus Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014, and Airbus Service Bulletin A310–74–2003, Revision 06, dated January 27, 2014). The revised service information includes actions for previously modified airplanes. We have changed paragraph (g) of this AD to reference the revised service information. We also added a new paragraph (h) to this AD to specify actions for previously modified airplanes. We have re-designated subsequent paragraphs accordingly.

The revised service information also reduces a certain compliance time to 12 months. However, for that action, this AD retains the compliance time proposed in the SNPRM: Within 2,200 flight hours or 30 months after the effective date of this AD, whichever occurs later. We have determined that this compliance time adequately addresses the identified unsafe condition. We have determined that the compliance time, as proposed, represents the maximum interval of time allowable for the affected airplanes to continue to safely operate before the modification is done.

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 12424, March 5, 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 12424, March 5, 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

Airbus has issued Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014, and Service Bulletin A310–74–2003, Revision 06, dated January 27, 2014. The service information describes installing a shunt of the rotary selector; and, for certain airplanes, a wiring modification to a certain circuit breaker panel. This service information is reasonably available at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–0636. Or see **ADDRESSES** for other ways to access this service information.

Costs of Compliance

We estimate that this AD affects 47 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
Modification	Up to 98 work-hours × $85 per hour = $8,330.	Up to $18,417	$26,747	$1,257,109

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 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 the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska; and

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

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2012-0636*; 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 street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section.

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):

2015–09–08 Airbus: Amendment 39–18154. Docket No. FAA–2012–0636; Directorate Identifier 2012–NM–037–AD.

(a) Effective Date

This AD becomes effective June 16, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Model A300 B4–601, B4–603, and B4–605R airplanes; Model A300 F4–605R airplanes; Model A300 C4–605R Variant F airplanes; and Model A310–204 and –304 airplanes; certificated in any category; all serial numbers, powered by General Electric (GE) Model CF6–80C2 series engines.

(d) Subject

Air Transport Association (ATA) of America Code 74, Ignition.

(e) Reason

This AD was prompted by reports of two single-engine flameout events during inclement weather. We are issuing this AD to prevent a long engine restart sequence after a non-selection of continuous relight by the crew and a flameout event of both engines, which could result in reduced controllability of the airplane, especially at low altitude.

(f) Compliance

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

(g) Modification

Within 6,000 flight hours or 30 months after the effective date of this AD, whichever occurs later: Modify the airplane by installing a shunt of the rotary selector (introducing an auto-relight function), in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014 (for Model A300 B4–601, B4–603, and B4–605R airplanes; Model A300 F4–605R airplanes; and Model A300 C4–605R Variant F airplanes); or Airbus Service Bulletin A310–74–2003, Revision 06, dated January 27, 2014 (for Model A310–204 and –304 airplanes).

(h) Actions for Previously Modified Airplanes

For airplanes which have already been modified in accordance with the requirements of paragraph (g) of this AD before the effective date of this AD: Within 2,200 flight hours or 30 months after the effective date of this AD, whichever occurs later, accomplish the work tasks, in accordance with the Accomplishment Instructions of the service information specified in Table 1 to this paragraph of this AD.

TABLE 1 TO PARAGRAPH (h) OF THIS AD—WORK TASKS

For Model—	Previously modified using—	Accomplish the identified work tasks in accordance with the instructions of—
A300 B4–601, B4–603, and B4–605R airplanes, Model A300 F4–605R airplanes, and Model A300 C4–605R Variant F airplanes.	Airbus Service Bulletin A300–74–6003, dated July 2, 2010.	Work Tasks 831–802001 and 831–803001 using Airbus Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014.
A300 B4–601, B4–603, and B4–605R airplanes, Model A300 F4–605R airplanes, and Model A300 C4–605R Variant F airplanes.	Airbus Service Bulletin A300–74–6003, Revision 01, dated April 1, 2011.	Work Tasks 831–802001 and 831–803001 using Airbus Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014.
A300 B4–601, B4–603, and B4–605R airplanes, Model A300 F4–605R airplanes, and Model A300 C4–605R Variant F airplanes.	Airbus Service Bulletin A300–74–6003, Revision 02, dated February 9, 2012.	Work Tasks 831–802001 and 831–803001 using Airbus Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014.
A300 B4–601, B4–603, and B4–605R airplanes, Model A300 F4–605R airplanes, and Model A300 C4–605R Variant F airplanes.	Airbus Service Bulletin A300–74–6003, Revision 03, dated May 10, 2012.	Work Task 831–803001 using Airbus Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014.

TABLE 1 TO PARAGRAPH (h) OF THIS AD—WORK TASKS—Continued

For Model—	Previously modified using—	Accomplish the identified work tasks in accordance with the instructions of—
A310–204 and –304 airplanes	Airbus Service Bulletin A310–74–2003, dated July 2, 2010.	Work Tasks 831–802001 and 831–803001 using Airbus Service Bulletin A310–74–2003, Revision 06, dated January 27, 2014.
A310–204 and –304 airplanes	Airbus Service Bulletin A310–74–2003, Revision 01, dated April 1, 2011.	Work Tasks 831–802001 and 831–803001 using Airbus Service Bulletin A310–74–2003, Revision 06, dated January 27, 2014.
A310–204 and –304 airplanes	Airbus Service Bulletin A310–74–2003, Revision 02, dated February 9, 2012.	Work Tasks 831–802001 and 831–803001 using Airbus Service Bulletin A310–74–2003, Revision 06, dated January 27, 2014.
A310–204 and –304 airplanes	Airbus Service Bulletin A310–74–2003, Revision 03, dated May 10, 2012.	Work Task 831–803001 using Airbus Service Bulletin A310–74 2003, Revision 06, dated January 27, 2014.

(i) Credit for Previous Actions

(1) This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the applicable service information specified in paragraphs (i)(1)(i) and (i)(2)(ii) of this AD, and provided that the additional work in Airbus Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014; or Airbus Service Bulletin A310–74–2003, Revision 06, dated January 27, 2014; is done, as required by paragraph (g) of this AD.

(i) For Model A300 B4–601, B4–603, and B4–605R airplanes, Model A300 F4–605R airplanes, and Model A300 C4–605R Variant F airplanes: Airbus Mandatory Service Bulletin A300–74–6003, Revision 04, dated January 9, 2013, which is not incorporated by reference in this AD.

(ii) For Model A310–204 and –304 airplanes: Airbus Mandatory Service Bulletin A310–74–2003, Revision 04, dated January 9, 2013, which is not incorporated by reference in this AD.

(2) This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the applicable service information specified in paragraphs (i)(2)(i) and (i)(2)(ii) of this AD.

(i) For Model A300 B4–601, B4–603, and B4–605R airplanes, Model A300 F4–605R airplanes, and Model A300 C4–605R Variant F airplanes: Airbus Service Bulletin A300–74–6003, Revision 05, dated May 23, 2013, which is not incorporated by reference in this AD.

(ii) For Model A310–204 and –304 airplanes: Airbus Service Bulletin A310–74–2003, Revision 05, dated May 23, 2013, which is not incorporated by reference in this AD.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–2125; fax 425–227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2014–0156, dated July 3, 2014, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2012-0636-0002.*

(2) Service information identified in this AD that is not incorporated by reference may be viewed at the addresses specified in paragraphs (l)(3) and (l)(4) of this AD.

(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 this AD specifies otherwise.

(i) Airbus Service Bulletin A300–74–6003, Revision 06, dated January 27, 2014.

(ii) Airbus Service Bulletin A310–74–2003, Revision 06, dated January 27, 2014.

(3) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com*; Internet *http://www.airbus.com.*

(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 April 10, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–10181 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–1107; Directorate Identifier 2011–NM–216–AD; Amendment 39–18143; AD 2015–08–07]

RIN 2120–AA64

Airworthiness Directives; Zodiac Aerotechnics (Formerly Intertechnique Aircraft Systems) Oxygen Mask Regulators

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Zodiac Aerotechnics (formerly Intertechnique Aircraft Systems) oxygen

mask regulators. This AD was prompted by a report of a malfunctioning mask having an inflatable harness with a high premature rupture rate due to defective silicon. This AD requires inspecting and replacing defective harnesses with new or modified serviceable units. We are issuing this AD to detect and correct defective harnesses, which could lead, in case of a sudden depressurization event, to a harness rupture, thereby providing inadequate protection against hypoxia and possibly resulting in unconsciousness of the affected flightcrew member and consequent reduced control of the airplane.

DATES: This AD becomes effective June 16, 2015.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of June 16, 2015.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2012-1107;* or in person at the 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.

For Zodiac Aerospace service information identified in this AD, contact Zodiac Services, Technical Publication Department, Zodiac Aerotechnics, Oxygen Systems Europe, 61 Rue Pierre Curie–CS20001, 78373 Plaisir Cedex, France; phone: (33) 01 61 34 23 23; fax: (33) 01 30 55 71 61; email: *yann.laine@zodiacaerospace.com;* Internet: *www.services.zodiacaerospace.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–2012–1107.

FOR FURTHER INFORMATION CONTACT: Ian Lucas, Aerospace Engineer, Boston Aircraft Certification Office (ACO) ANE–150, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7757; fax: 781–238–7170; email: *ian.lucas@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 Zodiac Aerotechnics (formerly Intertechnique Aircraft Systems) oxygen mask regulators. The NPRM published in the **Federal Register** on October 25, 2012 (77 FR 65148).

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2011–0090R1, dated July 13, 2011 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to detect and correct an unsafe condition on certain Zodiac Aerotechnics (formerly Intertechnique Aircraft Systems) oxygen mask regulators. The MCAI states:

> A malfunction of a quick donning mask was reported to [Zodiac Aerotechnics (formerly] Intertechnique [Aircraft Systems], who initiated an investigation in order to detect the root cause and the failure mode. Despite the fact that the analysis did not lead to any final conclusion, discrete suspected silicon batches have been identified which have shown an unusually high premature rupture rate.
>
> Some of the affected harnesses are known to have been delivered as spares. Consequently, an inflatable harness belonging to one of the suspect batches may have become installed on an Oxygen Mask Regulator, the serial number (s/n) or [part number] P/N of which is not identified in Appendix II of Intertechnique [Zodiac Aerospace] Service Bulletin (SB) MXH–35–240.
>
> This fact widens the Applicability of this [EASA] AD to extend beyond the individual Oxygen Mask Regulators identified by s/n and P/N in Appendix II of the SB.
>
> This condition, if not detected and corrected, could lead, in case of a sudden depressurization event, to a harness rupture, thereby providing inadequate protection against hypoxia of the affected flight crew member, possibly resulting in unconsciousness and consequent reduced control of the aeroplane.
>
> For the reasons described above, this [EASA] AD requires the identification and replacement of all potentially defective harnesses with serviceable units.
>
> Note 1: The affected batches were installed on harnesses manufactured between December 2008 and August 2010, having dates codes 0850S (week 50 of 2008) through 1031S (week 31 of 2010).
>
> Note 2: Harness assemblies that do not have a batch code were manufactured before week 33 of 2008 and are not affected by this unsafe condition.
>
> This [EASA] AD has been revised to correct a typographical error in the Applicability, which inadvertently referred to P/N MA10–12 masks, whereas in fact, all P/N MA10 series could have an affected harness installed. In addition, this revised [EASA] AD corrects Note 2 (above), which confused harness manufacturing date codes with the affected harnesses batch codes.
>
> This [EASA] AD is also revised to make reference to the latest revisions of the referenced Intertechnique [Zodiac Aerospace] service publications which identify by s/n and P/N, in Appendix II of the SB, more oxygen mask regulators that are known or suspected to have an affected harness installed. Finally, this [EASA] AD is revised to add a Note to the Required Actions section, to stress the fact that other oxygen mask regulators could be affected, in addition to those listed in Appendix II of the SB.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2012-1107-0003.*

Actions Since the NPRM (77 FR 65148, October 25, 2012) was Issued

We have reviewed Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011. The NPRM referenced Zodiac Aerospace (formerly Intertechnique Aircraft Systems) Service Bulletin MXH–35–241, Revision 2, dated May 19, 2011, as one of the appropriate sources of service information for the required actions. Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011, corrected typographical errors and updated a flow chart, but specifies the same procedures as the earlier revision.

We have revised the references in paragraphs (g) and (h) of this AD to refer to Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011, as one of the appropriate sources of service information for the required actions. We have also added Zodiac Aerospace Service Bulletin MXH–35–241, Revision 2, dated May 19, 2011, to paragraph (l) of this AD to allow credit for previous actions done using that service information.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM (77 FR 65148, October 25, 2012) and the FAA's response to each comment.

Request To Revise Service Information Contact

Zodiac Aerotechnics (formerly Intertechnique Aircraft Systems) requested revising the contact address, telephone number, and Web site in paragraph (n)(2) of the NPRM (77 FR 65148, October 25, 2012) to read ''61 Rue Pierre Curie CS20001,'' and ''telephone: (33) 1 61 34 23 23,'' and ''*www.services.zodiacaerospace.com.*''

We have revised this AD to identify the legal name of the manufacturer as published in the most recent technical service order for crewmember demand oxygen masks. Intertechnique Aircraft

Systems changed its legal name to Zodiac Aerotechnics; therefore we revised the manufacturer name in the **SUMMARY** and **ADDRESSES** sections, and ''Applicability'' and ''Material Incorporated by Reference'' paragraphs of this AD. We have changed this contact information in the **ADDRESSES** section of this final rule and paragraph (o)(3) of this AD accordingly.

Request To Withdraw NPRM (77 FR 65148, October 25, 2012) or Revise Compliance Time

American Airlines (American) requested that we withdraw the NPRM (77 FR 65148, October 25, 2012). Based on Boeing's analysis referenced in a Boeing Service Letter, American disagreed with the need for the NPRM. American stated that the concern in the NPRM has been reviewed by Boeing for potential safety and was found not to be safety-based on a numerical risk assessment. American stated that if we do not withdraw the NPRM, it requests that we extend the threshold specified in the NPRM to a minimum of 3 years.

We do not agree with the commenter's request to withdraw the NPRM (77 FR 65148, October 25, 2012) or extend the compliance time. We agree with the EASA's finding of an unsafe condition, as explained in EASA AD 2011–0090R1, dated July 13, 2011, as well as the compliance time for taking corrective action that is specified in the EASA AD 2011–0090R1. However, affected operators may request approval of an alternative method of compliance (AMOC) for an extension of the compliance time for the inspection under the provisions of paragraph (m) of this AD by submitting data substantiating that the change would provide an acceptable level of safety. We have not changed this AD in this regard.

Request To Clarify Affected Airplanes for Inspection and Replacement Requirements

Horizon Air requested that paragraphs (g)(1), (g)(2), (h), and (k) of the NPRM (77 FR 65148, October 25, 2012) be revised for clarity. Horizon stated the NPRM appears to address only the ''as delivered'' condition of the airplanes. Horizon indicated the NPRM stated that Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, applies ''for all aircraft other than Bombardier airplanes,'' and Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011, applies ''for Bombardier airplanes.'' Horizon stated this is incorrect since Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, could apply to Bombardier airplanes if the crew oxygen masks delivered with the airplanes were removed and replaced with masks listed in Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011.

We acknowledge the commenter's concern that it may be possible that a harness on a Bombardier airplane may be replaced with one listed in Appendix I of Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, during the maintenance of the airplane. However, this AD corresponds to EASA AD 2011–0090R1, dated July 13, 2011, which specifies using Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011, for Bombardier airplanes. The suggested changes would alter the actions currently proposed in the NPRM (77 FR 65148, October 25, 2012), so additional rulemaking would be required.

We find that delaying this action would be inappropriate in light of the identified unsafe condition. Therefore, we have not changed this AD regarding this issue. However, we might consider further rulemaking if EASA issues additional rulemaking or we determine that an additional inspection of Bombardier airplanes for harnesses identified in Appendix I of Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, is necessary.

Request To Revise Regulatory Paragraph into a Note

United Airlines (United) requested that we change paragraph (g)(2) of the NPRM (77 FR 65148, October 25, 2012) to a note. United contends that paragraph (g)(2) of the NPRM is worded as a clarification as to whether an operator can use Appendix II of Zodiac Service Bulletin MXH 35 240, Revision 7, dated September 1, 2011; or Appendix II of Zodiac Service Bulletin MXH 35 241, Revision 3, dated June 23, 2011; alone in demonstrating compliance to the AD.

We agree that the wording in paragraph (g)(2) of the NPRM (77 FR 65148, October 25, 2012) is informational and is meant to clarify that using Appendix II of Zodiac Service Bulletin MXH 35 241, Revision 3, dated June 23, 2011 alone is not allowed. We have re-designated paragraph (g)(2) of the NPRM as Note 1 to paragraph (g) of this AD. We have also re-designated paragraph (g)(1) of the NPRM as paragraph (g) of this AD.

Request To Revise Compliance Time

Air Wisconsin Airlines (Air Wisconsin) requested that the phrase ''Before further flight'' specified in paragraph (h) of the NPRM (77 FR 65148, dated October 25, 2012) be replaced using a compliance time of ''Within 24 months after the effective date of this AD,'' to match the compliance time specified in paragraph (g)(1) of the NPRM. Air Wisconsin stated paragraph (g)(1) of the NPRM would require an inspection to determine if the part number and batch number of the inflatable harness are listed in Appendix I of Zodiac Service Bulletin MXH–35–241, Revision 2, dated May 19, 2011.

We agree with the commenter's request because the intent of this final rule is to replace affected harnesses within a compliance time of 24 months. We have changed the compliance time in paragraph (h) of this AD to read, ''Within 24 months after the effective date of this AD.''

Request To Revise Exception Paragraph to Include Date of Manufacture (DMF) Codes

American requested that the list of excluded part numbers specified by paragraph 1.A.(4) of Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, be included in paragraph (i) of the NPRM (77 FR 65148, October 25, 2012), for clarity.

We agree with the commenter's request to include the excluded part numbers because the list of excluded oxygen mask regulators specified by paragraph 1.A.(4), ''Not Concerned Equipment,'' of Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, is not directly captured in the content of this AD. We have changed paragraph (i) of this AD to include those part numbers listed in paragraph 1.A.(4), ''Not Concerned Equipment,'' of Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011.

Request To Revise Applicability

American requested that paragraph (c) of the NPRM (77 FR 65148, October 25, 2012) be revised to state the AD is applicable only to harnesses having DMF codes between (0850S) and (1031S). American explained that the corresponding EASA AD 2011–0090R1, dated July 13, 2011, requires the identification and replacement of ''all potentially defective harnesses.'' American explained that specifying which harnesses had affected DMF codes would provide clarity.

We disagree with the commenter's request to revise the applicability specified in paragraph (c) of this AD. The applicability specified in paragraph (c) of this AD identifies affected oxygen

mask regulators since harnesses can be rotated and replaced on the oxygen mask regulators. We also note that DMF codes apply to the regulators and not the harnesses.

However, we note that paragraph (i) of this AD does clarify which harnesses are affected by the inspection and replacement requirements of paragraphs (g) and (h) of this AD. Paragraph (i) of this AD also states that oxygen mask regulators having certain DMF codes are excluded from the inspection and replacement requirements of paragraphs (g) and (h) of this AD. No change has been made to this AD in this regard.

Request To Clarify Affected Oxygen Mask Regulators

United requested we revise paragraph (i) of the NPRM (77 FR 65148, October 25, 2012) by adding the words ''having a part number and batch number identified in Appendix I of the service information specified in paragraph (i)(1) or (i)(2) of this AD'' to clarify which masks are subject to inspection and replacement requirements. United also requested that we revise paragraph (i) of the NPRM by specifying that the part number and batch number are those of the ''harness assembly,'' and the date of manufacturing is that of the ''mask assembly.''

We agree with the commenter's request for the reasons provided by the commenter. We have revised paragraph (i) of this AD accordingly.

Request To Carry Forward Exceptions and Allow Original Equipment Manufacturer (OEM) Date in Lieu of DMF Code

Boeing requested that we revise the NPRM (77 FR 65148, October 25, 2012) to allow the exceptions of paragraph (i) of the NPRM to carry forward into paragraph (k) of the NPRM for the parts installation prohibition for new production aircraft. Boeing also requested that we revise the NPRM to allow the date on which an oxygen mask was serviced for remanufacture or overhaul by the OEM to replace the date of manufacture of the original mask. Boeing contends that, where inflatable harnesses have been serviced, the OEM meets all existing AD requirements.

We disagree with both requests for allowing the exceptions to carry forward and to allow the date of service to replace the date of manufacture because the root cause of the defective oxygen masks is a high premature rupture rate due to defective silicon. This manufacturing defect affected a specific manufacturing batch. Thus, it is possible that a mask overhaul may not necessarily address the root cause or unsafe condition. Also, since oxygen mask regulators are rotable parts, it is possible that an oxygen mask regulator can be rotated onto a new production aircraft once it is in service. No change has been made to this AD in this regard.

Request To Revise Wording in Paragraph (k) of the NPRM (77 FR 65148, October 25, 2012)

American and Horizon Air requested we revise paragraph (k) of the NPRM (77 FR 65148, October 25, 2012) by replacing the word ''install'' with the word ''replace.'' American stated if the oxygen mask/regulator is removed to facilitate maintenance prior to the compliance date of the AD, the NPRM, as written, would prohibit operators from re-installing the crew oxygen mask/regulator and would require immediate installation of a new or re-identified harness in order to comply with the AD. Horizon stated that the use of the word ''install'' effectively reduces the compliance time to perform the inspection and replacement specified by paragraphs (g) and (h) of the NPRM. American stated this clarification would allow operators adequate time to remove and re-install a crew oxygen mask/regulator to facilitate maintenance prior to the compliance date.

United stated that, while paragraph (h) of the NPRM (77 FR 65148, October 25, 2012) clearly stated the replacement requirement, United had concerns regarding Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011. We contacted United for clarification. Where paragraph 3.C. of the Accomplishment Instructions of Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, uses the word ''modification,'' United suggested using the word ''replacement.''

We agree to provide clarification. The intent of the ''Parts Installation Prohibition'' specified in paragraph (k) of this AD is that operators replace parts with good parts rather than bad parts. Although the words ''install,'' and ''modification'' are generally considered to be broader than the word ''replace,'' for purposes of this AD, these words should be interpreted as meaning ''replace'' while remaining within the spirit and intent of the AD. Therefore, simply reinstalling the same part during maintenance activities is acceptable for compliance with the requirements of paragraph (k) of this AD for that reinstallation. However, if an inflatable harness has a part number and batch number identified as being from a defective batch during the inspection required by paragraph (g) of this AD, paragraph (h) of this AD requires replacement before further flight. We have not changed the final rule regarding this issue.

Request To Reference Flow Chart Contained in Service Information

Boeing requested that paragraph (k) of the NPRM (77 FR 65148, October 25, 2012) be revised by adding the words ''This determination can be made by following the flow chart contained in paragraph 3., ''Accomplishment Instructions,'' of Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011.'' Boeing stated that, by adding these words, the NPRM would match EASA AD 2011–0090 R1, dated July 13, 2011. Boeing stated the flow chart includes an acceptance decision based on the letter ''I'' written on the bushing of the inflatable harness of the crew oxygen mask to indicate it has been inspected using this service information.

We agree with the commenter's request because using the flow chart in paragraph 3., ''Accomplishment Instructions,'' of Zodiac Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, reflects the current method to determine whether a mask needs to be replaced. We have revised paragraph (k) of this AD by referring to the flow chart contained in paragraph 3., ''Accomplishment Instructions,'' of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, to determine if parts are not listed in Appendix I of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011.

We have also removed the reference to Zodiac Aerospace Service Bulletin MXH–35–241, Revision 2, dated May 19, 2011, from paragraph (k) of the NPRM (77 FR 65148, October 25, 2012), in order to match EASA AD 2011–0090 R1, dated July 13, 2011. For all airplanes, the parts listed in Appendix I of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, may not be installed.

Removal of ''Airworthy Product'' Paragraph from this AD

We have removed paragraph (m)(2) of the NPRM (77 FR 65148, October 25, 2012) since the airworthy product statement regarding contacting the manufacturer or other sources is unnecessary in this AD. We redesignated paragraph (m)(1) as paragraph (m) 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 NPRM (77 FR 65148, October 25, 2012) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (77 FR 65148, October 25, 2012).

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

Zodiac Aerospace has issued Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011; and Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011. The service information describes procedures for inspecting and replacing defective harnesses with new or modified serviceable units. This service information is reasonably available at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2012–1107. Or see **ADDRESSES** for other ways to access this service information.

Costs of Compliance

We estimate that this AD affects 5,500 airplanes of U.S. registry.

We also estimate that it will take about 1 work-hour per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts will cost $0 per product. Based on these figures, we estimate the cost of this AD on U.S. operators to be $467,500, or $85 per product.

Authority for this Rulemaking

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

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

Regulatory Findings

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

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

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

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2012-1107;* 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 street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section.

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):

2015–08–07 Zodiac Aerotechnics (formerly Intertechnique Aircraft Systems): Amendment 39–18143. Docket No. FAA–2012–1107; Directorate Identifier 2011–NM–216–AD.

(a) Effective Date

This AD becomes effective June 16, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Zodiac Aerotechnics (formerly Intertechnique Aircraft Systems) flightcrew oxygen mask regulators, all part number (P/N) MA10, MC10, MC20, MF10, MF20, MLC20, MLD20, MRA005, MRA022, and MRA023 series; certificated in any category; installed on, but not limited to, airplanes manufactured by Airbus, ATR, BAE Systems (Type Certificate previously held by British Aerospace), Boeing, Bombardier (Type Certificate previously held by Canadair, De Havilland Canada), Cessna, Dassault, EADS CASA, EMBRAER, Gulfstream, Hawker Beechcraft (Type Certificate previously held by Raytheon, Beech), Israel Aircraft Industries (IAI), McDonnell Douglas, Piaggio, Pilatus, Piper, and SOCATA.

(d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

(e) Reason

This AD was prompted by a report of a malfunctioning mask having an inflatable harness with a high premature rupture rate due to defective silicon. We are issuing this AD to detect and correct defective harnesses, which could lead, in case of a sudden depressurization event, to a harness rupture, thereby providing inadequate protection against hypoxia and possibly resulting in unconsciousness of the affected flightcrew member and consequent reduced control of the airplane.

(f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

(g) Inspection

Except as provided by paragraph (i) of this AD: Within 24 months after the effective date of this AD, inspect the inflatable harness fitted to each flightcrew oxygen mask regulator to determine if the inflatable harness is installed with a part number and a batch number identified in Appendix I of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011 (for all airplanes other than Bombardier airplanes); or Appendix I of Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011 (for Bombardier airplanes).

Note 1 to paragraph (g) of this AD: Referring only to Appendix II of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011; or Appendix II of Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011; to identify a specific oxygen mask regulator is insufficient to demonstrate that the inflatable harness fitted to that oxygen mask regulator is not listed in Appendix I of Zodiac Aerospace Service

Bulletin MXH–35–240, Revision 7, dated September 1, 2011; or Appendix I of Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011.

(h) Replacement

If during the inspection required by paragraph (g) of this AD, an inflatable harness has a part number and batch number identified in Appendix I of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011 (for all airplanes other than Bombardier airplanes); or Appendix I of Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011 (for Bombardier airplanes): Within 24 months after the effective date of this AD, replace the inflatable harness with a new or re-identified harness, in accordance with the Accomplishment Instructions of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011 (for all airplanes other than Bombardier airplanes); or Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011 (for Bombardier airplanes).

(i) Exception

Oxygen mask regulators having a date of manufacturing (DMF) code of November 2008 (112008 or 11–08) or earlier, and those with a DMF code of January 2011 (012011 or 01–11) or later; and those having a part number listed in paragraph 1.A.(4), ''Not Concerned Equipment,'' of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, are excluded from the inspection and replacement requirements of paragraphs (g) and (h) of this AD, provided it can be demonstrated that the inflatable harness has not been replaced on those masks with an inflatable harness having a part number and batch number identified in Appendix I of the applicable service information specified in paragraph (i)(1) or (i)(2) of this AD. A review of airplane delivery or maintenance records is acceptable to make the determination specified in this paragraph, if the part number and batch number of the harness assembly, and the DMF code of the mask assembly, can be conclusively determined from that review.

(1) Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011 (for all airplanes other than Bombardier airplanes).

(2) Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011 (for Bombardier airplanes).

(j) Definition

For the purpose of this AD, Bombardier airplanes include airplanes previously manufactured by Canadair or by De Havilland Canada.

(k) Parts Installation Prohibition

As of the effective date of this AD, no person may install a flightcrew oxygen mask regulator having a part number and batch number on the inflatable harness that is found in Appendix I of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011 (for all airplanes); on any airplane. Operators may determine if the part number and batch number are not listed in Appendix I of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011, by following the flow chart contained in paragraph 3., ''Accomplishment Instructions,'' of Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011.

(l) Credit for Previous Actions

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraphs (l)(1) through (l)(4) of this AD, as applicable, which are not incorporated by reference in this AD.

(1) Zodiac Aerospace Service Bulletin MXH–35–240, Revision 6, dated August 16, 2011 (for all airplanes other than Bombardier airplanes).

(2) Zodiac Aerospace Service Bulletin MXH–35–240, Revision 5, dated July 26, 2011 (for all airplanes other than Bombardier airplanes).

(3) Zodiac Aerospace Service Bulletin MXH–35–240, Revision 4, dated June 10, 2011 (for all airplanes other than Bombardier airplanes).

(4) Zodiac Aerospace Service Bulletin MXH–35–241, Revision 2, dated May 19, 2011 (for Bombardier airplanes).

(m) Alternative Methods of Compliance (AMOCs)

The Manager, Boston Aircraft Certification Office (ACO) ANE–150, 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 ACO, send it to ATTN: Ian Lucas, Aerospace Engineer, Boston ACO, ANE–150, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7757; fax: 781–238–7170. 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. The AMOC approval letter must specifically reference this AD.

(n) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2011–0090R1, dated July 13, 2011, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2012-1107-0003.*

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (o)(3) and (o)(4) of this AD.

(o) 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 this AD specifies otherwise.

(i) Zodiac Aerospace Service Bulletin MXH–35–240, Revision 7, dated September 1, 2011.

(ii) Zodiac Aerospace Service Bulletin MXH–35–241, Revision 3, dated June 23, 2011.

(3) For Zodiac Aerospace service information identified in this AD, contact Zodiac Services, Technical Publication Department, Zodiac Aerotechnics, Oxygen Systems Europe, 61 Rue Pierre Curie–CS20001, 78373 Plaisir Cedex, France; phone: (33) 01 61 34 23 23; fax: (33) 01 30 55 71 61; email: *yann.laine@zodiacaerospace.com;* Internet: *www.services.zodiacaerospace.com.*

(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 April 10, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–09467 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2011–0595]

Special Local Regulation; Annual Kennewick, Washington, Columbia Unlimited Hydroplane Races

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the special local regulation for the ''Annual Kennewick, Washington, Columbia Unlimited Hydroplane Races'' from 8:30 a.m. to 7:30 p.m. each day, from July 24, 2015 through July 26, 2015. This action is necessary to assist in minimizing the inherent dangers associated with hydroplane races. During the enforcement period, no person or vessel may enter the regulated area without permission from the Sector Columbia River Captain of the Port.

DATES: The regulation in 33 CFR 100.1303 will be enforced from 8:30 a.m. until 7:30 p.m. on July 24, 2015 through July 26, 2015.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Mr. Ken Lawrenson, Waterways Management Division, MSU Portland, Oregon, Coast Guard; telephone 503–240–9319, email *MSUPDXWWM@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulation for the Annual Kennewick, Washington, Columbia Unlimited Hydroplane Races detailed in 33 CFR 100.1303 from 8:30 a.m. to 7:30 p.m. each day from July 24, 2015 through July 26, 2015.

Under the provisions of 33 CFR 100.1303, a vessel may not enter the regulated area, unless it receives permission from the Coast Guard Patrol Commander. Vessels granted permission to enter the zone by the Patrol Commander shall not exceed minimum wake speed. A succession of sharp, short signals by whistle, siren, or horn from vessels patrolling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels signaled to stop shall stop and comply with orders of the patrol vessel personnel; failure to do so may result in expulsion from the area, citation, or both. The Coast Guard may be assisted by other federal, state, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 100.1303 and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register,** the Coast Guard will provide the maritime community with notification of this enforcement period via the Local Notice to Mariners.

Dated: April 21, 2015.

D.J. Travers,

Captain, U.S. Coast Guard, Captain of the Port, Sector Columbia River.

[FR Doc. 2015–11441 Filed 5–11–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 100 and 165

[Docket No. USCG–2014–0865]

RIN 1625–AA08; 1625–AA00

Special Local Regulations and Safety Zones; Recurring Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is updating the special local regulations and permanent safety zones in the Coast Guard Sector Northern New England Captain of the Port Zone for annual recurring marine events. When enforced, these special local regulations and safety zones will restrict vessel operations within portions of water areas during certain annually recurring events. The special local regulations and safety zones are intended to expedite public notification and ensure the protection of the maritime public and event participants from the hazards associated with certain maritime events.

DATES: This rule is effective May 12, 2015. This rule will be enforced during dates and times specified in a series of Notices of Enforcement to be published no less than 30 days prior to any event requiring a special local regulation or safety zone covered by this rule.

ADDRESSES: Documents mentioned in this preamble are part of docket [USCG–2014–0865]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, contact Chief Marine Science Technician Chris Bains, Waterways Management Division at Coast Guard Sector Northern New England, telephone 207–347–5003, email *Chris.D.Bains@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

COTP Captain of the Port
DHS Department of Homeland Security
FR **Federal Register**
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

On Tuesday, March 24, 2015, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled ''Special Local Regulations and Safety Zones; Recurring Events in Northern New England'' in the **Federal Register** (80 FR 15532). We received no comments on the proposed rule. No public meeting was requested and none was held.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after final publication in the **Federal Register**. Delaying this rule would be impracticable and contrary to the public interest because the first scheduled marine event covered by this rule is scheduled for May. The Coast Guard did not receive the updated information on listed events in time to publish more than thirty days before the first events. The rule must become effective as soon as practicable to provide for the safety of all users of the waterway during the scheduled events.

B. Basis and Purpose

The legal basis for the rule is 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish safety zones and special local regulations.

Swim events, fireworks displays, and marine events are held on an annual recurring basis on the navigable waters within the Coast Guard Sector Northern New England COTP Zone. In the past, the Coast Guard has established special local regulations, regulated areas, and safety zones for these annual recurring events on a case-by-case basis to ensure the protection of the maritime public and event participants from the hazards associated with these events. In the past year, events were assessed for their likelihood to recur in subsequent years and were added to the tables accordingly. In addition, the event titled ''5.1 Hawgs, Pies, & Fireworks'' in Gardiner, ME. was changed to ''5.1 Ride into Summer''.

This rulemaking updates the existing regulation in order to meet the Coast Guard's intended purpose of ensuring safety during these events.

C. Discussion of Comments, Changes and the Final Rule

No comments were received and no changes have been made to the Final Rule.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of

Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

We expect the economic impact of this rule to be minimal. Although this regulation may have some impact on the public, the potential impact will be minimized. The Coast Guard is only modifying an existing regulation to account for new information.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which might be small entities: Owners or operators of vessels intending to transit, fish, or anchor in the areas where the listed annual recurring events are being held.

The rule will not have a significant economic impact on a substantial number of small entities for the following reasons: Vessels will only be restricted from safety zones and special local regulation areas for a short duration of time; vessels may transit in portions of the affected waterway except for those areas covered by the regulated areas; and notifications will be made to the local maritime community through the Local Notice to Mariner's and Broadcast Notice to Mariner's well in advance of the events. In addition, this action is only modifying an existing rule which, in and of itself, did not have a significant impact on a substantial number of small entities.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the above section titled **FOR FURTHER INFORMATION CONTACT**.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

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

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

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

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves water activities including swimming events and fireworks displays. This rule is categorically excluded from further review under paragraphs (34)(g) and

(34)(h) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects

33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR parts 100 and 165 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233.

■ 2. In § 100.120, revise the table to read as follows:

§ 100.120 Special Local Regulations; Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone.

* * * * *

TABLE TO § 100.120

5.0	May occur from May through September
5.1 Tall Ships Visiting Portsmouth	• Event Type: Regatta and Boat Parade. • Sponsor: Portsmouth Maritime Commission, Inc. • Date: A four day event from Friday through Monday.* • Time (Approximate): 9:00 a.m. to 8:00 p.m. each day. • Location: The regulated area includes all waters of Portsmouth Harbor, New Hampshire in the vicinity of Castle Island within the following points (NAD 83): 43°03′11″ N, 070°42′26″ W. 43°03′18″ N, 070°41′51″ W. 43°04′42″ N, 070°42′11″ W. 43°04′28″ N, 070°44′12″ W. 43°05′36″ N, 070°45′56″ W. 43°05′29″ N, 070°46′09″ W. 43°04′19″ N, 070°44′16″ W. 43°04′22″ N, 070°42′33″ W.
6.0	JUNE
6.1 Bar Harbor Blessing of the Fleet	• Event Type: Regatta and Boat Parade. • Sponsor: Town of Bar Harbor, Maine. • Date: A one day event between the 15th of May and the 15th of June.* • Time (Approximate): 12:00 p.m. to 1:30 p.m. • Location: The regulated area includes all waters of Bar Harbor, Maine within the following points (NAD 83): 44°23′32″ N, 068°12′19″ W. 44°23′30″ N, 068°12′00″ W. 44°23′37″ N, 068°12′00″ W. 44°23′35″ N, 068°12′19″ W.
6.2 Charlie Begin Memorial Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Boothbay Harbor Lobster Boat Race Committee. • Date: A one day event in June.* • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Boothbay Harbor, Maine in the vicinity of John's Island within the following points (NAD 83): 43°50′04″ N, 069°38′37″ W. 43°50′54″ N, 069°38′06″ W. 43°50′49″ N, 069°37′50″ W. 43°50′00″ N, 069°38′20″ W.
6.3 Rockland Harbor Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Rockland Harbor Lobster Boat Race Committee. • Date: A one day event in June.* • Time (Approximate): 9:00 a.m. to 5:00 p.m. • Location: The regulated area includes all waters of Rockland Harbor, Maine in the vicinity of the Rockland Breakwater Light within the following points (NAD 83): 44°05′59″ N, 069°04′53″ W. 44°06′43″ N, 069°05′25″ W. 44°06′50″ N, 069°05′05″ W. 44°06′05″ N, 069°04′34″ W.
6.4 Windjammer Days Parade of Ships	• Event Type: Tall Ship Parade.

TABLE TO § 100.120—Continued

	• Sponsor: Boothbay Region Chamber of Commerce. • Date: A one day event in June.* • Time (Approximate): 12:00 p.m. to 5:00 p.m. • Location: The regulated area includes all waters of Boothbay Harbor, Maine in the vicinity of Tumbler's Island within the following points (NAD 83): 43°51′02″ N, 069°37′33″ W. 43°50′47″ N, 069°37′31″ W. 43°50′23″ N, 069°37′57″ W. 43°50′01″ N, 069°37′45″ W. 43°50′01″ N, 069°38′31″ W. 43°50′25″ N, 069°38′25″ W. 43°50′49″ N, 069°37′45″ W.
6.5 Bass Harbor Blessing of the Fleet Lobster Boat Race	• Event Type: Power Boat Race. • Sponsor: Tremont Congregational Church. • Date: A one day event in June.* • Time (Approximate): 10:00 a.m. to 2:00 p.m. • Location: The regulated area includes all waters of Bass Harbor, Maine in the vicinity of Lopaus Point within the following points (NAD 83): 44°13′28″ N, 068°21′59″ W. 44°13′20″ N, 068°21′40″ W. 44°14′05″ N, 068°20′55″ W. 44°14′12″ N, 068°21′14″ W.
6.6 Long Island Lobster Boat Race	• Event Type: Power Boat Race. • Sponsor: Long Island Lobster Boat Race Committee. • Date: A one day event in June.* • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Casco Bay, Maine in the vicinity of Great Ledge Cove and Dorseys Cove off the northwest coast of Long Island, Maine within the following points (NAD 83): 43°41′59″ N, 070°08′59″ W. 43°42′04″ N, 070°09′10″ W. 43°41′41″ N, 070°09′38″ W. 43°41′36″ N, 070°09′30″ W.
7.0	JULY
7.1 Moosabec Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Moosabec Boat Race Committee. • Date: A one day event held near July 4th.* • Time (Approximate): 10:00 a.m. to 12:30 p.m. • Location: The regulated area includes all waters of Jonesport, Maine within the following points (NAD 83): 44°31′21″ N, 067°36′44″ W. 44°31′36″ N, 067°36′47″ W. 44°31′44″ N, 067°35′36″ W. 44°31′29″ N, 067°35′33″ W.
7.2 The Great Race	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Franklin County Chamber of Commerce. • Date: A one day event on a Sunday between the 15th of August and the 15th of September.* • Time (Approximate): 10:00 a.m. to 12:30 p.m. • Location: The regulated area includes all waters of Lake Champlain in the vicinity of Saint Albans Bay within the following points (NAD 83): 44°47′18″ N, 073°10′27″ W. 44°47′10″ N, 073°08′51″ W.
7.3 Searsport Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Searsport Lobster Boat Race Committee. • Date: A one day event in July.* • Time (Approximate): 9:00 a.m. to 4:00 p.m. • Location: The regulated area includes all waters of Searsport Harbor, Maine within the following points (NAD 83): 44°26′50″ N, 068°55′20″ W. 44°27′04″ N, 068°55′26″ W. 44°27′12″ N, 068°54′35″ W. 44°26′59″ N, 068°54′29″ W.
7.4 Stonington Lobster Boat Races	• Event Type: Power Boat Race.

TABLE TO § 100.120—Continued

	• Sponsor: Stonington Lobster Boat Race Committee. • Date: A one day event in July.* • Time (Approximate): 8:00 a.m. to 3:30 p.m. • Location: The regulated area includes all waters of Stonington, Maine within the following points (NAD 83): 44°08′55″ N, 068°40′12″ W. 44°09′00″ N, 068°40′15″ W. 44°09′11″ N, 068°39′42″ W. 44°09′07″ N, 068°39′39″ W.
7.5 Mayor's Cup Regatta	• Event Type: Sailboat Parade. • Sponsor: Plattsburgh Sunrise Rotary. • Date: A one day event in July.* • Time (Approximate): 10:00 a.m. to 4:00 p.m. • Location: The regulated area includes all waters of Cumberland Bay on Lake Champlain in the vicinity of Plattsburgh, New York within the following points (NAD 83): 44°41′26″ N, 073°23′46″ W. 44°40′19″ N, 073°24′40″ W. 44°42′01″ N, 073°25′22″ W.
7.6 The Challenge Race	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Lake Champlain Maritime Museum. • Date: A one day event in July.* • Time (Approximate): 11:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Lake Champlain in the vicinity of Button Bay State Park within the following points (NAD 83): 44°12′25″ N, 073°22′32″ W. 44°12′00″ N, 073°21′42″ W. 44°12′19″ N, 073°21′25″ W. 44°13′16″ N, 073°21′36″ W.
7.7 Yarmouth Clam Festival Paddle Race	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Maine Island Trail Association. • Date: A one day event in July.* • Time (Approximate): 8:00 a.m. to 4:00 p.m. • Location: The regulated area includes all waters in the vicinity of the Royal River outlet and Lane's Island within the following points (NAD 83): 43°47′47″N 070°08′40″W. 43°47′50″N 070°07′13″W. 43°47′06″N 070°07′32″W. 43°47′17″N 070°08′25″W.
7.8 Maine Windjammer Lighthouse Parade	• Event Type: Wooden Boat Parade. • Sponsor: Maine Windjammer Association. • Date: A one day event in July.* • Time (Approximate): 1:00 p.m. to 3:00 p.m. • Location: The regulated area includes all waters of Rockland Harbor, Maine in the vicinity of the Rockland Harbor Breakwater within the following points (NAD 83): 44°06′14″ N, 069°03′48″ W. 44°05′50″ N, 069°03′47″ W. 44°06′14″ N, 069°05′37″ W. 44°05′50″ N, 069°05′37″ W.
7.9 Friendship Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Friendship Lobster Boat Race Committee. • Date: A one day event during a weekend between the 15th of July and the 15th of August.* • Time (Approximate): 9:30 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Friendship Harbor, Maine within the following points (NAD 83): 43°57′51″ N, 069°20′46″ W. 43°58′14″ N, 069°19′53″ W. 43°58′19″ N, 069°20′01″ W. 43°58′00″ N, 069°20′46″ W.
7.10 Harpswell Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Harpswell Lobster Boat Race Committee. • Date: A one day event between the 15th of July and the 15th of August.* • Time (Approximate): 10:00 a.m. to 3:00 p.m.

TABLE TO § 100.120—Continued

	• Location: The regulated area includes waters of Middle Bay near Harpswell, Maine within the following points (NAD 83): 43°44′15″ N, 070°02′06″ W. 43°44′59″ N, 070°01′21″ W. 43°44′51″ N, 070°01′05″ W. 43°44′06″ N, 070°01′49″ W.
8.0	AUGUST
8.1 Eggemoggin Reach Regatta	• Event Type: Wooden Boat Parade. • Sponsor: Rockport Marine, Inc. and Brooklin Boat Yard. • Date: A one day event on a Saturday between the 15th of July and the 15th of August.* • Time (Approximate): 11:00 a.m. to 7:00 p.m. • Location: The regulated area includes all waters of Eggemoggin Reach and Jericho Bay in the vicinity of Naskeag Harbor, Maine within the following points (NAD 83): 44°15′16″ N, 068°36′26″ W. 44°12′41″ N, 068°29′26″ W. 44°07′38″ N, 068°31′30″ W. 44°12′54″ N, 068°33′46″ W.
8.2 Southport Rowgatta Rowing and Paddling Boat Race	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Boothbay Region YMCA. • Date: A one day event in August.* • Time (Approximate): 8:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Sheepscot Bay and Boothbay, on the shore side of Southport Island, Maine within the following points (NAD 83): 43°50′26″ N, 069°39′10″ W. 43°49′10″ N, 069°38′35″ W. 43°46′53″ N, 069°39′06″ W. 43°46′50″ N, 069°39′32″ W. 43°49′07″ N, 069°41′43″ W. 43°50′19″ N, 069°41′14″ W. 43°51′11″ N, 069°40′06″ W.
8.3 Winter Harbor Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Winter Harbor Chamber of Commerce. • Date: A one day event in August.* • Time (Approximate): 9:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Winter Harbor, Maine within the following points (NAD 83): 44°22′06″ N, 068°05′13″ W. 44°23′06″ N, 068°05′08″ W. 44°23′04″ N, 068°04′37″ W. 44°22′05″ N, 068°04′44″ W.
8.4 Lake Champlain Dragon Boat Festival	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Dragonheart Vermont. • Date: A one day event in August.* • Time (Approximate): 7:00 a.m. to 5:00 p.m. • Location: The regulated area includes all waters of Burlington Bay within the following points (NAD 83): 44°28′49″ N, 073°13′22″ W. 44°28′41″ N, 073°13′36″ W. 44°28′28″ N, 073°13′31″ W. 44°28′38″ N, 073°13′18″ W.
8.5 Merritt Brackett Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Town of Bristol, Maine. • Date: A one day event in August.* • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Pemaquid Harbor, Maine within the following points (NAD 83): 43°52′16″ N, 069°32′10″ W. 43°52′41″ N, 069°31′43″ W. 43°52′35″ N, 069°31′29″ W. 43°52′09″ N, 069°31′56″ W.
8.6 Multiple Sclerosis Regatta	• Event Type: Regatta and Sailboat Race. • Sponsor: Maine Chapter, Multiple Sclerosis Society. • Date: A one day event in August.* • Time (Approximate): 10:00 a.m. to 4:00 p.m.

TABLE TO § 100.120—Continued

	• Location: The regulated area for the start of the race includes all waters of Casco Bay, Maine in the vicinity of Peaks Island within the following points (NAD 83): 43°40′24″ N, 070°14′20″ W. 43°40′36″ N, 070°13′56″ W. 43°39′58″ N, 070°13′21″ W. 43°39′46″ N, 070°13′51″ W.
8.7 Multiple Sclerosis Harborfest Lobster Boat/Tugboat Races	• Event Type: Power Boat Race. • Sponsor: Maine Chapter, Multiple Sclerosis Society. • Date: A one day event in August.* • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Portland Harbor, Maine in the vicinity of Maine State Pier within the following points (NAD 83): 43°40′25″ N, 070°14′21″ W. 43°40′36″ N, 070°13′56″ W. 43°39′58″ N, 070°13′21″ W. 43°39′47″ N, 070°13′51″ W.
9.0	SEPTEMBER
9.1 Pirates Festival Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Eastport Pirates Festival. • Date: A one day event in September.* • Time (Approximate): 11:00 a.m. to 6:00 p.m. • Location: The regulated area includes all waters in the vicinity of Eastport Harbor, Maine within the following points (NAD 83): 44°54′14″ N, 066°58′52″ W. 44°54′14″ N, 068°58′56″ W. 44°54′24″ N, 066°58′52″ W. 44°54′24″ N, 066°58′56″ W.

* Date subject to change. Exact date will be posted in Notice of Enforcement and Local Notice to Mariners

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 3. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 4. In § 165.171, revise the table to read as follows:

§ 165.171 Safety Zones for fireworks displays and swim events held in Coast Guard Sector Northern New England Captain of the Port Zone.

* * * * *

TABLE TO § 165.171

5.0	MAY
5.1 Ride into Summer	• Event Type: Fireworks Display. • Sponsor: Gardiner Maine Street. • Date: One night event between the 15th of May and the 15th of June.* • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position: 44°13′52″ N, 069°46′08″ W (NAD 83).
6.0	JUNE
6.1 Rotary Waterfront Days Fireworks	• Event Type: Fireworks Display. • Sponsor: Gardiner Rotary. • Date: Two night event on a Wednesday and Saturday in June.* • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position: 44°13′52″ N, 069°46′08″ W (NAD 83).
6.2 LaKermesse Fireworks	• Event Type: Fireworks Display. • Sponsor: Ray Gagne. • Date: One night event in June.* • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: Biddeford, Maine in approximate position: 43°29′37″ N, 070°26′47″ W (NAD 83).

TABLE TO § 165.171—Continued

6.3 Windjammer Days Fireworks	• Event Type: Fireworks Display. • Sponsor: Boothbay Harbor Region Chamber of Commerce • Date: One night event in June.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position: 43°50′38″ N, 069°37′57″ W (NAD 83).
7.0	JULY
7.1 Vinalhaven 4th of July Fireworks	• Event Type: Firework Display. • Sponsor: Vinalhaven 4th of July Committee. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Grime's Park, Vinalhaven, Maine in approximate position: 44°02′34″ N, 068°50′26″ W (NAD 83).
7.2 Burlington Independence Day Fireworks	• Event Type: Firework Display. • Sponsor: City of Burlington, Vermont. • Date: One night event in July.* • Time (Approximate): 9:00 p.m. to 11:00 p.m. • Location: From a barge in the vicinity of Burlington Harbor, Burlington, Vermont in approximate position: 44°28′31″ N, 073°13′31″ W (NAD 83).
7.3 Camden 3rd of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Camden, Rockport, Lincolnville Chamber of Commerce. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of Camden Harbor, Maine in approximate position: 44°12′32″ N, 069°02′58″ W (NAD 83).
7.4 Bangor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Bangor 4th of July Fireworks. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Bangor Waterfront, Bangor, Maine in approximate position: 44°47′27″ N, 068°46′31″ W (NAD 83).
7.5 Bar Harbor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Bar Harbor Chamber of Commerce. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Bar Harbor Town Pier, Bar Harbor, Maine in approximate position: 44°23′31″ N, 068°12′15″ W (NAD 83).
7.6 Boothbay Harbor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Boothbay Harbor. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position: 43°50′38″ N, 069°37′57″ W (NAD 83).
7.7 Colchester 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Colchester, Recreation Department. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of Bayside Beach and Mallets Bay in Colchester, Vermont in approximate position: 44°32′44″ N, 073°13′10″ W (NAD 83).
7.8 Eastport 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Eastport 4th of July Committee. • Date: One night event in July.* • Time (Approximate): 9:00 p.m. to 9:30 p.m. • Location: From the Waterfront Public Pier in Eastport, Maine in approximate position: 44°54′25″ N, 066°58′55″ W (NAD 83).
7.9 Ellis Short Sand Park Trustee Fireworks	• Event Type: Fireworks Display.

TABLE TO § 165.171—Continued

	• Sponsor: William Burnham. • Date: One night event in July.* • Time (Approximate): 8:30 p.m. to 11:00 p.m. • Location: In the vicinity of York Beach, Maine in approximate position: 43°10′27″ N, 070°36′26″ W (NAD 83).
7.10 Hampton Beach 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Hampton Beach Village District. • Date: One night event in July.* • Time (Approximate): 8:30 p.m. to 11:00 p.m. • Location: In the vicinity of Hampton Beach, New Hampshire in approximate position: 42°54′40″ N, 070°36′25″ W (NAD 83).
7.11 Jonesport 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Jonesport 4th of July Committee. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Beals Island, Jonesport, Maine in approximate position: 44°31′18″ N, 067°36′43″ W (NAD 83).
7.12 Lubec Bicentennial Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Lubec, Maine. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Lubec Public Boat Launch in approximate position: 44°51′52″ N, 066°59′06″ W (NAD 83).
7.13 Main Street Heritage Days 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Main Street Inc. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Reed and Reed Boat Yard, Woolwich, Maine in approximate position: 43°54′56″ N, 069°48′16″ W (NAD 83).
7.14 Portland Harbor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Department of Parks and Recreation, Portland, Maine. • Date: One night event in July.* • Time (Approximate): 8:30 p.m. to 10:30 p.m. • Location: In the vicinity of East End Beach, Portland, Maine in approximate position: 43°40′16″ N, 070°14′44″ W (NAD 83).
7.15 St. Albans Day Fireworks	• Event Type: Fireworks Display. • Sponsor: St. Albans Area Chamber of Commerce. • Date: One night event in July.* • Time (Approximate): 9:00 p.m. to 10:00 p.m. • Location: From the St. Albans Bay dock in St. Albans Bay, Vermont in approximate position: 44°48′25″ N, 073°08′23″ W (NAD 83).
7.16 Stonington 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Deer Isle—Stonington Chamber of Commerce. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Two Bush Island, Stonington, Maine in approximate position: 44°08′57″ N, 068°39′54″ W (NAD 83).
7.17 Southwest Harbor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Sharon Gilley. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: Southwest Harbor, Maine in approximate position: 44°16′25″ N, 068°19′21″ W (NAD 83).
7.18 Prentice Hospitality Group Fireworks	• Event Type: Fireworks Display. • Sponsor: Prentice Hospitality Group. • Date: One night event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: Chebeague Island, Maine in approximate position:

TABLE TO § 165.171—Continued

	43°45′12″ N, 070°06′27″ W (NAD 83).
7.19 Shelburne Triathlons	• Event Type: Swim Event. • Sponsor: Race Vermont. • Date: Up to three Saturdays throughout July and August.* • Time (Approximate): 7:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters of Lake Champlain in the vicinity of Shelburne Beach in Shelburne, Vermont within a 400 yard radius of the following point (NAD 83): 44°21′45″ N, 075°15′58″ W.
7.20 St. George Days Fireworks	• Event Type: Fireworks. • Sponsor: Town of St. George. • Date: One night event in July.* • Time (Approximate): 8:30 p.m. to 10:30 p.m. • Location: The regulated area includes all waters of Inner Tenants Harbor, ME, in approximate position (NAD 83): 43°57′41.37″ N, 069°12′45″ W.
7.21 Tri for a Cure Swim Clinics and Triathlon	• Event Type: Swim Event. • Sponsor: Maine Cancer Foundation. • Date: A multi-day event held throughout July.* • Time (Approximate): 8:30 a.m. to 11:30 a.m. • Location: The regulated area includes all waters of Portland Harbor, Maine in the vicinity of Spring Point Light within the following points (NAD 83): 43°39′01″ N, 070°13′32″ W. 43°39′07″ N, 070°13′29″ W. 43°39′06″ N, 070°13′41″ W. 43°39′01″ N, 070°13′36″ W.
7.22 Richmond Days Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Richmond, Maine. • Date: A one day event in July.* • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: From a barge in the vicinity of the inner harbor, Tenants Harbor, Maine in approximate position: 44°08′42″ N, 068°27′06″ W (NAD83).
7.23 Colchester Triathlon	• Event Type: Swim Event. • Sponsor: Colchester Parks and Recreation Department. • Date: A one day event in July.* • Time (Approximate): 7:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters of Malletts Bay on Lake Champlain, Vermont within the following points (NAD 83): 44°32′18″ N, 073°12′35″ W. 44°32′28″ N, 073°12′56″ W. 44°32′57″ N, 073°12′38″ W.
7.24 Peaks to Portland Swim	• Event Type: Swim Event. • Sponsor: Cumberland County YMCA. • Date: A one day event in July.* • Time (Approximate): 5:00 a.m. to 1:00 p.m. • Location: The regulated area includes all waters of Portland Harbor between Peaks Island and East End Beach in Portland, Maine within the following points (NAD 83): 43°39′20″ N, 070°11′58″ W. 43°39′45″ N, 070°13′19″ W. 43°40′11″ N, 070°14′13″ W. 43°40′08″ N, 070°14′29″ W. 43°40′00″ N, 070°14′23″ W. 43°39′34″ N, 070°13′31″ W. 43°39′13″ N, 070°11′59″ W.
7.25 Friendship Days Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Friendship. • Date: A one day event in July.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Town Pier, Friendship Harbor, Maine in approximate position: 43°58′23″ N, 069°20′12″ W (NAD83).
7.26 Bucksport Festival and Fireworks	• Event Type: Fireworks Display. • Sponsor: Bucksport Bay Area Chamber of Commerce. • Date: A one day event in July.*

TABLE TO § 165.171—Continued

	• Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Verona Island Boat Ramp, Verona, Maine, in approximate position: 44°34′9″ N, 068°47′28″ W (NAD83).
7.27 Nubble Light Swim Challenge	• Event Type: Swim Event. • Sponsor: Nubble Light Challenge. • Date: A one day event in July.* • Time (Approximate): 9:00 a.m. to 12:30 p.m. • Location: The regulated area includes all waters around Cape Neddick, Maine and within the following coordinates: 43°10′28″ N, 070°36′26″ W. 43°10′34″ N, 070°36′06″ W. 43°10′30″ N, 070°35′45″ W. 43°10′17″ N, 070°35′24″ W. 43°09′54″ N, 070°35′18″ W. 43°09′42″ N, 070°35′37″ W. 43°09′51″ N, 070°37′05″ W.
7.28 Paul Coulombe Anniversary Fireworks	• Event Type: Fireworks Display. • Sponsor: Paul Coulombe • Date: A one day event in July.* • Time: 8:00 p.m. to 11:30 p.m. • Location: Pratt Island, Southport, Maine, in approximate position: 43°48′44″ N, 069°41′11″ W (NAD83).
8.0	AUGUST
8.1 Sprucewold Cabbage Island Swim	• Event Type: Swim Event. • Sponsor: Sprucewold Association. • Date: A one day event in August.* • Time (Approximate): 1:00 p.m. to 6:00 p.m. • Location: The regulated area includes all waters of Linekin Bay between Cabbage Island and Sprucewold Beach in Boothbay Harbor, Maine within the following points (NAD 83): 43°50′37″ N, 069°36′23″ W. 43°50′37″ N, 069°36′59″ W. 43°50′16″ N, 069°36′46″ W. 43°50′22″ N, 069°36′21″ W.
8.2 Westerlund's Landing Party Fireworks	• Event Type: Fireworks Display. • Sponsor: Portside Marina. • Date: A one day event in August.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Westerlund's Landing in South Gardiner, Maine in approximate position: 44°10′19″ N, 069°45′24″ W (NAD 83).
8.3 Y-Tri Triathlon	• Event Type: Swim Event. • Sponsor: Plattsburgh YMCA. • Date: A one day event in August.* • Time (Approximate): 9:00 a.m. to 10:00 a.m. • Location: The regulated area includes all waters of Treadwell Bay on Lake Champlain in the vicinity of Point Au Roche State Park, Plattsburgh, New York within the following points (NAD 83): 44°46′30″ N, 073°23′26″ W. 44°46′17″ N, 073°23′26″ W. 44°46′17″ N, 073°23′46″ W. 44°46′29″ N, 073°23′46″ W.
8.4 York Beach Fire Department Fireworks	• Event Type: Fireworks Display. • Sponsor: York Beach Fire Department. • Date: A one day event in August.* • Time (Approximate): 8:30 p.m. to 11:30 p.m. • Location: In the vicinity of Short Sand Cove in York, Maine in approximate position: 43°10′27″ N, 070°36′25″ W (NAD 83).
8.5 Rockland Breakwater Swim	• Event Type: Swim Event. • Sponsor: Pen-Bay Masters. • Date: A one day event in August.* • Time (Approximate): 7:30 a.m. to 1:30 p.m. • Location: The regulated area includes all waters of Rockland Harbor, Maine in the vicinity of Jameson Point within the following points (NAD 83):

TABLE TO § 165.171—Continued

	44°06′16″ N, 069°04′39″ W. 44°06′13″ N, 069°04′36″ W. 44°06′12″ N, 069°04′43″ W. 44°06′17″ N, 069°04′44″ W. 44°06′18″ N, 069°04′40″ W.
8.6 Tri for Preservation	• Event Type: Swim Event. • Sponsor: Tri-Maine Productions. • Date: A one day event in August.* • Time (Approximate): 7:30 a.m. to 9:00 a.m. • Location: In the vicinity of Crescent Beach State Park in Cape Elizabeth, Maine in approximate position: 43°33′46″ N, 070°13′48″ W. 43°33′41″ N, 070°13′46″ W. 43°33′44″ N, 070°13′40″ W. 43°33′47″ N, 070°13′46″ W.
8.7 North Hero Air Show	• Event Type: Air Show. • Sponsor: North Hero Fire Department. • Date: A one day event in August.* • Time (Approximate): 10:00 a.m. to 5:00 p.m. • Location: In the vicinity of Shore Acres Dock, North Hero, Vermont in approximate position: 44°48′24″ N, 073°17′02″ W. 44°48′22″ N, 073°16′46″ W. 44°47′53″ N, 073°16′54″ W. 44°47′54″ N, 073°17′09″ W.
8.8 Islesboro Crossing Swim	• Event Type: Swim Event. • Sponsor: Lifeflight Foundation. • Date: A one day event in August.* • Time: (Approximate): 6:00 a.m. to 11:00 a.m. • Location: West Penobscot Bay from Ducktrap Beach, Lincolnville, Maine to Grindel Point, Islesboro, Maine, in approximate position: 44°17′44″ N, 069°00′11″ W. 44°16′58″ N, 068°56′35″ W.
9.0	SEPTEMBER
9.1 Windjammer Weekend Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Camden, Maine. • Date: A one night event in September.* • Time (Approximate): 8:00 p.m. to 9:30 p.m. • Location: From a barge in the vicinity of Northeast Point, Camden Harbor, Maine in approximate position: 44°12′10″ N, 069°03′11″ W (NAD 83).
9.2 Eastport Pirate Festival Fireworks	• Event Type: Fireworks Display. • Sponsor: Eastport Pirate Festival. • Date: A one night event in September.* • Time (Approximate): 7:00 p.m. to 10:00 p.m. • Location: From the Waterfront Public Pier in Eastport, Maine in approximate position: 44°54′17″ N, 066°58′58″ W (NAD 83).
9.3 The Lobsterman Triathlon	• Event Type: Swim Event. • Sponsor: Tri-Maine Productions. • Date: A one day event in September.* • Time (Approximate): 8:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters in the vicinity of Winslow Park in South Freeport, Maine within the following points (NAD 83): 43°47′59″ N, 070°06′56″ W. 43°47′44″ N, 070°06′56″ W. 43°47′44″ N, 070°07′27″ W. 43°47′57″ N, 070°07′27″ W.
9.4 Eliot Festival Day Fireworks	• Event Type: Fireworks Display. • Sponsor: Eliot Festival Day Committee. • Date: A one night event in September.* • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Eliot Town Boat Launch, Eliot, Maine in approximate position: 43°08′56″ N, 070°49′52″ W (NAD 83).

TABLE TO § 165.171—Continued

9.5 Lake Champlain Swimming Race	• Event Type: Swim Event. • Sponsor: Christopher Lizzaraque. • Date: A one day event in September. • Time (Approximate): 9:00 a.m. to 3 p.m. • Location: Essex Beggs Point Park, Essex, New York, to Charlotte Beach, Charlotte, Vermont. 44°18′32″ N, 073°20′52″ W. 44°20′03″ N, 073°16′53″ W.

* Date subject to change. Exact date will be posted in Notice of Enforcement and Local Notice to Mariners.

Dated: April 22, 2015.

J.P. Humpage,

Commander, U.S. Coast Guard, Acting Captain of the Port, Sector Northern New England.

[FR Doc. 2015–11460 Filed 5–11–15; 8:45 a.m.]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2015–0361]

Drawbridge Operation Regulation; Charenton Canal, Baldwin, LA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulations.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Burlington Northern Santa Fe (BNSF) Railway Company swing span bridge across Charenton Canal, mile 0.4, at Baldwin, St. Mary Parish, Louisiana. The deviation is necessary to complete scheduled repairs for the continued safe operation of the bridge. This deviation will allow the bridge to remain in the closed-to-navigation position for six consecutive hours.

DATES: This deviation is effective from 7 a.m. through 1 p.m. on Thursday, May 21, 2015.

ADDRESSES: Documents mentioned in this preamble are part of docket [USCG–2015–0361]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number (USCG–2015–0361) in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Geri Robinson, Bridge Administration Branch, Coast Guard; telephone 504–671–2128, email *d8dpball@uscg.mil.* If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The BNSF Railway Company has requested a temporary deviation from the operating schedule of the swing span railroad bridge across the Charenton Canal, mile 0.4, at Baldwin, St. Mary Parish, Louisiana. The bridge provides 10 feet of vertical clearance in the closed-to-navigation position. Due to the type of equipment being used and safety concerns, vessels will not be allowed to pass under the bridge while in the closed-to-navigation position. However, the bridge will be able to open in the event of an emergency.

Navigation on the waterway consists of tugs with tows, fishing vessels, and recreational craft including sailboats and powerboats. An alternate route is available for mariners through the Berwick Locks. The alternate waterway route takes about 45 minutes to transit. Due to prior experience, as well as coordination with waterway users, and the alternate route through Berwick Locks, it has been determined that this closure will not have a significant effect on these vessels.

In accordance with 33 CFR 117.5, the bridge currently opens on signal for the passage of vessels. This deviation allows the swing span of the bridge to remain in the closed-to-navigation position from 7 a.m. through 1 p.m. on Thursday, May 21, 2015.

The closure is necessary to weld four joints and install insulated joints on the bridge. Notices will be published in the Eighth Coast Guard District Local Notice to Mariners and will be broadcast via the Coast Guard Broadcast Notice to Mariners System.

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

Dated: May 7, 2015.

David M. Frank,

Bridge Administrator, Eighth Coast Guard District.

[FR Doc. 2015–11438 Filed 5–11–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2015–0384]

Drawbridge Operation Regulation; Willamette River, Portland, OR.

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the upper deck of the Steel Bridge across the Willamette River, mile 12.1, at Portland, OR. The deviation is necessary to accommodate the route of the annual Starlight Parade event, which crosses the Steel Bridge. This deviation allows the upper deck of the Steel Bridge to remain in the closed-to-navigation position and need not open for marine traffic during the specified time.

DATES: This deviation is effective from 7 p.m. to 11:30 p.m. on May 30, 2015.

ADDRESSES: The docket for this deviation, [USCG–2015–0384] is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m.,

Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Steven Fischer, Bridge Administrator, Thirteenth Coast Guard District; telephone 206–220–7282, email *d13-pf-d13bridges@uscg.mil.* If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: TriMet Public Transit has requested that the upper deck of the Steel Bridge remain closed-to-navigation to accommodate the annual Starlight Parade event. The Steel Bridge crosses the Willamette River at mile 12.1 and is a double-deck lift bridge with a lower lift deck and an upper lift deck which operate independent of each other. When both decks are in the down position the bridge provides 26 feet of vertical clearance above Columbia River Datum 0.0. When the lower deck is in the up position the bridge provides 71 feet of vertical clearance above Columbia River Datum 0.0. This deviation does not affect the operating schedule of the lower deck which opens on signal. Under normal conditions the upper deck of the Steel Bridge operates in accordance with 33 CFR 117.897(c)(3)(ii) which states that from 8 a.m. to 5 p.m. Monday through Friday one hour advance notice shall be given for draw openings, and at all other times two hours advance notice shall be given to obtain an opening. This deviation period is from 7 p.m. to 11:30 p.m. on May 30, 2015. The deviation allows the upper deck of the Steel Bridge across the Willamette River, mile 12.1, to remain in the closed-to-navigation position and need not open for maritime traffic from 7 p.m. to 11:30 p.m. on May 30, 2015. During the deviation period, the bridge will remained closed to accommodate the route of the annual Starlight Parade event.

Waterway usage on this part of the Willamette River includes vessels ranging from commercial tug and barge to small pleasure craft. Vessels able to pass through the bridge in the closed positions may do so at anytime. The bridge will be able to open for emergencies and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

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

Dated: May 4, 2015.

Steven M. Fischer,

Bridge Administrator, Thirteenth Coast Guard District.

[FR Doc. 2015–11349 Filed 5–11–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2015–0284]

RIN 1625–AA00

Safety Zone; Monongahela River Mile 68.0–68.8; Rices Landing, PA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the Monongahela River mile 68.0 to mile 68.8. This safety zone is needed to protect vessels transiting the area and event spectators from the hazards associated with the Rices Landing Riverfest Fireworks Display. Entry into this zone is prohibited unless specifically authorized by the Captain of the Port Pittsburgh or a designated representative.

DATES: This rule is effective from 9:15 p.m. until 10:30 p.m. on June 12, 2015 and June 13, 2015.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2015–0284. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Jennifer Haggins, Marine Safety Unit Pittsburgh, U.S. Coast Guard, at telephone 412–221–0807, email *Jennifer.L.Haggins@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl F. Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR **Federal Register**
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not using the NPRM process. The Coast Guard received notice on April 7, 2015 that this display would take place. After full review of the event information and location, the Coast Guard determined that a safety zone is necessary. Delaying this rule by completing the full NPRM process would unnecessarily delay the safety zone and be contrary to public interest because the safety zone is needed to protect transiting vessels, spectators, and the personnel involved in the display from the hazards associated with fireworks displays taking place near and over the waterway. The fireworks display has been advertised and the local community has prepared for the event. Completing the full NPRM process could also unnecessarily delay the planned event and possibly interfere with contractual obligations.

For the same reasons, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying this rule by providing a full 30 days notice would be contrary to public interest because immediate action is needed to protect persons and property in the area during the land-based fireworks display.

B. Basis and Purpose

On June 12, 2015 and June 13, 2015, as a part of the Rices Landing Riverfest Fireworks Display, the Rices Landing Volunteer Fire Department will sponsor a land-based fireworks display. The display will take place in the vicinity of Old Lock 6 on the Monongahela River at mile 68.3. This event presents safety

hazards for spectators and vessels navigating in the area, and therefore a safety zone is needed to protect persons and property from the hazards associated with a fireworks display near and over the waterway.

The legal basis and authorities for this rule are found in 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1; 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish and define regulatory safety zones.

C. Discussion of Comments, Changes and the Final Rule

The Coast Guard is establishing a safety zone for all waters of the Monongahela River, from mile 68.0 to mile 68.8, extending the entire width of the river. Entry into this zone is prohibited to all vessels and persons except persons and vessels specifically authorized by the Captain of the Port Pittsburgh. This rule is effective on June 12, 2015 and June 13, 2015 and will be enforced from 9:15 p.m. until 10:30 p.m.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes or executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. It is not ''significant'' under the regulatory policies and procedures of the Department of Homeland Security (DHS). This rule is limited in scope and will be in effect for a limited time period. Notifications to the marine community will be made through local notice to mariners and broadcast notice to mariners. Deviation from the rule may be requested and will be considered on a case-by-case basis by the Captain of the Port or a designated representative. The impacts on routine navigation are expected to be minimal.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit the Monongahela River, mile 68.0 to 68.8 from 9:15 p.m. until 10:30 p.m. on June 12, 2015 and June 13, 2015. This safety zone will not have a significant economic impact on a substantial number of small entities because this rule is limited in scope and will be in effect for a limited time period notifications to the marine community will be made through local notice to mariners and broadcast notice to mariners. Deviation from the rule may be requested and will be considered on a case-by-case basis by the Captain of the Port or a designated representative.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

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

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

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

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and

responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule establishes a safety zone for waters of the Monongahela River, from mile 68.0 to 68.8. This rule is categorically excluded from further review under paragraph 34(g) of figure 2–1 of the Commandant Instruction an environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1; 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 2. Temporary § 165.T08–0284 is added to read as follows:

§ 165.T08–0284 Safety Zone, Monongahela River, Pittsburgh, PA.

(a) *Location.* The following area is a safety zone: All waters of the Monongahela River, mile 68.0 to 68.8, extending the entire width of the waterway.

(b) *Effective date.* This rule is effective, and will be enforced, from 9:15 p.m. until 10:30 p.m. on June 12, 2015 and June 13, 2015.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Pittsburgh or a designated representative.

(2) Persons or vessels requiring entry into or passage through the zone must request permission from the Captain of the Port Pittsburgh or a designated representative. The Captain of the Pittsburgh representative may be contacted at 412–221–0807.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port Pittsburgh or their designated representative. Designated Captain of the Port representatives include United States Coast Guard commissioned, warrant, and petty officers.

(d) *Information broadcasts.* The Captain of the Port Pittsburgh or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone as well as any changes in the planned schedule.

Dated: April 27, 2015.

L.N. Weaver,

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

[FR Doc. 2015–11442 Filed 5–11–15; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2014–0744; FRL–9927–45–Region 10]

Approval and Promulgation of Implementation Plans; Washington: Infrastructure Requirements for the Fine Particulate Matter National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is partially approving and partially disapproving the State Implementation Plan (SIP) submittal from Washington demonstrating that the SIP meets the infrastructure requirements of the Clean Air Act (CAA) for the National Ambient Air Quality Standards (NAAQS) promulgated for fine particulate matter ($PM_{2.5}$) on July 18, 1997, October 17, 2006, and December 14, 2012 (collectively, the $PM_{2.5}$ NAAQS). The CAA requires that each state, after a new or revised NAAQS is promulgated, review its SIP to ensure that it meets the infrastructure requirements necessary to implement the new or revised NAAQS. On September 22, 2014, Washington made a SIP submission to establish that the Washington SIP meets the infrastructure requirements of the CAA for the $PM_{2.5}$ NAAQS, except for certain elements related to the Prevention of Significant Deterioration (PSD) permitting program currently addressed under a Federal Implementation Plan (FIP), certain elements of the regional haze program currently addressed under a FIP, and specific requirements related to interstate transport which the State will address in a separate submittal. The EPA has determined that Washington's SIP is adequate for purposes of the infrastructure SIP requirements of the CAA for the $PM_{2.5}$ NAAQS, with the exceptions noted above. The SIP deficiencies related to PSD permitting and regional haze, however, have already been adequately addressed by the existing EPA FIPs and, therefore, no further action is required by Washington or the EPA for those elements. The EPA will address the remaining interstate transport requirements in a separate action.

DATES: This final rule is effective June 11, 2015.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R10–OAR–2014–0744. 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, *e.g.,* Confidential Business Information (CBI) or other information the disclosure of which 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 Programs Unit, Office of Air Waste and Toxics, EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101. The EPA requests that if at all possible, you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the hard copy of the docket. You

may view the hard copy of the docket Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: For information please contact Jeff Hunt at (206) 553–0256, *hunt.jeff@epa.gov,* or by using the above EPA, Region 10 address.

SUPPLEMENTARY INFORMATION:

Definitions

For the purpose of this document, we are giving meaning to certain words or initials as follows:

(i) The words or initials ''Act'' or ''CAA'' mean or refer to the Clean Air Act, unless the context indicates otherwise.

(ii) The words ''EPA'', ''we'', ''us'' or ''our'' mean or refer to the United States Environmental Protection Agency.

(iii) The initials ''SIP'' mean or refer to State Implementation Plan.

(iv) The words ''Washington'' and ''State'' mean the State of Washington.

Table of Contents

I. Background Information
II. Response to Comments
III. Final Action
IV. Incorporation by Reference
V. Statutory and Executive Orders Review

I. Background Information

On July 18, 1997, the EPA promulgated a new 24-hour and a new annual NAAQS for $PM_{2.5}$ (62 FR 38652). On October 17, 2006, the EPA revised the standards for $PM_{2.5}$, tightening the 24-hour $PM_{2.5}$ standard from 65 micrograms per cubic meter (μ/m³) to 35 μ/m³, and retaining the annual $PM_{2.5}$ standard at 15 μ/m³ (71 FR 61144). Subsequently, on December 14, 2012, the EPA revised the level of the health based (primary) annual $PM_{2.5}$ standard to 12 μ/m³ (78 FR 3086, published January 15, 2013).[1]

States must make SIP submissions meeting the requirements of CAA sections 110(a)(1) and (2) within three years after promulgation of a new or revised standard. CAA sections 110(a)(1) and (2) require states to address basic SIP requirements, including emissions inventories, monitoring, and modeling to implement, maintain, and enforce the standards, so-called ''infrastructure'' requirements. To help states meet this statutory requirement, the EPA issued guidance to states. On October 2, 2007, the EPA issued guidance to address infrastructure SIP elements for the 1997 ozone and 1997 $PM_{2.5}$ NAAQS.[2] Subsequently, on September 25, 2009, the EPA issued guidance to address SIP infrastructure elements for the 2006 24-hour $PM_{2.5}$ NAAQS.[3] Finally, on September 13, 2013, the EPA issued guidance to address infrastructure SIP elements generally for all NAAQS, including the 2012 $PM_{2.5}$ NAAQS.[4] As noted in the guidance documents, to the extent an existing SIP already meets the applicable CAA section 110(a)(2) requirements, states may make a SIP submission to EPA certifying how the existing SIP meets applicable requirements. On September 22, 2014, Washington made a submittal to the EPA certifying that the current Washington SIP meets the CAA section 110(a)(1) and (2) infrastructure requirements for the $PM_{2.5}$ NAAQS, except for certain requirements related to PSD permitting, regional haze, and interstate transport described in the proposal for this action (79 FR 62368, October 17, 2014).[5]

II. Response to Comments

The EPA received two sets of comments on our proposal.

Commenter #1: The commenter raised several issues related to wood smoke. First, the commenter thanked the EPA for our involvement in addressing wood smoke health risks in Washington State. Second, the commenter expressed disappointment with the Washington State Legislature for not taking seriously the toxicity and multiple health hazards of wood smoke. Third, the commenter requested that the EPA establish filtration controls on wood smoke emissions from restaurants and food trucks, such as pizza and barbeque establishments. Fourth, the commenter noted several apartment buildings in the Seattle area that have uncertified wood burning devices and requested a date for removal or upgrade of the existing devices.

Response #1: The EPA appreciates the commenter's general concerns with respect to wood smoke. However, the commenter raises issues that are outside the scope of an action related to infrastructure SIP requirements. In this context, the EPA is merely evaluating the State's September 22, 2014, submission intended to establish that the Washington SIP meets the basic infrastructure requirements of the CAA for the $PM_{2.5}$ NAAQS. In this final action, the EPA is determining that the State has met those requirements, except for certain elements related to the PSD and regional haze FIPs, and specific requirements related to interstate transport which the state will address in a separate submission. The points raised, and requests made, by the commenter are thus not germane to this specific rulemaking action.

The EPA notes that there have been improvements related to wood smoke in Washington through other substantive actions. The EPA's involvement in addressing wood smoke health risks in SIP provisions is driven by our CAA statutory authorities and responsibilities. Under CAA section 109, the EPA sets NAAQS for six criteria pollutants, including particulate matter. These NAAQS are set using the best available scientific and health studies, with a focus on protecting sensitive populations such as asthmatics, children, and the elderly (78 FR 3086, January 15, 2013). Under part D of the CAA, *Plan Requirements for Nonattainment Areas,* the states have an obligation to develop and submit SIP provisions that provide for attainment and maintenance of the NAAQS in designated nonattainment areas. The EPA has the authority and responsibility to review this type of SIP submission to assure that they meet applicable statutory and regulatory requirements. Through this process, the EPA recently worked with the Washington Department of Ecology (Ecology) and Puget Sound Clean Air Agency (PSCAA) to address $PM_{2.5}$ nonattainment in the Tacoma area (74 FR 58688, November 13, 2009). This resulted in more stringent statutory and regulatory provisions related to residential wood stoves at both the local level (78 FR 32131, May 29, 2013) and the state level (79 FR 26628, May 9, 2014). Currently

[1] In the EPA's 2012 $PM_{2.5}$ NAAQS revision, we left unchanged the existing welfare (secondary) standards for $PM_{2.5}$ to address PM-related effects such as visibility impairment, ecological effects, damage to materials and climate impacts. This includes an annual secondary standard of 15.0 μg/m³ and a 24-hour standard of 35 μg/m³.

[2] William T. Harnett, Director, Air Quality Policy Division, Office of Air Quality Planning and Standards. ''Guidance on SIP Elements Required Under Sections 110(a)(1) and (2) for the 1997 8-hour Ozone and $PM_{2.5}$ National Ambient Air Quality Standards.'' Memorandum to EPA Air Division Directors, Regions I–X, October 2, 2007.

[3] William T. Harnett, Director, Air Quality Policy Division, Office of Air Quality Planning and Standards. ''Guidance on SIP Elements Required Under Sections 110(a)(1) and (2) for the 2006 24-hour Fine Particle ($PM_{2.5}$) National Ambient Air Quality Standards (NAAQS).'' Memorandum to Regional Air Division Directors, Regions I–X, September 25, 2009.

[4] Stephen D. Page, Director, Office of Air Quality Planning and Standards. ''Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2).'' Memorandum to EPA Air Division Directors, Regions 1–10, September 13, 2013.

[5] Following the EPA's October 17, 2014 proposed action the CAA section 110(a)(1) and (2) infrastructure requirements for the $PM_{2.5}$ NAAQS, the EPA subsequently proposed to partially approve Washington's PSD permitting program while retaining a FIP for certain facilities, emission categories, and geographic areas (80 FR 838, January 7, 2015). The EPA's action on Washington's PSD SIP submission does not affect the findings of this final infrastructure action because a FIP or partial FIP for PSD continues to remain in place.

all areas in Washington State are meeting the NAAQS, including the Tacoma area (77 FR 53772, September 4, 2012).

The commenter also requested EPA intervention in regulating wood smoke emissions from restaurants and food trucks, such as pizza and barbeque retail establishments. Currently the EPA has not promulgated Federal emission limitations or control technologies specific to food preparation at restaurants and other retail food establishments; nor is the EPA seeking comment on this issue at this time. If necessary for purposes of attainment and maintenance of the NAAQS, it may be necessary for states to control emissions from such sources in SIP provisions. However, the EPA would typically expect such actions to occur in the context of the nonattainment plan requirements of CAA sections 172 and 189 rather than the general infrastructure provisions of CAA section 110. Given that all areas in Washington State are currently attaining the $PM_{2.5}$ NAAQS, however, there appears to be no need for such regulations for these sources at this time. To the extent that particulate matter emissions from retail food establishments could trigger air permitting obligations, these would be addressed under the EPA's requirements for state minor source permitting programs under 40 CFR 51.160 through 51.164 (larger commercial or industrial food preparation facilities could be subject to other air permitting requirements). The EPA's minor source permitting requirements generally give states and local authorities discretion to regulate sources in ways that most effectively address pollution problems in that area. In the case of PSCAA, with jurisdiction in the Seattle area, the EPA approved minor source permitting rules that exclude ''restaurants and other retail food-preparing establishments'' under PSCAA Regulation I—section 6.03(b)(13).[6] To the extent that restaurants and food trucks may violate other regulatory provisions of the SIP, such as the EPA-approved opacity limits of PSCAA Regulation I—section 9.03, the EPA provides a citizen hotline for possible Federal oversight and enforcement.[7]

Lastly, the commenter alleged that nearby Seattle apartment buildings are using uncertified wood burning devices and requested that a date be set for removal or upgrade of the devices. This comment is also one that falls outside of the scope of the current action, where the EPA is finalizing its determination that Washington's SIP satisfies the infrastructure requirements of CAA section 110(a)(2) (A), (B), (C)—except for those elements covered by the PSD FIP, (D)(i)(II) (prong 4)—except for those elements covered by the regional haze FIP, (D)(ii)—except for those elements covered by the PSD FIP, (E), (F), (G), (H), (J)—except for those elements covered by the PSD FIP, (K), (L), and (M). Additionally, Federal action is being taken separately to address emissions from wood burning stoves. On March 16, 2015, the EPA finalized updated Federal standards for residential wood burning devices.[8] The EPA's final rulemaking explicitly stated that it would not ban the use of uncertified devices that are already in existing homes. In this respect, Washington's statutes and regulations are already more stringent than the Federal requirements. Under Washington Administrative Code (WAC) 173–433–155 *Criteria for Prohibiting Solid Fuel Burning Devices that are not Certified,* Ecology or a local clean air agency may prohibit uncertified solid fuel burning devices in a nonattainment area or an area with an approved $PM_{2.5}$ maintenance plan, if certain criteria are met. Beginning in 2015, this provision will apply to the Tacoma $PM_{2.5}$ area as a maintenance plan requirement.[9] However the commenter's request to expand the ban on uncertified solid fuel devices in other geographic areas of the State is outside the scope of this current rulemaking action which is limited to the consideration of the adequacy of Washington's SIP submission with respect to the infrastructure requirements of the CAA.

Commenter #2: The commenter states that the EPA cannot approve Washington's infrastructure SIP submission with respect to CAA section 110(a)(2)(G) because the emergency episode plan (contingency plan) contained in WAC 173–435 does not specify a significant harm level or action levels for $PM_{2.5}$. The commenter also states that the sampling procedures, equipment, and methods contained in the contingency plan (WAC 173–435–070) were written with coarse particulate (PM_{10}) in mind and need to be updated to reflect $PM_{2.5}$. Lastly, the commenter notes that Washington's contingency plan provisions contain no significant harm level or updated sampling, monitoring, and equipment provisions for lead (Pb).

Response #2: The EPA's September 2013 infrastructure guidance (2013 guidance) makes recommendations to states for how to meet the two requirements of section 110(a)(2)(G): (the requirement to have state emergency episode authority comparable to CAA section 303, and the requirement to have an adequate contingency plan for the NAAQS at issue). With respect to the first requirement, the EPA recommended that ''[t]o meet Element G requirements, the best practice for an air agency submitting an infrastructure SIP would be to submit . . . the statutory or regulatory provision that provides the air agency or official with authority comparable to that of the EPA Administrator under section 303 . . . along with a narrative explanation of how they meet the requirements of this element.'' With respect to the second requirement, the EPA recommended that ''[t]he air agency is also required to submit, for approval into the SIP, an adequate contingency plan to implement the air agency's emergency episode authority. This can be met by submitting a contingency plan that meets the applicable requirements of 40 CFR part 51, subpart H (40 CFR 51.150 through 51.153) (''Prevention of Air Pollution Emergency Episodes'') for the relevant NAAQS if the NAAQS is covered by those regulations.''

The regulations at 40 CFR part 51, subpart H do not address $PM_{2.5}$ specifically and do not identify a significant harm level or priority classification levels for $PM_{2.5}$. However, the EPA has recommended to states, through the September 25, 2009 guidance, which remains in effect and is referenced in the 2013 guidance, that states only need to develop contingency plans for any area that has monitored and recorded 24-hour $PM_{2.5}$ levels greater than 140.4 ug/m^3 since 2006. The EPA has evaluated $PM_{2.5}$ regulatory monitoring data in the State of Washington since 2006 and we have confirmed that no values greater than 140.4 ug/m^3 have been recorded. Please see Monitoring Report in the docket for this action.[10] In the absence of a significant harm level and classification levels for $PM_{2.5}$ the 2013 guidance states, ''the EPA believes that the central

[6] *http://yosemite.epa.gov/r10/airpage.nsf/15f53e4f3ac23a8088256b6e00039415/df888e71a7de53a388257bef0077c3b8!OpenDocument.*

[7] *http://www2.epa.gov/enforcement/report-environmental-violations.*

[8] *Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces, and New Residential Masonry Heaters* (80 FR 13672, March 16, 2015).

[9] *Approval and Promulgation of Air Quality Implementation Plans; Washington; Redesignation to Attainment for the Tacoma-Pierce County Nonattainment Area and Approval of Associated Maintenance Plan for the 2006 24-Hour Fine Particulate Matter Standard* (80 FR 7347, February 10, 2015).

[10] 205_supporting materials_AMP 350MX 88101 WA 2006–13 14Nov14

components of a contingency plan would be to reduce emissions from the source(s) at issue (if necessary by curtailing operations of . . . $PM_{2.5}$ sources) and public communication as needed.'' We believe that, based on our guidance, Washington's general regulatory authority under WAC 173–435 and statutory authority under Revised Code of Washington (RCW) 70.94.710 through 70.94.730, which restrain any source from causing or contributing to an imminent and substantial endangerment, are comparable to CAA section 303. The adequacy of these authorities (including the sampling, equipment, and methods provision identified by the commenter) were evaluated as part of the proposed action, and we find that they are sufficient to meet the requirements of CAA section 110(a)(2)(G) for the $PM_{2.5}$ NAAQS.

We note that this action does not address CAA section 110(a)(2)(G) for the 2008 Pb NAAQS. Accordingly, the comment regarding Pb is outside the scope of this action. The EPA previously took final action to approve the Washington SIP for Pb infrastructure requirements on July 23, 2014 (79 FR 42683). In that action, we relied on the EPA's guidance that, with respect to lead, ''[i]f a state believes, based on its inventory of lead sources and historic ambient monitoring data, that it does not need a more specific contingency plan beyond having authority to restrain any source from causing or contributing to an imminent and substantial endangerment, then the state could provide such a detailed rationale in place of a specific contingency plan.'' [11] For Washington, there were no facilities that emitted lead at the emissions inventory thresholds, therefore the EPA accepted Washington's demonstration that there was not a need for more specific contingency planning beyond having general authority to restrain sources comparable to CAA section 303. The EPA made this final determination on July 23, 2014, and therefore the comment on this issue is not timely for consideration regarding the Washington Pb SIP, nor relevant to this action which is limited in scope to the $PM_{2.5}$ NAAQS. EPA is not reopening this issue by responding to this commenter concerning the Pb NAAQS, and is merely providing this response for informational purposes.

We are finalizing our approval of the Washington SIP for purposes of CAA section 110(a)(2)(G) for the 1997, 2006 and 2012 $PM_{2.5}$ NAAQS.

III. Final Action

The EPA is partially approving and partially disapproving the September 22, 2014, infrastructure SIP submittal from Washington demonstrating that the SIP meets the applicable requirements of CAA sections 110(a)(1) and (2) for the $PM_{2.5}$ NAAQS promulgated in 1997, 2006, and 2012. Specifically, we have determined that the current EPA-approved Washington SIP meets the following CAA section 110(a)(2) infrastructure elements for the 1997, 2006 and 2012 $PM_{2.5}$ NAAQS: (A), (B), (C)—except for those elements covered by the PSD FIP, (D)(i)(II) (prong 4)—except for those elements covered by the regional haze FIP, (D)(ii)—except for those elements covered by the PSD FIP, (E), (F), (G), (H), (J)—except for those elements covered by the PSD FIP, (K), (L), and (M). We are also finalizing our inclusion of WAC 173–400–111(3)(i) in the SIP with respect to the CAA section 110(a)(2)(L) permit fee requirements, as described in the proposal for this action. Also, as discussed in the proposal for this action, the EPA anticipates that there would be no additional consequences to Washington or to sources in the State resulting from the partial disapproval of portions of the infrastructure SIP submission because there are already PSD and regional haze FIPs in place to address those infrastructure SIP requirements. The EPA likewise anticipates no additional FIP responsibilities for PSD and regional haze as a result of this partial disapproval. Interstate transport requirements with respect to CAA section 110(a)(2)(D)(i)(I) for the 2006 and 2012 $PM_{2.5}$ NAAQS will be addressed in a separate action.

IV. Incorporation by Reference

As discussed in the proposal for this action, the State requested that the EPA revise our incorporation by reference of WAC 173–400–111(3)(i) in the SIP to include the text that ''[a]ll fees required under chapter 173–455 WAC (or the applicable new source review fee table of the local air pollution control authority) have been paid.'' This minor change to the incorporation by reference of the SIP was made to ensure that all infrastructure requirements under CAA section 110(a)(2)(L) are met. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the Washington Department of Ecology regulations contained in WAC 173–400–111. 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).

V. Statutory and Executive Orders Review

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve State choices, provided that they meet the criteria of the 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 Order 12866 (58 FR 51735, October 4, 1993);
- 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 this action does not involve technical standards; and
- does not provide the 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).

[11] Stephen D. Page, Director, Office of Air Quality Planning and Standards. ''Guidance on Infrastructure State Implementation Plan (SIP) Elements Required under Clean Air Act Sections 110(a)(1) and 110(a)(2) for the 2008 Lead (Pb) National Ambient Air Quality Standards (NAAQS)'' Memorandum to EPA Air Division Directors, Regions 1–10, October 14, 2011.

The SIP is not approved to apply on any Indian reservation land in Washington except as specifically noted below and is also not approved to apply in any other area where the 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. Washington's SIP is approved to apply on non-trust land within the exterior boundaries of the Puyallup Indian Reservation, also known as the 1873 Survey Area. Under the *Puyallup Tribe of Indians Settlement Act of 1989,* 25 U.S.C. 1773, Congress explicitly provided state and local agencies in Washington authority over activities on non-trust lands within the 1873 Survey Area. Consistent with EPA policy, the EPA provided a consultation opportunity to the Puyallup Tribe in a letter dated September 3, 2013. The EPA did not receive a request for consultation.

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

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 13, 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: April 28, 2015.

Dennis J. McLerran,

Regional Administrator, Region 10.

For the reasons set forth in the preamble, 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 WW—Washington

■ 2. Section 52.2470 is amended by:

■ a. In Table 2—Additional Regulations Approved for Washington Department of Ecology (Ecology) Direct Jurisdiction, revising paragraph (c) entry 173–400–111;

■ b. In Table 2—Attainment, Maintenance, and Other Plans for ''110(a)(2) Infrastructure Requirements—1997, 2006, and 2012 Fine Particulate Matter ($PM_{2.5}$) Standards'', adding to paragraph (e) an entry at the end of the section with the undesignated center heading ''110(a)(2) Infrastructure and Interstate Transport.''

The revision and addition read as follows:

§ 52.2470 Identification of plan.

* * * * *

(c) * * *

TABLE 2—ADDITIONAL REGULATIONS APPROVED FOR WASHINGTON DEPARTMENT OF ECOLOGY (ECOLOGY) DIRECT JURISDICTION

[Applicable in Adams, Asotin, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, San Juan, Stevens, Walla Walla, and Whitman counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation), and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. These regulations also apply statewide for facilities subject to the applicability sections of WAC 173–400–700, WAC 173–405–012, WAC 173–410–012, and WAC 173–415–012]

State citation	Title/subject	State effective date	EPA approval date	Explanations
*	*	*	*	*
Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources				
173–400–111	Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources.	12/29/12	5/12/15 [Insert **Federal Register** citation].	Except: 173–400–111(3)(h); The part of 173–400–111(8)(a)(v) that says, • ''and 173–460–040,''; 173–400–111(9).
*	*	*	*	*

* * * * * (e) * * *

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
*	* * * *	*	*	*
110(a)(2) Infrastructure and Interstate Transport				
*	* * * *	*	*	*
110(a)(2) Infrastructure Requirements—1997, 2006, and 2012 Fine Particulate Matter ($PM_{2.5}$) Standards.	Statewide	9/22/14	5/12/15 [Insert **Federal Register** citation].	This action addresses the following CAA elements: 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
*	* * * *	*	*	*

* * * * *

[FR Doc. 2015–11343 Filed 5–11–15; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[GN Docket No. 13–185; FCC 14–31]

Commercial Operations in the 1695–1710 MHz, 1755–1780 MHz, and 2155–2180 MHz Bands

AGENCY: Federal Communications Commission.

ACTION: Final rules; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission (Commission) announces the effective date to the amendment regarding Fixed and Mobile allocations for the 2025–2110 MHz band to the Federal Table of Frequency Allocations. This document is consistent with the Commission's Report and Order, Commercial Operations in the 1695–1710 MHz, 1755–1780 MHz, and 2155–2180 MHz Bands, stating that it would publish a document in the **Federal Register** announcing the effective date of this amendment.

DATES: The amendment to 47 CFR 2.106 published at 79 FR 32366, 32407 (Jun. 4, 2014) is effective May 12, 2015.

FOR FURTHER INFORMATION CONTACT: Ronald Repasi, Office of Engineering and Technology, at (202) 418–0768 or *Ronald.Repasi@fcc.gov* or Peter Daronco, Broadband Division, Wireless Telecommunications Bureau, at (202) 418–7235 or *Peter.Daronco@fcc.gov.*

SUPPLEMENTARY INFORMATION: In the Report and Order, FCC 14–31, 79 FR 32366 (Jun. 4, 2014) (correcting amendments at 79 FR 59138 (Oct. 1, 2014) the Commission adopted an amendment to 47 CFR 2.106 adding Fixed and Mobile allocations for the 2025–2110 MHz band to the Federal Table of Frequency Allocations. The FCC determined that this rule change would not take effect until the FCC announces the effective date in the **Federal Register**, which was dependent upon: (1) The auction for 1755–1780 MHz being able to close under the requirements of 47 U.S.C. 309(j)(16)(B) (Commission shall not conclude any auction of eligible frequencies if total cash proceeds attributable to such spectrum are less than 110 percent of the total estimated Federal relocation or sharing costs); and (2) satisfaction of a joint certification requirement in section 1062(b)(1)(B) of the National Defense Authorization Act for Fiscal Year 2000. *See* Report and Order, 79 FR 32366, 32295–96, 32403 paragraphs 209, 213, 257 (Jun. 4, 2014).

On January 30, 2015, the Commission announced the closing of the AWS–3 auction (Auction 97), noting that the net total winning bids for licenses in the paired 1755/2155–80 MHz band exceeded the reserve price for the band set to satisfy the statutory 110 percent provision noted above. *See* Auction of Advanced Wireless Service (AWS–3) Licenses Closes, Winning Bidders Announced for Auction 97, *Public Notice,* 30 FCC Rcd 630 (WTB 2015). On May 4, 2015, the National Telecommunications and Information Administration (NTIA) filed a letter enclosing copies of identical letters dated January 16, 2015, from the Secretary of Commerce, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to leaders of the Senate and House Committees on Armed Services; the Senate Committee on Commerce, Science, and Transportation; and the House Committee on Energy and Commerce, jointly certifying that the 2025–2110 MHz band and other alternative frequencies specified in the letters provide comparable technical characteristics to restore essential military capability that will be lost as a result of the DoD surrendering use of the 1755–1780 MHz band. See GN Docket No. 13–185, Letter to Marlene H. Dortch, Secretary, FCC, from Kathy D. Smith, Chief Counsel, NTIA (dated May 4, 2015) (available online at *http://apps.fcc.gov/ecfs/comment/view?id=60001030820*). Now that the two conditions have been satisfied, the Commission is publishing a document in the **Federal Register** announcing the effective date of the amendment to 47 CFR 2.106 (adopted in FCC 14–31) adding Fixed and Mobile allocations for the 2025–2110 MHz band to the Federal Table of Frequency Allocations.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2015–11352 Filed 5–11–15; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 80, No. 91
Tuesday, May 12, 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.

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 704

RIN 3133–AE52

Corporate Credit Unions

AGENCY: National Credit Union Administration (NCUA).

ACTION: Proposed rule.

SUMMARY: The NCUA Board (Board) proposes to exclude Central Liquidity Facility (CLF)-related bridge loans (CLF-related bridge loans) from the aggregate unsecured lending cap to one borrower applicable to a corporate credit union (Corporate). Specifically, a CLF-related bridge loan that is exempt from that cap is a bridge loan made by a Corporate to a natural person credit union when the natural person credit union has been approved for a loan by the CLF and is awaiting funding from the CLF. Additionally, the proposal excludes CLF-related bridge loans from the calculation of ''net assets'' and ''net risk weighted assets'' for determining minimum capital requirements. This proposal results largely from comments the Board received on the November 2014 proposed rule amending NCUA's Corporate regulations.

DATES: Comments must be received on or before June 11, 2015.

ADDRESSES: You may submit comments by any of the following methods, but please send comments by one method only:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *NCUA Web site: http://www.ncua.gov/RegulationsOpinionsLaws/proposed_regs/proposed_regs.html.* Follow the instructions for submitting comments.
- *Email:* Address to *regcomments@ncua.gov.* Include ''[Your name]—Comments on Proposed Rule—Corporate Credit Unions'' in the email subject line.
- *Fax:* (703) 518–6319. Use the subject line described above for email.
- *Mail:* Address to Gerard Poliquin, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.
- *Hand Delivery/Courier:* Same as mail address.

FOR FURTHER INFORMATION CONTACT: J. Owen Cole, President, Central Liquidity Facility, at the above address or telephone (703) 518–6360; David Shetler, Deputy Director, Office of National Examinations and Supervision, at the above address or telephone (703) 518–6640; or Justin M. Anderson, Senior Staff Attorney, Office of General Counsel, at the above address or telephone (703) 518–6540.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Background
II. Proposed Amendments
III. Regulatory Procedures

I. Background

In November 2014, the Board issued a proposed rule clarifying and modifying several provisions of the Corporate regulations in part 704. In response, NCUA received 20 comments addressing various aspects of the proposal. Eight commenters recommended that CLF-related bridge loans be excluded from the aggregate unsecured lending limit to one borrower for Corporates. Currently, only pass-through and guaranteed loans from the CLF and the National Credit Union Share Insurance Fund are excluded from the lending limit for unsecured loans and lines of credit.

The Board is aware that a CLF-related bridge loan would make it possible for a Corporate to assist a natural person credit union in meeting its liquidity needs during the time when the natural person credit union is awaiting funding from the CLF. The Board supports providing this flexibility to Corporates to enhance their ability to serve natural person credit unions. Accordingly, the Board agrees that CLF-related bridge loans should be excluded from the unsecured lending limit in the Corporate regulations.

Because this amendment will allow Corporates to provide a valuable service to natural person credit unions, the Board is issuing this proposed rule with a 30-day comment period to ensure credit unions can take advantage of this amendment as soon as possible.

II. Proposed Amendments

1. Section 704.2—Definitions

This proposal would make several changes to the definitions section of the Corporate regulation. First, this proposal defines ''CLF-related bridge loan'' as:

> Interim financing, extending up to ten business days, that a corporate credit union provides for a natural person credit union from the time the CLF approves a loan to the natural person credit union until the CLF funds the loan. To repay a CLF-related bridge loan, the borrowing natural person credit union assigns the proceeds of the CLF advance to the corporate credit union making the CLF-related bridge loan for the duration of the bridge loan.

The Board notes that, when the CLF grants a liquidity advance, it ''match funds'' the loan with a borrowing from the Federal Financing Bank (FFB). FFB advances may take 1–10 business days to fund, subject to terms established by the United States Department of the Treasury (Treasury) and the dollar amount of the request. CLF-related bridge loans speed the delivery of funds to the borrowing natural person credit union by bridging the contractual timing gap between when CLF approves a loan and when FFB delivers the requested funds. Under the terms of a CLF-related bridge loan, a Corporate only funds an advance request once the CLF grants approval to the natural person credit union. These loans are short-term in duration and have a guaranteed payment source, as proceeds from the CLF-approved loan are used to pay off the CLF-related bridge loan on the settlement date of the CLF advance.

Second, this proposal would amend the definitions of ''net assets'' and ''net risk-weighted assets'' to specifically exclude CLF-related bridge loans. Because the Treasury provides the funding and the CLF is backed by the full faith and credit of the U.S. Government, a CLF-related bridge loan poses no credit risk to a Corporate. The Board, therefore, has determined it is appropriate to exclude CLF-related bridge loans from the definitions of ''net assets'' and ''net risk-weighted assets.''

2. Section 704.7—Lending

Section 704.7(c) currently restricts a Corporate's unsecured member lending to 50 percent of capital, but specifically

excludes pass-through and guaranteed loans from the CLF and the National Credit Union Share Insurance Fund. This proposal would include CLF-related bridge loans, as defined in proposed § 704.2, in the list of loans that may be excluded in calculating the aggregate amount of unsecured loans a Corporate may make. In addition, for the same reasons discussed above, this proposal would exclude CLF-related bridge loans from the requirements of § 704.7(d), which addresses loans to nonmembers.

III. Regulatory Procedures

1. Regulatory Flexibility Act.

The Regulatory Flexibility Act requires NCUA to prepare an analysis of any significant economic impact a regulation may have on a substantial number of small entities (primarily those under $50 million in assets).[1] This proposed rule only affects Corporates, all of which have more than $50 million in assets. Accordingly, NCUA certifies the rulemaking will not have a significant economic impact on a substantial number of small credit unions.

2. Paperwork Reduction Act.

The Paperwork Reduction Act of 1995 (PRA) applies to rulemakings in which an agency by rule creates a new paperwork burden or increases an existing burden.[2] For purposes of the PRA, a paperwork burden may take the form of a reporting or recordkeeping requirement, both referred to as information collections. This proposed rule would not create any new burdens or increase any existing burdens. Therefore, a PRA analysis is not required.

3. Executive Order 13132.

Executive Order 13132 encourages independent regulatory agencies to consider the impact of their actions on state and local interests. NCUA, an independent regulatory agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order to adhere to fundamental federalism principles. The proposed rule does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. NCUA has, therefore, determined that this proposal does not constitute a policy that has federalism implications for purposes of the executive order.

[1] 5 U.S.C. 603(a); 12 U.S.C. 1787(c)(1).

[2] 44 U.S.C. 3507(d); 5 CFR part 1320.

4. Assessment of Federal Regulations and Policies on Families.

NCUA has determined that this proposed rule will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, 1999, Public Law 105–277, 112 Stat. 2681 (1998).

List of Subjects in 12 CFR Part 704

Credit unions, Corporate credit unions, Reporting and recordkeeping requirements.

By the National Credit Union Administration Board on April 30, 2015.

Gerard Poliquin,

Secretary of the Board.

For the reasons discussed above, the National Credit Union Administration proposes to amend 12 CFR part 704 as follows:

PART 704—CORPORATE CREDIT UNIONS

■ 1. The authority citation for part 704 continues to read as follows:

Authority: 12 U.S.C. 1766(a), 1781, and 1789.

■ 2. Amend § 704.2 by adding a definition for *CLF-related bridge loan* in alphabetical order and revising the definitions of *Net assets* and *Net risk-weighted assets* to read as follows:

§ 704.2 Definitions.

* * * * *

CLF-related bridge loan means interim financing, extending up to ten business days, that a corporate credit union provides for a natural person credit union from the time the CLF approves a loan to the natural person credit union until the CLF funds the loan. To repay a CLF-related bridge loan, the borrowing natural person credit union assigns the proceeds of the CLF advance to the corporate credit union making the CLF-related bridge loan for the duration of the bridge loan.

* * * * *

Net assets means total assets less Central Liquidity Facility (CLF) stock subscriptions, CLF-related bridge loans, loans guaranteed by the National Credit Union Share Insurance Fund (NCUSIF), and member reverse repurchase transactions. For its own account, a corporate credit union's payables under reverse repurchase agreements and receivables under repurchase agreements may be netted out if the GAAP conditions for offsetting are met. Also, any amounts deducted in calculating Tier 1 capital are also deducted from net assets.

* * * * *

Net risk-weighted assets means risk-weighted assets less CLF stock subscriptions, CLF-related bridge loans, loans guaranteed by the NCUSIF, and member reverse repurchase transactions. For its own account, a corporate credit union's payables under reverse repurchase agreements and receivables under repurchase agreements may be netted out if the GAAP conditions for offsetting are met. Also, any amounts deducted in calculating Tier 1 capital are also deducted from net risk-weighted assets.

* * * * *

■ 6. Amend § 704.7 by revising paragraph (c)(1)(i), as revised on May 6, 2015 (80 FR 25932), effective June 5, 2015, and revising paragraph (d)(1) to read as follows:

§ 704.7 Lending.

* * * * *

(c) * * *

(1) * * *

(i) The maximum aggregate amount in unsecured loans and lines of credit from a corporate credit union to any one member credit union, excluding CLF-related bridge loans and pass-through and guaranteed loans from the CLF and the NCUSIF, must not exceed 50 percent of the corporate credit union's total capital.

* * * * *

(d) * * *

(1) *Credit unions.* A loan to a nonmember credit union, other than through a loan participation with another corporate credit union or a CLF-related bridge loan, is only permissible if the loan is for an overdraft related to the providing of correspondent services pursuant to § 704.12. Generally, such a loan will have a maturity of one business day.

* * * * *

[FR Doc. 2015–10554 Filed 5–11–15; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 745

RIN 3133–AE49

Share Insurance and Appendix

AGENCY: National Credit Union Administration (NCUA).

ACTION: Proposed rule.

SUMMARY: The NCUA Board (Board) proposes to amend its share insurance regulations to implement statutory

amendments to the Federal Credit Union Act (FCU Act) resulting from the recent enactment of the Credit Union Share Insurance Fund Parity Act (Insurance Parity Act). The statutory amendments require NCUA to provide enhanced, pass-through share insurance for interest on lawyers trust accounts (IOLTA) and other similar escrow accounts. As its name implies, the Insurance Parity Act ensures that NCUA and the Federal Deposit Insurance Corporation (FDIC) insure IOLTAs and other similar escrow accounts in an equivalent manner.

DATES: Comments must be received on or before July 13, 2015.

ADDRESSES: You may submit comments by any of the following methods (Please send comments by one method only):

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *NCUA Web site: http://www.ncua.gov/Legal/Regs/Pages/PropRegs.aspx.* Follow the instructions for submitting comments.
- *Email:* Address to *regcomments@ncua.gov.* Include ''[Your name] Comments on Proposed Rule—Part 745'' in the email subject line.
- *Fax:* (703) 518–6319. Use the subject line described above for email.
- *Mail:* Address to Gerard Poliquin, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.
- *Hand Delivery/Courier:* Same as mail address.

Public Inspection: You may view all public comments on NCUA's Web site at *http://www.ncua.gov/Legal/Regs/Pages/PropRegs.aspx* as submitted, except for those we cannot post for technical reasons. NCUA will not edit or remove any identifying or contact information from the public comments submitted. You may inspect paper copies of comments in NCUA's law library at 1775 Duke Street, Alexandria, Virginia 22314, by appointment weekdays between 9 a.m. and 3 p.m. To make an appointment, call (703) 518–6546 or send an email to *OGCMail@ncua.gov.*

FOR FURTHER INFORMATION CONTACT: Frank Kressman, Associate General Counsel, Office of General Counsel, at the above address or telephone (703) 518–6540.

SUPPLEMENTARY INFORMATION:

I. Background
II. Summary of the Proposed Rule
III. Regulatory Procedures

I. Background

A. History of IOLTAs

According to the National Association of IOLTA Programs (NAIP),[1] IOLTA programs began in Australia and Canada in the late 1960s to generate funds for legal services to the poor.[2] In the United States, Congress passed legislation in the 1980s permitting the establishment of certain interest-bearing checking accounts,[3] which, among many things, helped to enable the creation of IOLTA accounts throughout the United States. The various states operate IOLTA programs pursuant to their own laws.[4]

Under an IOLTA program, an attorney or law firm may establish an account at one or more financial institutions to hold their clients' funds to pay for legal services or for other purposes. An attorney or a law firm would deposit clients' funds in one or more IOLTAs and hold these funds in trust until needed. Typically, the interest or dividends on IOLTAs are donated to charities or other 501(c)(3) tax exempt organizations pursuant to state law. Generally, the donated funds are used to subsidize legal aid services or for other charitable purposes.

B. The Credit Union Share Insurance Fund Parity Act of 2014

On December 18, 2014, President Obama signed into law the Insurance Parity Act.[5] The Insurance Parity Act amended the share insurance provisions of the FCU Act by requiring enhanced, pass-through share insurance coverage for IOLTAs and other similar escrow accounts.[6] The Insurance Parity Act specifically defines ''pass-through share insurance,'' with respect to IOLTAs and other similar escrow accounts, as ''insurance coverage based on the interest of each person on whose behalf funds are held in such accounts by the attorney administering the IOLTA or the escrow agent administering a similar escrow account, in accordance with regulations issued by [NCUA].'' [7]

The Insurance Parity Act defines an IOLTA as ''a system in which lawyers place certain client funds in interest-bearing or dividend-bearing accounts, with the interest or dividends then used to fund programs such as legal service organizations who provide services to clients in need.'' [8] Pursuant to the Insurance Parity Act, IOLTAs are treated as escrow accounts for share insurance purposes. Further, IOLTAs and other similar escrow accounts are considered member accounts if the attorney administering the IOLTA or the escrow agent administering the escrow account is a member of the insured credit union in which the funds are held.[9]

C. Comparison of FDIC's and NCUA's Current Insurance Regulations Regarding IOLTAs

The FDIC's deposit insurance regulations [10] do not specifically mention IOLTAs by name. Rather, the FDIC insures an IOLTA as an agent or nominee account. To be insured by the FDIC, an agent or nominee account like an IOLTA must expressly disclose, by way of specific reference, the existence of any fiduciary relationship such as an agent or nominee pursuant to which funds are deposited into a bank account and on which a claim for deposit insurance coverage is based. The FDIC has stated that such an account, including an IOLTA, must disclose that the funds are held by the nominal account holder on the behalf of others.[11] To be insurable, the FDIC must be able to ascertain the interests of the other parties in the IOLTA from the records of the insured depository institution or from the records of the lawyer.[12] Funds attributable to each client will be insured on a pass-through basis if this recordkeeping requirement is satisfied.[13]

Prior to the enactment of the Insurance Parity Act, NCUA's position with respect to the insurability of IOLTAs was very similar to FDIC's, except that NCUA's coverage was limited only to those clients of the attorney who were also members of the insured credit union in which the IOLTA was kept. This was due to the FCU Act's general limitation to insure only member accounts, with some

[1] The NAIP was established in 1986 to enhance legal services for the poor and for the administration of justice through the growth and development of IOLTA programs. *http://www.iolta.org/about-naip.*

[2] *http://www.iolta.org/what-is-iolta/iolta-history.*

[3] The Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96–221; 94 Stat. 132).

[4] *http://www.americanbar.org/groups/interest_lawyers_trust_accounts/resources/status_of_iolta_programs.html.* As determined by each state, an IOLTA program may be mandatory, voluntary, or an attorney may opt out of the program.

[5] Public Law 113–252, 128 Stat. 2893 (2014).

[6] 12 U.S.C. 1787(k).

[7] Public Law 113–252, 128 Stat. 2893 (2014).

[8] *Id.*

[9] The Insurance Parity Act also emphasizes that its amendments to the FCU Act do not authorize an insured credit union to accept deposits of an IOLTA or similar escrow account in an amount greater than such credit union is authorized to accept under any other provisions of federal or state law.

[10] 12 CFR part 330.

[11] FDIC Opinion Letter No. 98–2 (June 16, 1998) at *https://www.fdic.gov/regulations/laws/rules/4000-9940.html.*

[12] *Id.*

[13] *Id.*

exceptions not relevant to this discussion.

Federally insured credit unions believed they were placed at a competitive disadvantage because of this treatment. With the enactment of the Insurance Parity Act, however, this disadvantage has been removed. Specifically, provided the *lawyer* administering the IOLTA or the *escrow agent* administering a similar escrow account is a member of the insured credit union in which such account is maintained, then the interests of each client or principal, regardless of that person's membership status, on whose behalf funds are being held in such accounts by the lawyer or escrow agent, will be insured on a pass-through basis in accordance with the limits in part 745 of NCUA's regulations. In an IOLTA and other similar escrow accounts, the true owners of the funds are the clients and principals. The lawyers or law firms and the escrow agents are only agents holding the funds on the clients' and principal's behalf.

II. Summary of the Proposed Rule

A. Why is NCUA issuing this rule as a proposal?

The language of the Insurance Parity Act clearly states that NCUA shall provide pass-through share insurance for IOLTAs, and it defines what an IOLTA is. Given this level of clarity, NCUA takes the position that share insurance coverage for IOLTAs is currently in place and has been since the enactment of the Insurance Parity Act, even without any regulatory action on NCUA's part. No implementing regulations are required to effect this aspect of the legislation. However, other aspects of the legislation do require NCUA to take regulatory action.

Additionally, some of the language in the Insurance Parity Act is ambiguous and leaves unanswered certain questions. For example, these questions include:

- What escrow accounts should be included in the category ''other similar escrow accounts'' as that phrase is used in the Insurance Parity Act?
- Should prepaid card programs, such as payroll cards, be considered IOLTAs or other similar escrow accounts for share insurance purposes?
- What recordkeeping requirements must be satisfied to receive share insurance on IOLTAs and other similar escrow accounts?
- Does the enhanced share insurance coverage provided by the Insurance Parity Act affect the Bank Secrecy Act (BSA) requirements for insured credit unions?
- Should nonmember funds kept in a federal credit union as a result of the enhanced share insurance coverage provided by the Insurance Parity Act count towards a federal credit union's limit on the receipt of payments on shares from nonmembers pursuant to § 701.32 of NCUA's regulations?

As discussed below in this rulemaking, NCUA analyzes the above questions and proposes how each should be addressed. NCUA seeks public comment on alternative interpretations of the Insurance Parity Act and alternative regulatory approaches that commenters believe are appropriate and beneficial. However, NCUA reiterates that despite the proposed nature of this rulemaking, IOLTA share insurance coverage is currently in place and will remain in place regardless of the direction any subsequent final rule may take.

B. Pass-Through Share Insurance for IOLTAs and Other Similar Escrow Accounts

As noted above, the Insurance Parity Act defines ''pass-through share insurance,'' with respect to IOLTAs and other similar escrow accounts, as ''insurance coverage based on the interest of each person on whose behalf funds are held in such accounts by the attorney administering the IOLTA or the escrow agent administering a similar escrow account, in accordance with regulations issued by [NCUA].[14] NCUA believes this definition is clear and accurate. Also, it is consistent with how NCUA currently defines ''pass-through share insurance'' in its share insurance regulations relating to coverage of certain employee benefit plans.[15] NCUA proposes to adopt this statutory definition of ''pass-through share insurance'' as the regulatory definition of that term in part 745.

C. What escrow accounts should be included in the category ''other similar escrow accounts'' as that phrase is used in the Insurance Parity Act?

The Insurance Parity Act provides that, for share insurance purposes, IOLTAs are treated as escrow accounts. It also provides that pass-through insurance coverage is available for other kinds of escrow accounts that are similar to IOLTAs. However, the Insurance Parity Act does not define or further describe what constitutes an escrow account that is ''similar'' to an IOLTA. The Insurance Parity Act defines an IOLTA as ''a system in which lawyers place certain client funds in interest-bearing or dividend-bearing accounts, with the interest or dividends then used to fund programs such as legal service organizations who provide services to clients in need.''

NCUA is tasked with defining the kinds of escrow accounts that are similar enough to IOLTAs to be eligible for pass-through share insurance as discussed above. NCUA acknowledges the challenge to describe with precision the circumstances under which such coverage should be provided. There are many different kinds of escrow accounts in use with varying forms and structures. Also, ''similar'' is a relative term that may necessitate NCUA reviewing escrow accounts with varying structures on a case-by-case basis to determine which are similar enough to IOLTAs to receive pass-through insurance coverage.

Despite the amorphous nature of escrow accounts, NCUA believes it is important to provide insured credit unions with as much regulatory clarity and certainty as possible about which escrow accounts are considered similar enough to IOLTAs to receive pass-through insurance coverage. NCUA seeks to avoid, to the greatest extent possible, the need to make case-by-case analyses of escrow accounts as that process is labor intensive and inefficient, and it creates uncertainty for insured credit unions.

There are some escrow accounts whose nature and structure are immediately recognizable as similar to an IOLTA. For example, typical realtor escrow accounts and prepaid funeral accounts have attributes that, while not identical to IOLTAs, are similar to IOLTAs and should be entitled to pass-through share insurance coverage. One of the signature characteristics common to typical realtor accounts, prepaid funeral accounts, and IOLTAs is that each of these kinds of account has a licensed professional or other individual serving in a fiduciary capacity and holding funds for the benefit of a client as part of some transaction or business relationship. Accordingly, at a minimum, NCUA proposes to extend pass-through share insurance coverage to escrow accounts with these characteristics, up to the limits provided for in part 745 of NCUA's regulations. However, NCUA encourages commenters to identify and discuss other kinds of escrow accounts, in addition to realtor and prepaid funeral accounts, which also have characteristics similar enough to IOLTAs to warrant pass-through insurance coverage.

Accordingly, NCUA requests comment on the following: (1) What

[14] Public Law 113–252, 128 Stat. 2893 (2014).

[15] 12 U.S.C. 1787(k)(4); 12 CFR 745.9–2.

kinds of escrow accounts should qualify for pass-through share insurance coverage and why; (2) what specific attributes these escrow accounts need to possess to obtain coverage; (3) how NCUA can define these accounts to capture their essence and minimize the need for case-by-case analyses of their characteristics; and (4) any other aspect of this topic. In addition, NCUA specifically invites comment on whether it is appropriate to limit the pool of other similar escrow accounts to those where a recognizable fiduciary duty is owed by the escrow agent to the principal.

Prepaid Cards

NCUA welcomes comments on its proposed treatment of prepaid card programs. To put this in context and provide background information about such programs, we include the following excerpt on prepaid cards from the Federal Financial Institutions Examination Council's Web site.[16]

The market for prepaid cards, sometimes called stored-value cards, is one of the fastest-growing segments of the retail financial services industry. While the terms prepaid cards and stored-value cards are frequently used interchangeably, differences exist between the two products.

Prepaid cards are generally issued to persons who deposit funds into an account of the issuer. During the funds deposit process, most issuers establish an account and obtain identifying data from the purchaser (*e.g.,* name, phone number, etc.).

Stored-value cards do not typically involve a deposit of funds as the value is prepaid and stored directly on the cards. Because its business model requires cardholders to pay in advance, it substantially eliminates the nonpayment risk for the issuing financial institution. The functionality of this product is leading to a wide range of card programs that operate in either closed or open-loop systems, and program innovation has resulted in the development of systems that operate in both structures. Closed-loop systems are generally retailer/issuer business models, while general-purpose cards issued by financial institutions tend to operate in open-loop systems. Open-loop system prepaid cards are processed using the same systems as the branded network cards (MasterCard, Visa, American Express, and Discover) and offer the same functionality.

In the past, prepaid cards were mostly issued by nonfinancial businesses in limited deployment environments such as mass transit systems and universities. In recent years, prepaid cards have grown significantly as financial institutions and nonbank organizations target under-banked markets and overseas remittances. Technological innovations in the way information is stored (*e.g.,* magnetic strip or computer chip), the physical form of the payment mechanism, and biometric account access and authentication are converging to create efficiencies, reduce transaction times at the point of sale, and lower transaction costs.

There are several types of prepaid cards, including gift, payroll, travel, and teen cards. Either the consumer or an issuer funds the account for the card. When a consumer uses the card to make a purchase, the merchant deducts the amount of the purchase from the card. Transaction authorization can take place through an existing network, a chip stored on the card, or information coded on the magnetic strip. Once the stored value in the card is exhausted, customers may either replenish the value or acquire a new card.

In addition to cards, stored-value payment devices are emerging in a variety of other physical forms, most notably key fobs. With the recent introduction of contactless payment technologies, use of chips (smart cards), radio frequency identification (RFID), and near-field communication (NFC) payment devices are becoming more innovative. Initiatives are underway to introduce mobile phones with integrated microchips that can initiate a payment when waved over a specially-equipped reader. The integrated chip can store value, authenticate a consumer, or contain consumer preferences and loyalty program information that can be used for marketing purposes.

Prepaid cards may be subject to legal and regulatory risks. For example, the Federal Reserve Board's final rule on Regulation E, issued August 30, 2006, extended its applicability to prepaid cards used for consumers' payroll. The Federal Reserve Board noted that it will monitor the development of other card products and may reconsider Regulation E coverage as these products continue to develop. State laws vary widely with regard to fees. Additionally, financial institutions should ensure that prepaid card product programs comply with the Bank Secrecy Act and anti-money laundering guidance.

NCUA generally does not believe that prepaid card programs, such as payroll cards, should be considered escrow accounts similar to IOLTAs for share insurance purposes because the characteristics that define an attorney's relationship with, and the fiduciary duties owed to, the attorney's clients are typically not present in the prepaid card scenario. An IOLTA and a prepaid card program serve very different purposes and usually have completely different structures. NCUA does not believe that a prepaid card program is always sufficiently similar to an IOLTA, for purposes of the Insurance Parity Act, to qualify for pass-through share insurance coverage as an escrow account similar to an IOLTA. However, *the Board is interested in receiving comments about prepaid card programs that may be sufficiently similar to IOLTAs.*

Under certain circumstances some prepaid card programs may be entitled to pass-through share insurance coverage under some other aspects of part 745, not related to IOLTAs. For example, if funds in a prepaid card program deposited in a federally insured credit union qualify as a share account that can be traced back to a specific owner in a specific amount and the owner is a member of the credit union where the funds are kept, then those funds would be entitled to share insurance pursuant to the terms and limits of part 745.

D. What recordkeeping requirements must be met to receive share insurance on IOLTAs and other similar escrow accounts?

FDIC's deposit insurance regulations provide that the FDIC will recognize a claim for insurance coverage based on a fiduciary relationship (such as an IOLTA or escrow account) only if the relationship is expressly disclosed, by way of specific references, in the deposit account records of the insured depository institution.[17] FDIC's deposit insurance regulations further provide that if the deposit account records of an insured depository institution disclose the existence of a relationship which might provide a basis for additional insurance, then the details of the relationship and the interests of other parties in the account must be ascertainable either from the deposit account records of the insured depository institution or from records maintained, in good faith and in the regular course of business, by the depositor or by some person or entity that has undertaken to maintain such records for the depositor.[18]

Similarly, NCUA's current share insurance regulations provide that the account records of an insured credit union shall be conclusive as to the existence of any relationship pursuant to which the funds in the account are deposited and on which a claim for insurance coverage is founded. Examples of such relationships would include trustee, agent, and custodian.[19] These kinds of accounts also include IOLTA and other escrow accounts similar to IOLTAs. NCUA will not recognize a claim for insurance based on such a relationship in the absence of such disclosure. Further, NCUA's share insurance regulations provide that if the account records of an insured credit union disclose the existence of a relationship which may provide a basis for additional insurance, then the details of the relationship and the

[16] *http://ithandbook.ffiec.gov/it-booklets/retail-payment-systems/payment-instruments,-clearing,-and-settlement/card-based-electronic-payments/prepaid-(stored-value)-cards.aspx.*

[17] 12 CFR 330.5(b)(1).

[18] 12 CFR 330.5(b)(2).

[19] 12 CFR 745.2(c)(1).

interests of other parties in the account must be ascertainable either from the records of the credit union or the records of the member maintained in good faith and in the regular course of business.[20]

IOLTAs and other similar escrow accounts exemplify the kinds of accounts in which a relationship exists upon which a claim for insurance coverage could be founded. They are among the kinds of accounts that NCUA's regulations are intended to cover. Accordingly, based on NCUA's current share insurance regulations, for IOLTAs and other similar escrow accounts to receive the share insurance covered to which they are entitled, the recordkeeping provisions of NCUA's share insurance regulations must be satisfied. No additional recordkeeping requirements are imposed by the Insurance Parity Act. Therefore, NCUA is not proposing any regulatory changes or additions in this regard, but nonetheless welcomes comments on this topic.

E. Does the enhanced share insurance coverage provided by the Insurance Parity Act affect the BSA requirements for insured credit unions?

It is not the purpose of this proposed rule to discuss in detail an insured credit union's BSA requirements. Accordingly, this is just a reminder to insured credit unions that they continue to have BSA responsibilities for IOLTAs and other similar escrow accounts and that they should continue to be vigilant in that regard. This is especially true considering that IOLTAs and other similar escrow accounts will begin to contain funds for nonmembers which are likely not known by the credit unions in which the accounts are kept. NCUA does not propose to make any regulatory changes in this regard, but nonetheless welcomes comments.

F. Do nonmember funds kept in the credit union as a result of the enhanced share insurance coverage provided by the Insurance Parity Act count towards a federal credit union's limit on the receipt of payments on shares from nonmembers pursuant to § 701.32 of NCUA's regulations?

The Insurance Parity Act provides that IOLTAs and other similar escrow accounts are considered member accounts if the attorney administering the IOLTA or the escrow agent administering the escrow account is a member of the insured credit union in which the funds are held. NCUA believes that if an IOLTA or other similar escrow account satisfies the above requirement and, therefore, is treated by the Insurance Parity Act as a member account, then the IOLTA or other similar escrow account also should be considered a member account for purposes of § 701.32 of NCUA's regulations. Therefore, funds in those member accounts do not count towards a federal credit union's limit on the receipt of payments on shares from nonmembers pursuant to § 701.32 of NCUA's regulations.[21] Accordingly, NCUA does not propose any regulatory changes in this regard but welcomes comments.

III. Regulatory Procedures

Regulatory Flexibility Act

The Regulatory Flexibility Act requires NCUA to prepare an analysis to describe any significant economic impact a regulation may have on a substantial number of small entities.[22] For purposes of this analysis, NCUA considers small credit unions to be those having under $50 million in assets.[23] This rulemaking implements the Insurance Parity Act, which enhances share insurance coverage for IOLTAs and other similar escrow accounts. Accordingly, NCUA certifies the rulemaking will not have a significant economic impact on a substantial number of small credit unions.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) applies to rulemakings in which an agency by rule creates a new paperwork burden on regulated entities or modifies an existing burden.[24] For purposes of the PRA, a paperwork burden may take the form of either a reporting or a record-keeping requirement, both referred to as information collections. This proposal, which enhances share insurance coverage for IOLTAs and other similar escrow accounts, will not create new paperwork burdens or modify any existing paperwork burdens.

Executive Order 13132

Executive Order 13132 encourages independent regulatory agencies to consider the impact of their actions on state and local interests. In adherence to fundamental federalism principles, NCUA, an independent regulatory agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order. This rulemaking will not have a substantial direct effect on the states, on the connection between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. NCUA has determined this rulemaking does not constitute a policy that has federalism implications for purposes of the executive order.

Assessment of Federal Regulations and Policies on Families

NCUA has determined that this rulemaking will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, 1999.[25]

List of Subjects in 12 CFR Part 745

Credit, Credit unions, Share Insurance.

By the National Credit Union Administration Board on April 30, 2015.

Gerard Poliquin,

Secretary of the Board.

For the reasons stated above, NCUA proposes to amend 12 CFR part 745 as follows:

PART 745—SHARE INSURANCE AND APPENDIX

■ 1. The authority for part 745 continues to read as follows:

Authority: 12 U.S.C. 1752(5), 1757, 1765, 1766, 1781, 1782, 1787, 1789; title V, Pub. L. 109–351; 120 Stat. 1966.

§ 745.14 [Removed].

■ 2. Remove § 745.14 from subpart B.

■ 3. Add a new § 745.14 to subpart A to read as follows:

§ 745.14 Interest on lawyers trust accounts and other similar escrow accounts.

(a) *Pass-through share insurance.* (1) The deposits or shares of any interest on lawyers trust account (IOLTA) or other similar escrow account in an insured credit union are insured on a ''pass-through'' basis, in the amount of up to the SMSIA for each client and principal on whose behalf funds are held in such accounts by either the attorney administering the IOLTA or the escrow agent administering a similar escrow account, in accordance with the other share insurance provisions of this part.

(2) Pass-through coverage will only be available if the recordkeeping requirements of § 745.2(c)(1) and the relationship disclosure requirements of

[20] 12 CFR 745.2(c)(2).

[21] 12 CFR 701.32.

[22] 5 U.S.C. 603(a).

[23] Interpretive Ruling and Policy Statement 03–2, 68 FR 31949 (May 29, 2003), as amended by Interpretative Ruling and Policy Statement 13–1, 78 FR 4032 (Jan. 18, 2013).

[24] 44 U.S.C. 3507(d); 5 CFR part 1320.

[25] Public Law 105–277, 112 Stat. 2681 (1998).

§ 745.2(c)(2) are satisfied. In the event those requirements are satisfied, funds attributable to each client and principal will be insured on a pass-through basis in whatever right and capacity the client or principal owns the funds. For example, an IOLTA or other similar escrow account must be titled as such and the underlying account records of the insured credit union must sufficiently indicate the existence of the relationship on which a claim for insurance is founded. The details of the relationship between the attorney or escrow agent and their clients and principals must be ascertainable from the records of the insured credit union or from records maintained, in good faith and in the regular course of business, by the attorney or the escrow agent administering the account. NCUA will determine, in its sole discretion, the sufficiency of these records for an IOLTA or other similar escrow account.

(b) *Membership requirements and treatment of IOLTAs.* For share insurance purposes, IOLTAs are treated as escrow accounts. IOLTAs and other similar escrow accounts are considered member accounts and eligible for pass-through share insurance if the attorney administering the IOLTA or the escrow agent administering the escrow account is a member of the insured credit union in which the funds are held. In this circumstance, the membership status of the clients or the principals is irrelevant.

(c) *Definitions.* (1) For purposes of this section:

Interest on lawyers trust account (*IOLTA*) means a system in which lawyers place certain client funds in interest-bearing or dividend-bearing accounts, with the interest or dividends then used to fund programs such as legal service organizations who provide services to clients in need.

Other similar escrow account means an account where a licensed professional or other individual serving in a fiduciary capacity holds funds for the benefit of a client as part of a transaction or business relationship, such as realtor accounts and prepaid funeral accounts.

Pass-through share insurance means, with respect to IOLTAs and other similar escrow accounts, insurance coverage based on the interest of each person on whose behalf funds are held in such accounts by the attorney administering the IOLTA or the escrow agent administering a similar escrow account.

(2) The terms *''Interest on lawyers trust account'', ''IOLTA'',* and *''Pass-through share insurance''* are given the same meaning in this section as in 12 U.S.C. 1787(k)(5).

[FR Doc. 2015–10553 Filed 5–11–15; 8:45 am]

BILLING CODE 7535–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–1280; Directorate Identifier 2014–NM–064–AD]

RIN 2120–AA64

Airworthiness Directives; ATR–GIE Avions de Transport Régional Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain ATR–GIE Avions de Transport Régional Model ATR42–500 airplanes, and Model ATR72–102, –202, –212, and –212A airplanes. This proposed AD was prompted by a report of chafed wires between electrical harnesses. This proposed AD would require inspections for wiring discrepancies, and corrective actions if necessary. We are proposing this AD to detect and correct damaged wiring and incorrect installation of the wiring harness and adjacent air ducts, which could lead to wire harness chafing and arcing, possibly resulting in an on-board fire.

DATES: We must receive comments on this proposed AD by June 26, 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:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact ATR–GIE Avions de Transport Régional, 1, Allée Pierre Nadot, 31712 Blagnac Cedex, France; telephone +33 (0) 5 62 21 62 21; fax +33 (0) 5 62 21 67 18; email *continued.airworthiness@atr.fr;* Internet *http://www.aerochain.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.

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–2015–1280; 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 Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone (425) 227–1137; fax (425) 227–1149.

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–2015–1280; Directorate Identifier 2014–NM–064–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 based on 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

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2014–0052R1, dated April 7, 2014 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain ATR–

GIE Avions de Transport Régional Model ATR42–500 airplanes, and Model ATR72–102, –202, –212, and –212A airplanes. The MCAI states:

An erroneous cockpit indication has been reported on an in-service aircraft. Subsequent investigation identified chafed wiring between harnesses (2M–2S–6M) and the metallic structure of the cargo lining panel above the electronic rack 90VU shelf. The chafing was most likely the result of incorrect harness installation. In some cases, the bracket, which supports the harnesses, could be incorrectly positioned. Consequently, the wiring harnesses, and in certain configurations, the adjacent air duct, could be incorrectly routed.

This condition, if not detected and corrected, could lead to wiring harness chafing and arcing, possibly resulting in an on-board fire.

To address this potential unsafe condition, ATR issued Service Bulletin (SB) ATR42–92–0024 and SB ATR72–92–1032, as applicable to aeroplane model, to provide inspection instructions.

For the reasons described above, EASA issued AD 2014–0052 [*http://www.casa.gov.au/wcmswr/_assets/main/lib100154/2014-0052.pdf*] to require a one-time visual inspection of the affected area including a systematic bracket position check and, depending on findings, accomplishment of applicable corrective actions.

This [EASA] AD is revised to make the bracket position check dependent on findings, determined during the inspection of the electrical bundle and air duct routing. Corrective actions include repairing damaged wiring, correctly installing the bracket which supports bundle 2M–2S–6M, and routing bundle 2M–2S–6M and the air conditioning flexible hose in the correct positions.

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–2015–1280.

Related Service Information Under 1 CFR Part 51

ATR–GIE Avions de Transport Régional has issued Service Bulletin ATR42–92–0024, Revision 01, dated January 16, 2014. The service information describes procedures for inspecting the electrical harness routing on the top of 90VU electric rack and to modify it if necessary.

ATR–GIE Avions de Transport Régional has also issued Service Bulletin ATR72–92–1032, Revision 01, dated January 16, 2014. The service information describes procedures for inspecting the electrical harness routing on the top of 90VU electric rack and to modify it if necessary.

The actions described in this service information are intended to correct the unsafe condition identified in the MCAI. 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 and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of these same type designs.

Costs of Compliance

We estimate that this proposed AD affects 1 airplane of U.S. registry.

We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be $85, or $85 per product.

In addition, we estimate that any necessary follow-on actions would take about 3 work-hours and require parts costing $82, for a cost of $337 per product. We have no way of determining the number of aircraft that might need these actions.

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 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 this 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 adding the following new airworthiness directive (AD):

ATR–GIE Avions de Transport Régional: Docket No. FAA–2015–1280; Directorate Identifier 2014–NM–064–AD.

(a) Comments Due Date

We must receive comments by June 26, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the ATR–GIE Avions de Transport Régional airplanes identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) Model ATR42–500 airplanes, serial numbers 443 through 1006 inclusive, except serial numbers 811, 1002, and 1005.

(2) Model ATR72–102, –202, –212, and –212A airplanes, serial numbers 475 through 969 inclusive, 971 through 988 inclusive, 1025, 1028 through 1069 inclusive, and 1072, except serial numbers 956 and 1042.

(d) Subject

Air Transport Association (ATA) of America Code 92, Electrical Routing.

(e) Reason

This AD was prompted by a report of chafed wires between electrical harnesses. We are issuing this AD to detect and correct damaged wiring and incorrect installation of the wiring harness and adjacent air ducts, which could lead to wire harness chafing and arcing, possibly resulting in an on-board fire.

(f) Compliance

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

(g) Inspections

Within 500 flight hours after the effective date of this AD, do the actions specified in paragraphs (g)(1) and (g)(2) of this AD, in accordance with the Accomplishment Instructions of Avions de Transport Régional Service Bulletin ATR42–92–0024, Revision 01, dated January 16, 2014; or Avions de Transport Régional Service Bulletin ATR72–92–1032, Revision 01, dated January 16, 2014; as applicable.

(1) Do a general visual inspection for damage of the electrical wires of bundle 2M–2S–6M.

(2) Do a general visual inspection for correct routing of electrical bundle 2M–2S–6M, and correct routing of the air duct.

(h) Corrective Actions

(1) If, during the inspection required by paragraph (g)(1) of this AD, any damage is found on the electrical wires: Before further flight, repair the wires, in accordance with the Accomplishment Instructions of Avions de Transport Régional Service Bulletin ATR42–92–0024, Revision 01, dated January 16, 2014; or Avions de Transport Régional Service Bulletin ATR72–92–1032, Revision 01, dated January 16, 2014; as applicable.

(2) If, during the inspection required by paragraph (g)(2) of this AD, electrical bundle 2M–2S–6M and/or an air duct is found to be incorrectly routed: Within 500 flight hours after the effective date of this AD, do a general visual inspection for correct positioning of the bracket, in accordance with the Accomplishment Instructions of Avions de Transport Régional Service Bulletin ATR42–92–0024, Revision 01, dated January 16, 2014; or Avions de Transport Régional Service Bulletin ATR72–92–1032, Revision 01, dated January 16, 2014; as applicable.

(i) If, during the inspection required by paragraph (h)(2) of this AD, the bracket is found to be correctly positioned: Within 500 flight hours after the effective date of this AD, do all applicable corrective actions, in accordance with the Accomplishment Instructions of Avions de Transport Régional Service Bulletin ATR42–92–0024, Revision 01, dated January 16, 2014; or Avions de Transport Régional Service Bulletin ATR72–92–1032, Revision 01, dated January 16, 2014; as applicable.

(ii) If, during the inspection required by paragraph (h)(2) of this AD, the bracket is found to be missing or incorrectly positioned: Within 500 flight hours after the inspection required by paragraph (h)(2) of this AD, repair using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or ATR–GIE Avions de Transport Régional's EASA Design Organization Approval (DOA).

(i) Credit for Previous Actions

This paragraph provides credit for actions required by this AD, if those actions were performed before the effective date of this AD using Avions de Transport Régional Service Bulletin ATR42–92–0024, dated June 6, 2013; or Avions de Transport Régional Service Bulletin ATR72–92–1032, dated June 6, 2013; as applicable; which are not incorporated by reference in this AD.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone (425) 227–1137; fax (425) 227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the EASA; or ATR–GIE Avions de Transport Régional's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2014–0052R1, dated April 7, 2014, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–1280.

(2) For service information identified in this AD, contact ATR–GIE Avions de Transport Régional, 1, Allée Pierre Nadot, 31712 Blagnac Cedex, France; telephone +33 (0) 5 62 21 62 21; fax +33 (0) 5 62 21 67 18; email *continued.airworthiness@atr.fr;* Internet *http://www.aerochain.com.* 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.

Issued in Renton, Washington, on May 1, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–11350 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–1281; Directorate Identifier 2014–NM–241–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 adopt a new airworthiness directive (AD) for all The Boeing Company Model 777 airplanes. This proposed AD was prompted by an evaluation by the design approval holder (DAH) indicating that the lap splices of the aft pressure bulkhead webs are subject to widespread fatigue damage (WFD). This proposed AD would require repetitive inspections for any crack in the aft webs of the radial lap splices of the aft pressure bulkhead, and, if necessary, corrective actions. We are proposing this AD to detect and correct fatigue cracking in the aft webs of the radial lap splices of the aft pressure bulkhead, which could result in reduced structural integrity of the airplane and decompression of the cabin.

DATES: We must receive comments on this proposed AD by June 26, 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://regulations.gov* by searching for and locating Docket No. FAA–2015–1281.

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–2015–1281; 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: Haytham Alaidy, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6573; fax: 425–917–6590; email: *Haytham.Alaidy@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2015–1281; Directorate Identifier 2014–NM–241–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

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 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.

Cracks in the aft webs of the radial lap splices of the aft pressure bulkhead can rapidly coalesce, and could result in reduced structural integrity of the airplane and decompression of the cabin.

Related Service Information Under 1 CFR Part 51

We reviewed Boeing Alert Service Bulletin 777–53A0078, dated December 5, 2014. The service information describes procedures for inspecting the aft webs of the radial lap splices of the aft pressure bulkhead and repairing any crack. Refer to this service information for information on the procedures and compliance times. This service information is reasonably available at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–1281. Or see **ADDRESSES** for other ways to access this service information.

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 proposed AD would require accomplishing the actions specified in the service information described previously except as discussed under ''Differences Between This Proposed AD and the Service Information.''

The phrase ''corrective actions'' might be used in this proposed AD. ''Corrective actions'' are actions that correct or address any condition found. Corrective actions in an AD could include, for example, repairs.

Differences Between This Proposed AD and the Service Information

The service bulletin specifies to contact the manufacturer for instructions on how to repair certain conditions, but this proposed AD would require repairing those conditions in one of the following ways:

- In accordance with a method that we approve; or
- Using data that meet the certification basis of the airplane, and that have been approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) whom we have authorized to make those findings.

Explanation of ''Required for Compliance'' (RC) Steps in Service Information

The FAA worked in conjunction with industry, under the Airworthiness Directive Implementation Aviation Rulemaking Committee (ARC), to enhance the AD system. One enhancement was a new process for annotating which steps in the service information are required for compliance with an AD. Differentiating these steps from other tasks in the service information is expected to improve an owner's/operator's understanding of crucial AD requirements and help provide consistent judgment in AD compliance. The steps identified as RC (required for compliance) in any service information identified previously have a direct effect on detecting, preventing, resolving, or eliminating an identified unsafe condition.

Steps that are identified as RC in any service information must be done to comply with the proposed AD. However, steps that are not identified as RC are recommended. Those steps that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an alternative method of compliance (AMOC), provided the steps identified as RC can be done and the airplane can be put back in a serviceable condition. Any substitutions or changes to steps identified as RC will require approval of an AMOC.

Costs of Compliance

We estimate that this proposed AD affects 193 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
Inspection	9 work-hours × $85 per hour = $765 per inspection cycle.	$0	$765 per inspection cycle.	$147,645 per inspection cycle.

We have received no definitive data that would enable us to provide cost estimates 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 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 this 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 adding the following new airworthiness directive (AD):

The Boeing Company: Docket No. FAA–2015–1281; Directorate Identifier 2014–NM–241–AD.

(a) Comments Due Date

We must receive comments by June 26, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all The Boeing Company Model 777–200, –200LR, –300, –300ER, and 777F series airplanes, certificated in any category.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by an evaluation by the design approval holder (DAH) indicating that the lap splices of the aft pressure bulkhead webs are subject to widespread fatigue damage (WFD). We are issuing this AD to detect and correct fatigue cracking in the aft webs of the radial lap splices of the aft pressure bulkhead, which could result in reduced structural integrity of the airplane and decompression of the cabin.

(f) Compliance

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

(g) Inspection of Lap Splice in the Web of the Aft Pressure Bulkhead

Except as required by paragraph (h) of this AD: At the times specified in paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 777–53A0078, dated December 5, 2014, do a medium frequency eddy current inspection for any cracking in the aft webs of the radial lap splices of the aft pressure bulkhead, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777–53A0078, dated December 5, 2014. Repeat the inspection thereafter at intervals not to exceed 8,400 flight cycles from the previous inspection. If any crack is found during any inspection required by this paragraph, do the applicable corrective actions, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777–53A0078, dated December 5, 2014. If a corrective action described in Boeing Alert Service Bulletin

777–53A0078, dated December 5, 2014, specifies to contact Boeing for appropriate action: Before further flight, repair using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

(h) Exception to Service Information Specifications

Where Boeing Alert Service Bulletin 777–53A0078, dated December 5, 2014, specifies a compliance time ''after the original issue date of this service bulletin,'' this AD requires compliance within the specified compliance time after the effective date of this AD.

(i) 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 (j)(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) If any service information contains steps that are identified as RC (Required for Compliance), those steps must be done to comply with this AD; any steps that are not identified as RC are recommended. Those steps that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the steps identified as RC can be done and the airplane can be put back in a serviceable condition. Any substitutions or changes to steps identified as RC require approval of an AMOC.

(j) Related Information

(1) For more information about this AD, contact Haytham Alaidy, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6573; fax: 425–917–6590; email: *Haytham.Alaidy@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, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on May 1, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–11351 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2015–0368; Airspace Docket No. 14–ACE–9]

Proposed Amendment of Class E Airspace for the Following Iowa Towns: Audubon, IA; Corning, IA; Cresco, IA; Eagle Grove, IA; Guthrie Center, IA; Hampton, IA; Harlan, IA; Iowa Falls, IA; Knoxville, IA; Oelwein, IA; and Red Oak, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class E airspace at Audubon County Airport, Audubon, IA; Corning Municipal Airport, Corning, IA; Ellen Church Field Airport, Cresco, IA; Eagle Grove Municipal Airport, Eagle Grove, IA; Guthrie County Regional Airport, Guthrie Center, IA; Hampton Municipal Airport, Hampton, IA; Harlan Municipal Airport, Harlan, IA; Iowa Falls Municipal Airport, Iowa Falls, IA; Knoxville Municipal Airport, Knoxville, IA; Oelwein Municipal Airport, Oelwein, IA; and Red Oak Municipal Airport, Red Oak, IA. Decommissioning of the non-directional radio beacons (NDB) and/or cancellation of NDB approaches due to advances in Global Positioning System (GPS) capabilities has made this action necessary for the safety and management of Instrument Flight Rules (IFR) operations at the above airports.

DATES: 0901 UTC. Comments must be received on or before June 26, 2015.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001. You must identify the docket number FAA–2015–0368/Airspace Docket No. 14–ACE–9, at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1–800–647–5527), is on the ground floor of the building at the above address.

FAA Order 7400.9Y, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this proposed incorporation by reference material at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15. For further information, you can contact the Airspace Policy and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8783.

FOR FURTHER INFORMATION CONTACT: Roger Waite, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone: (817) 321–7652.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2015–0368/Airspace

Docket No. 14–ACE–9.'' The postcard will be date/time stamped and returned to the commenter.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, 2601 Meacham Blvd., Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267–9677, to request a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Availability and Summary of Documents Proposed for Incorporation by Reference

This document proposes to amend FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014, and effective September 15, 2014. FAA Order 7400.9Y is publicly available as listed in the **ADDRESSES** section of this proposed rule. FAA Order 7400.9Y lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by modifying Class E airspace extending upward from 700 feet above the surface for standard instrument approach procedures (SIAPs) Audubon County Airport, Audubon, IA; Corning Municipal Airport, Corning, IA; Ellen Church Field Airport, Cresco, IA; Eagle Grove Municipal Airport, Eagle Grove, IA; Guthrie County Regional Airport, Guthrie Center, IA; Hampton Municipal Airport, Hampton, IA; Harlan Municipal Airport, Harlan, IA; Iowa Falls Municipal Airport, Iowa Falls, IA; Knoxville Municipal Airport, Knoxville, IA; Oelwein Municipal Airport, Oelwein, IA; and Red Oak Municipal Red Oak, IA. Airspace reconfiguration is necessary due to the decommissioning of NDBs and/or the cancellation of the NDB approach at each airport. Controlled airspace is necessary for the safety and management of IFR operations for SIAPs at the airports.

Class E airspace areas are published in Paragraph 6005 of FAA Order 7400.9Y, dated August 6, 2014 and effective September 15, 2014, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend controlled airspace at the Iowa airports listed in this NPRM.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

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

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120, E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014 and effective September 15, 2014, is amended as follows:

Paragraph 6005 Class E Airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ACE IA E5 Audubon, IA [Amended]

Audubon County Airport, IA
(Lat. 41°42′06″ N., long. 94°55′14″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Audubon County Airport.

* * * * *

ACE IA E5 Corning IA [Amended]

Corning Municipal Airport, IA
(Lat. 40°59′39″ N., long. 94°45′18″ W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Corning Municipal Airport.

* * * * *

ACE IA E5 Cresco, IA [Amended]

Ellen Church Field Airport, IA
(Lat. 43°21′55″ N., long. 92°07′59″ W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Ellen Church Field Airport.

* * * * *

ACE IA E5 Eagle Grove, IA [Amended]

Eagle Grove Municipal Airport, IA
(Lat. 42°42′36″ N., long 93°54′58″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Eagle Grove Municipal Airport.

* * * * *

ACE IA E5 Guthrie Center, IA [Amended]

Guthrie County Regional Airport, IA
(Lat. 41°41′13″ N., long. 94°26′06″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Guthrie County Regional Airport.

* * * * *

ACE IA E5 Hampton, IA [Amended]

Hampton Municipal Airport, IA
(Lat. 42°43′25″ N., long. 93°13′35″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Hampton Municipal Airport.

* * * * *

ACE IA E5 Harlan, IA [Amended]

Harlan Municipal Airport, IA
(Lat. 41°35′04″ N., long. 95°20′23″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Harlan Municipal Airport.

* * * * *

ACE IA E5 Iowa Falls, IA [Amended]

Iowa Falls Municipal Airport, IA
(Lat. 42°28′17″ N., long. 93°16′15″ W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Iowa Falls Municipal Airport.

* * * * *

ACE IA E5 Knoxville, IA [Amended]

Knoxville Municipal Airport, IA
(Lat. 41°17′57″ N., long. 93°06′50″ W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Knoxville Municipal Airport.

* * * * *

ACE IA E5 Oelwein, IA [Amended]

Oelwein Municipal Airport, IA
(Lat. 42°40′51″ N., long. 91°58′28″ W.)

That airspace extending upward from 700 feet above the surface within a 7.3-mile radius of Oelwein Municipal Airport.

* * * * *

ACE IA E5 Red Oak, IA [Amended]

Red Oak Municipal Airport, IA
(Lat. 41°00′39″ N., long. 95°15′32″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Red Oak Municipal Airport; and within 2 miles each side of the 354° bearing from the airport extending from the 6.4-mile radius to 11 miles north of the airport.

Issued in Fort Worth, TX, on April 24, 2015.

Robert W. Beck,

Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2015–11226 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2012–0346; FRL–9927–55–Region 8]

Approval and Promulgation of State Implementation Plans; State of Colorado; Interstate Transport of Pollution for the 2006 24-Hour $PM_{2.5}$ NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Environmental Protection Agency (EPA) is proposing to approve a May 11, 2012 State Implementation Plan (SIP) submission from the State of Colorado that is intended to demonstrate that its SIP meets certain interstate transport requirements of the Clean Air Act (Act or CAA) for the 2006 fine particulate matter ($PM_{2.5}$) National Ambient Air Quality Standards (NAAQS). This submission addresses the requirement that Colorado's SIP contain adequate provisions prohibiting air emissions that will have certain adverse air quality effects in other states. EPA is proposing to determine that Colorado's existing SIP contains adequate provisions to ensure that air emissions in Colorado do not significantly contribute to nonattainment or interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS in any other state, or interfere with another state's measures to prevent significant deterioration (PSD) of air quality or to protect visibility. EPA is also proposing to approve the portion of Colorado's submission that addresses the CAA requirement that SIPs contain adequate provisions related to interstate and international pollution abatement.

DATES: Comments must be received on or before June 11, 2015.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2012–0346, by one of the following methods:

- *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.
- *Email: clark.adam@epa.gov.*
- *Fax:* (303) 312–6064 (please alert the individual listed in the **FOR FURTHER INFORMATION CONTACT** if you are faxing comments).
- *Mail:* Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mail Code 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129.
- *Hand Delivery:* Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mail Code 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129. Such deliveries are only accepted Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding federal holidays. Special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R08–OAR–2012–0346. 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 information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. 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. For additional instructions on submitting comments, go to Section I, General Information of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly-available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Air Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P–AR, 1595 Wynkoop, Denver, Colorado 80202–1129. EPA requests that if at all possible, you

contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the hard copy of the docket. You may view the hard copy of the docket Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding federal holidays.

FOR FURTHER INFORMATION CONTACT: Adam Clark, Air Program, U.S. Environmental Protection Agency, Region 8, Mailcode 8P–AR, 1595 Wynkoop, Denver, Colorado 80202–1129, (303) 312–7104, *clark.adam@epa.gov.*

SUPPLEMENTARY INFORMATION:

Definitions

For the purpose of this document, we are giving meaning to certain words or initials as follows:

(i) The words or initials *Act* or *CAA* mean or refer to the Clean Air Act, unless the context indicates otherwise.

(ii) The initials *CAIR* mean or refer to the Clean Air Interstate Rule.

(iii) The initials *CSAPR* mean or refer to the Cross-State Air Pollution Rule or ''Transport Rule.''

(iv) The initials *CDPHE* mean or refer to the Colorado Department of Public Health and Environment.

(v) The words *State* and *Colorado* mean the State of Colorado, unless the context indicates otherwise.

(vi) The words *EPA, we, us* or *our* mean or refer to the United States Environmental Protection Agency.

(vii) The initials *NAAQS* mean or refer to the National Ambient Air Quality Standards.

(viii) The initials *NNSR* mean or refer to nonattainment New Source Review.

(ix) The initials $PM_{2.5}$ mean or refer to fine particulate matter.

(x) The initials *PSD* mean or refer to Prevention of Significant Deterioration.

(xi) The initials *RAVI* mean or refer to Reasonably Attributable Visibility Impairment.

(xii) The initials *SIP* mean or refer to State Implementation Plan.

(xiii) The initials *TSD* mean or refer to Technical Support Document.

(xiv) The initials *WRAP* mean or refer to Western Regional Air Partnership.

(xv) The initials $\mu g/m^3$ mean or refer to micrograms per cubic meter.

Table of Contents

I. General Information
II. Background
A. 2006 $PM_{2.5}$ NAAQS and Interstate Transport
B. Rules Addressing Interstate Transport for the 2006 $PM_{2.5}$ NAAQS
C. EPA Guidance
III. Colorado's Submittal
IV. EPA's Evaluation
A. Identification of Nonattainment and Maintenance Receptors
B. Evaluation of Significant Contribution to Nonattainment
C. Evaluation of Interference With Maintenance
D. Evaluation of Interference With Measures to Prevent Significant Deterioration
E. Evaluation of Interference With Measures to Protect Visibility
F. Evaluation of CAA section 110(a)(2)(D)(ii) Requirements
V. Proposed Action
VI. Statutory and Executive Orders Review

I. General Information

What should I consider as I prepare my comments for EPA?

1. *Submitting Confidential Business Information (CBI).* Do not submit CBI to EPA through *www.regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- Follow directions—The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns, and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified.

II. Background

A. 2006 $PM_{2.5}$ NAAQS and Interstate Transport

On September 21, 2006, EPA promulgated a final rule revising the 1997 24-hour primary and secondary NAAQS for $PM_{2.5}$ from 65 micrograms per cubic meter ($\mu g/m^3$) to 35 $\mu g/m^3$ (October 17, 2006, 71 FR 61144).

Section 110(a)(1) of the CAA requires each state to submit to EPA, within three years (or such shorter period as the Administrator may prescribe) after the promulgation of a primary or secondary NAAQS or any revision thereof, a SIP that provides for the ''implementation, maintenance, and enforcement'' of such NAAQS. EPA refers to these specific submittals as ''infrastructure'' SIPs because they are intended to address basic structural SIP requirements for new or revised NAAQS. For the 2006 24-hour $PM_{2.5}$ NAAQS, these infrastructure SIPs were due on September 21, 2009. CAA section 110(a)(2) includes a list of specific elements that ''[e]ach such plan submission'' must meet.

The interstate transport provisions in CAA section 110(a)(2)(D)(i) (also called ''good neighbor'' provisions) require each state to submit a SIP that prohibits emissions that will have certain adverse air quality effects in other states. CAA section 110(a)(2)(D)(i) identifies four distinct elements related to the impacts of air pollutants transported across state lines. The two elements under 110(a)(2)(D)(i)(I) require SIPs to contain adequate provisions to prohibit any source or other type of emissions activity within the state from emitting air pollutants that will (element 1) contribute significantly to nonattainment in any other state with respect to any such national primary or secondary NAAQS, and (element 2) interfere with maintenance by any other state with respect to the same NAAQS. The two elements under 110(a)(2)(D)(i)(II) require SIPs to contain adequate provisions to prohibit emissions that will interfere with measures required to be included in the applicable implementation plan for any other state under part C (element 3) to prevent significant deterioration of air quality or (element 4) to protect visibility. In this action, EPA is addressing all four elements of CAA section 110(a)(2)(D)(i).

CAA section 110(a)(2)(D)(ii) requires that each SIP shall contain adequate provisions insuring compliance with applicable requirements of sections 126 and 115 (relating to interstate and international pollution abatement). EPA

is also addressing this requirement with regard to Colorado's SIP in this action.

B. Rules Addressing Interstate Transport for the 2006 $PM_{2.5}$ NAAQS

EPA has previously addressed the requirements of CAA section 110(a)(2)(D)(i)(I) in past regulatory actions.[1] Most recently, EPA published the final Cross State Air Pollution Rule (CSAPR or ''Transport Rule'') to address CAA section 110(a)(2)(D)(i)(I) in the eastern portion of the United States with respect to the 2006 $PM_{2.5}$ NAAQS, the 1997 $PM_{2.5}$ NAAQS, and the 1997 8-hour ozone NAAQS (August 8, 2011, 76 FR 48208). CSAPR replaces the earlier Clean Air Interstate Rule (CAIR) which was judicially remanded.[2] *See North Carolina* v. *EPA,* 531 F.3d 896 (D.C. Cir. 2008). On August 21, 2012, the U.S. Court of Appeals for the DC Circuit issued a decision vacating CSAPR, s*ee EME Homer City Generation, L.P.* v. *E.P.A.,* 696 F.3d 7 (D.C. Cir. 2012), and ordering EPA to continue implementing CAIR in the interim. However, on April 29, 2014, the U.S. Supreme Court reversed and remanded the DC Circuit's ruling and upheld EPA's approach in CSAPR. *EPA* v. *EME Homer City Generation, L.P.,* 134 S. Ct. 1584, 1610 (2014). After the U.S. Supreme Court decision, EPA filed a motion to lift the stay on CSAPR and asked the DC Circuit to toll CSAPR's compliance deadlines by three years. On October 23, 2014 the DC Circuit granted EPA's motion and lifted the stay on CSAPR. *EME Homer City Generation, L.P.* v. *EPA,* No. 11–1302 (D.C. Cir. Oct. 23, 2014), Order at 3. CSAPR began implementation on January 1, 2015 pursuant to the DC Circuit's directive lifting the stay. The State of Colorado was not covered by CSAPR, and EPA made no determinations in the rule regarding whether emissions from sources in Colorado significantly contribute to nonattainment or interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS in another state.

C. EPA Guidance

On September 25, 2009, EPA issued a guidance memorandum that provides recommendations to states for making submissions to meet the requirements of CAA section 110(a)(2)(D)(i) for the 2006 $PM_{2.5}$ standards (''2006 $PM_{2.5}$ NAAQS Infrastructure Guidance'' or ''Guidance'').[3] With respect to element 1 of CAA section 110(a)(2)(D)(i) to prohibit emissions that will contribute significantly to nonattainment of the NAAQS in any other state, the 2006 $PM_{2.5}$ NAAQS Infrastructure Guidance advised states to include in their section 110(a)(2)(D)(i)(I) SIP submissions an adequate technical analysis to support their conclusions regarding interstate pollution transport, *e.g.,* information concerning emissions in the state, meteorological conditions in the state and in potentially impacted states, monitored ambient pollutant concentrations in the state and in potentially impacted states, distances to the nearest areas not attaining the NAAQS in other states, and air quality modeling.[4]

With respect to element 2 of CAA section 110(a)(2)(D)(i) to prohibit emissions that would interfere with maintenance of the NAAQS by any other state, the Guidance stated that SIP submissions must address this independent and distinct requirement of the statute and provide technical information appropriate to support the State's conclusions, and suggested consideration of the same technical information that would be appropriate for element 1 of this CAA requirement.

In this action, EPA is proposing to use the conceptual approach to evaluating interstate pollution transport under CAA section 110(a)(2)(D)(i)(I) that EPA explained in the 2006 $PM_{2.5}$ NAAQS Infrastructure Guidance and CSAPR. As such, we find that the CAA section 110(a)(2)(D)(i)(I) SIP submission from Colorado may be evaluated using a ''weight of evidence'' approach that takes into account available relevant information, including the factors recommended in the 2006 $PM_{2.5}$ NAAQS Infrastructure Guidance. These submissions can rely on modeling when acceptable modeling technical analyses are available, but EPA does not believe that modeling is necessarily required if other available information is sufficient to evaluate the presence or degree of interstate transport in a given situation.

With respect to the requirements in section 110(a)(2)(D)(i)(II) which address elements 3 (PSD) and 4 (visibility), EPA most recently issued an infrastructure guidance memo on September 13, 2013 that included guidance on these two elements.[5] For the purposes of this action, this memo will hereon be referred to as the ''2013 I–SIP Guidance.''

III. Colorado's Submittal

On May 11, 2012, the Colorado Department of Public Health and Environment (CDPHE) submitted an interstate transport SIP which concluded that Colorado meets all of the requirements of CAA section 110(a)(2)(D)(i) for the 2006 24-hour $PM_{2.5}$ NAAQS.[6] In this submission, Colorado provided a thorough technical analysis for elements 1 and 2 of CAA section 110(a)(2)(D)(i) which concluded that the State did not contribute significantly to nonattainment or interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS in other states. The State based this conclusion on consideration of factors including distance, monitored attainment of the 2006 24-hour $PM_{2.5}$ NAAQS in Colorado and downwind states, and modeling conducted by EPA.

To meet the element 3 (PSD) requirement of CAA section 110(a)(2)(D)(i), the State referenced its existing PSD and nonattainment New Source Review (NNSR) permitting programs. To meet the element 4 (visibility) requirement of 110(a)(2)(D)(i), the State referenced and discussed its Reasonably Attributable Visibility Impairment (RAVI) program, Regional Haze SIP, and some emission reduction programs currently in the Colorado SIP that reduce visibility impairing pollutants.

The State's May 11, 2012 interstate transport submission and June 4, 2010 infrastructure SIP certification for the 2006 24-hour $PM_{2.5}$ NAAQS both overlooked the requirements of CAA section 110(a)(2)(D)(ii), which requires that each SIP shall contain adequate provisions insuring compliance with applicable requirements of sections 126 and 115 (relating to interstate and international pollution abatement). The State submitted a clarification letter on March 12, 2015, which explained that

[1] *See* NO_X SIP Call, 63 FR 57371 (October 27, 1998); Clean Air Interstate Rule (CAIR), 70 FR 25172 (May 12, 2005); and Transport Rule or Cross-State Air Pollution Rule, 76 FR 48208 (August 8, 2011).

[2] CAIR addressed the 1997 annual and 24-hour $PM_{2.5}$ NAAQS, and the 1997 8-hour ozone NAAQS. It did not address the 2006 24-hour $PM_{2.5}$ NAAQS.

[3] *See* Memorandum from William T. Harnett entitled ''Guidance on SIP Elements Required Under Sections 110(a)(1) and (2) for the 2006 24-Hour Fine Particle ($PM_{2.5}$) National Ambient Air Quality Standards (NAAQS),'' September 25, 2009, available at *http://www.epa.gov/ttn/caaa/t1/memoranda/20090925_harnett_pm25_sip_110a12.pdf.*

[4] The 2006 $PM_{2.5}$ NAAQS Infrastructure Guidance stated that EPA was working on a new rule to replace CAIR that would address issues raised by the court in the *North Carolina* case and that would provide guidance to states in addressing the requirements related to interstate transport in CAA section 110(a)(2)(D)(i)(I) for the 2006 24-hour $PM_{2.5}$ NAAQS. It also noted that states could not rely on the CAIR rule for section 110(a)(2)(D)(i)(I) submissions for the 2006 24-hour $PM_{2.5}$ NAAQS because the CAIR rule did not address this NAAQS. *See* 2006 $PM_{2.5}$ NAAQS Infrastructure Guidance at 3.

[5] See ''Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and (2)'' dated September 13, 2013, in the docket for this action.

[6] Colorado's SIP, dated May 11, 2012, is included in the docket for this action.

the State had inadvertently left discussion of 110(a)(2)(D)(ii) out of the 2006 24-hour $PM_{2.5}$ infrastructure certification.[7] The State noted that in its four subsequent infrastructure submittals (for the 2008 Pb, 2008 Ozone, 2010 NO_2 and 2010 SO_2 NAAQS), it had included the necessary demonstration that Colorado's SIP meets the requirements of 110(a)(2)(D)(ii). The State requested that the same demonstration used in all subsequent infrastructure submittals be applied to the 2006 24-hour $PM_{2.5}$ certification submitted June 4, 2010.[8]

IV. EPA's Evaluation

To determine whether the CAA section 110(a)(2)(D)(i)(I) requirement is satisfied, EPA first determines whether a state's emissions contribute significantly to nonattainment or interfere with maintenance in other states. If a state is determined not to have such contribution or interference, then section 110(a)(2)(D)(i)(I) does not require any changes to that state's SIP.

Consistent with the first step of EPA's approach in the 1998 NO_X SIP call, the 2005 CAIR, and the 2011 CSAPR, EPA evaluated impacts of emissions from Colorado with respect to specific monitors identified as having nonattainment and/or maintenance problems, which we refer to as ''receptors.'' To evaluate these impacts, and in the absence of relevant modeling of Colorado emissions, EPA examined factors suggested by the 2006 Guidance such as monitoring data, topography, and meteorology. EPA notes that no single piece of information is by itself dispositive of the issue. Instead, the total weight of all the evidence taken together is used to evaluate significant contributions to nonattainment or interference with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS in another state.

Our proposed approval takes into account the information provided in Colorado's 2012 Interstate Transport SIP. In addition, we are supplementing the evaluation of the State's submittal with a review of the monitors in other states that are appropriate ''nonattainment receptors'' or ''maintenance receptors,'' consistent with EPA's approach in the CSAPR, and additional relevant technical information to determine whether sources in Colorado contribute significantly to nonattainment or interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS in other states.

Our Technical Support Document (TSD) contains a detailed evaluation and is available in the public docket for this rulemaking, which may be accessed online at *www.regulations.gov,* docket number EPA–R08–OAR–2012–0346. Below, we provide a summary of our analysis.

A. Identification of Nonattainment and Maintenance Receptors

EPA evaluated data from existing monitors over three overlapping 3-year periods (*i.e.,* 2009–2011, 2010–2012, and 2011–2013) to determine which areas are expected to be violating the 2006 24-hour $PM_{2.5}$ NAAQS and which areas might have difficulty maintaining attainment of the standard. If a monitoring site measured a violation of the 2006 24-hour $PM_{2.5}$ NAAQS during the most recent 3-year period (2011–2013), then that monitor location was evaluated for purposes of the significant contribution to nonattainment (element 1) of section 110(a)(2)(D)(i). If, on the other hand, a monitoring site shows attainment of the 2006 24-hour $PM_{2.5}$ NAAQS during the most recent 3-year period (2011–2013) but a violation in at least one of the previous two 3-year periods (2010–2012 or 2009–2011), then that monitor location was evaluated for purposes of the interfere with maintenance (element 2) of section 110(a)(2)(D)(i).

This approach is similar to that used in the modeling done during the development of CSAPR, but differs in that it relies on monitoring data (rather than modeling) for the western states not included in the CSAPR modeling domain.[9] By this method, EPA has identified those areas with monitors to be considered ''nonattainment receptors'' or ''maintenance receptors'' for evaluating whether the emissions from sources in another state could significantly contribute to nonattainment in, or interfere with maintenance in, that particular area.

EPA continues to believe that the more widespread and serious transport problems in the eastern United States are analytically distinct. For the 2006 24-hour $PM_{2.5}$ NAAQS, EPA believes that nonattainment and maintenance problems in the western United States are relatively local in nature with only limited impacts from interstate transport. In CSAPR, EPA did not calculate the portion of any downwind state's predicted $PM_{2.5}$ concentrations that would result from emissions from individual western states, such as Colorado. Accordingly, EPA believes that section 110(a)(2)(D)(i)(I) SIP submissions for states outside the geographic area analyzed to develop CSAPR may be evaluated using a ''weight of the evidence'' approach that takes into account available relevant information, such as that recommended by EPA in the Guidance. Such information may include, but is not limited to, the amount of emissions in the state relevant to the NAAQS in question, the meteorological conditions in the area, the distance from the state to the nearest monitors in other states that are appropriate receptors, or such other information as may be probative to consider as to whether sources in the state may contribute significantly to nonattainment or interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS in other states. These submissions can rely on modeling when acceptable modeling technical analyses are available, but EPA does not believe that modeling is necessarily required if other available information is sufficient to evaluate the presence or degree of interstate transport in a given situation.

B. Evaluation of Significant Contribution to Nonattainment

EPA reviewed technical information to evaluate the potential for Colorado emissions to contribute significantly to nonattainment of the 2006 $PM_{2.5}$ NAAQS at specified monitoring sites in the Western U.S.[10] EPA first identified as ''nonattainment receptors'' all monitoring sites in the western states that had recorded $PM_{2.5}$ design values above the level of the 2006 24-hour $PM_{2.5}$ NAAQS (35 $\mu g/m^3$) during the years 2011–2013.[11] See Section III of our

[7] Colorado's certification letter is available in the docket for this action.

[8] Colorado's 2006 $PM_{2.5}$, 2008 Pb, 2008 Ozone, 2010 NO_2 and 2010 SO_2 infrastructure certifications are available in the docket for this action.

[9] As noted, the State of Colorado was not included in the CSAPR modeling domain.

[10] EPA also considered potential $PM_{2.5}$ transport from Colorado to the nearest nonattainment and maintenance receptors located in the eastern, midwestern and southern states covered by CSAPR and believes it is reasonable to conclude that, given the significant distance from Colorado to the nearest such receptor (in East St. Louis, IL) and the relatively insignificant amount of emissions from Colorado that could potentially be transported such a distance when compared to downwind states whose contribution was modeled for CSAPR, emissions from Colorado sources do not significantly contribute to nonattainment or interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS at this location. These same factors also support a finding that emissions from Colorado sources neither contribute significantly to nonattainment nor interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS at any location further east. *See* TSD at Section I.B.3.

[11] Because CAIR did not cover states in the Western United States, these data are not significantly impacted by the remanded CAIR and thus could be considered in this analysis. In contrast, recent air quality data in the eastern, midwestern and southern states are significantly impacted by reductions associated with CAIR and because CSAPR was developed to replace CAIR,

TSD for more a more detailed description of EPA's methodology for selection of nonattainment receptors.

Because geographic distance is a relevant factor in the assessment of potential pollution transport, EPA first reviewed information related to potential transport of $PM_{2.5}$ pollution from Colorado to the nonattainment receptors in Utah, the only state bordering Colorado which contains such receptors. As detailed in our TSD, the following factors support a finding that emissions from Colorado do not significantly contribute to nonattainment of the 2006 24-hour $PM_{2.5}$ NAAQS in Utah: (1) Technical information, such as data from monitors in the vicinity of these nonattainment receptors, related to the nature of local emissions; (2) topographical considerations such as intervening mountain ranges which tend to create physical impediments for pollution transport; and (3) meteorological considerations such as prevailing winds. While none of these factors by itself would necessarily show non-contribution, when taken together in a weight-of-evidence assessment they are sufficient for EPA to determine that emissions from Colorado do not significantly contribute to nonattainment at the Utah receptors.

EPA also evaluated potential $PM_{2.5}$ transport to nonattainment receptors in the more distant western states of Idaho, Montana, California and Oregon. The following factors support a finding that emissions from Colorado do not significantly contribute to nonattainment of the 2006 24-hour $PM_{2.5}$ NAAQS in any of these states: (1) The significant distance from Colorado to the nonattainment receptors in these states; (2) technical information, such as data from nearby monitors, related to the nature of local emissions; and (3) the presence of intervening mountain ranges, which tend to impede pollution transport.

Based on our evaluation, we propose to conclude that emissions of direct $PM_{2.5}$ and $PM_{2.5}$ precursors from sources in the State of Colorado do not significantly contribute to nonattainment of the 2006 24-hour $PM_{2.5}$ standards in any other state, that the existing SIP for the State of Colorado is adequate to satisfy the ''significant contribution'' requirements of CAA section 110(a)(2)(D)(i)(I) with respect to the 2006 24-hour $PM_{2.5}$ standards, and that the State of Colorado therefore does not need to adopt additional controls for purposes of implementing the ''significant contribution to nonattainment'' requirement of 110(a)(2)(D)(i)(I) with respect to that NAAQS at this time.

C. Evaluation of Interference With Maintenance

We also reviewed technical information to evaluate the potential for Colorado emissions to interfere with maintenance of the 2006 24-hour $PM_{2.5}$ standards at specified monitoring sites in the Western U.S. EPA first identified as ''maintenance receptors'' all monitoring sites in the western states that had recorded $PM_{2.5}$ design values above the level of the 2006 24-hour $PM_{2.5}$ NAAQS (35 $\mu g/m^3$) during the 2009–2011 and/or 2010–2012 periods but below this standard during the 2011–2013 period. See section III of our TSD for more information regarding EPA's methodology for selection of maintenance receptors. All of the maintenance receptors in the western states are located in California, Utah and Montana. EPA therefore evaluated the potential for transport of Colorado emissions to the maintenance receptors located in these states. As detailed in our TSD, the following factors support a finding that emissions from Colorado do not interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS in those states: (1) Technical information, such as data from monitors near maintenance receptors, related to the nature of local emissions, and (2) the significant distance between Colorado and these maintenance receptors.

Based on this evaluation, EPA proposes to conclude that emissions of direct $PM_{2.5}$ and $PM_{2.5}$ precursors from sources in the State of Colorado do not interfere with maintenance of the 2006 24-hour $PM_{2.5}$ standards in any other state, that the existing SIP for the State of Colorado is adequate to satisfy the ''interfere with maintenance'' requirements of CAA section 110(a)(2)(D)(i)(I), and that the State of Colorado therefore does not need to adopt additional controls for purposes of implementing the ''interfere with maintenance'' requirements of section 110(a)(2)(D)(i)(I) with respect to that NAAQS at this time.

D. Evaluation of Interference With Measures To Prevent Significant Deterioration

With regard to the PSD portion of section 110(a)(2)(D)(i)(II), this requirement may be met by a state's confirmation in an infrastructure SIP submission that new major sources and major modifications in the state are subject to a comprehensive EPA-approved PSD permitting program in the SIP that applies to all regulated NSR pollutants and that satisfies the requirements of EPA's PSD implementation rule(s).[12] On September 23, 2013, EPA approved CAA section 110(a)(2) elements (C) and (J) for Colorado's infrastructure SIP for the 2006 24-hour $PM_{2.5}$ NAAQS with respect to PSD requirements for all regulated pollutants (78 FR 58186). As discussed in detail in the proposed rulemaking for that final action, the concurrent approval of PSD-related revisions which incorporated the requirements of the 2008 $PM_{2.5}$ NSR Implementation Rule and certain requirements of the 2010 $PM_{2.5}$ Increment Rule to the Colorado SIP action ensured that Colorado's SIP-approved PSD program meets current structural requirements for all regulated NSR pollutants.[13]

As stated in the 2013 I–SIP Guidance, in-state sources not subject to PSD for any one or more of the pollutants subject to regulation under the CAA because they are in a nonattainment area for a NAAQS related to those particular pollutants may also have the potential to interfere with PSD in an attainment or unclassifiable area of another state. One way a state may satisfy element 3 with respect to these sources is by citing an air agency's EPA-approved nonattainment NSR provisions addressing any pollutants for which the state has designated nonattainment areas. Colorado has a SIP-approved nonattainment NSR program which ensures regulation of major sources and major modifications in nonattainment areas.[14] As Colorado's SIP meets structural PSD requirements for all regulated NSR pollutants, and contains a fully approved nonattainment NSR program, EPA is proposing to approve the infrastructure SIP submission as meeting the applicable requirements of element 3 of section 110(a)(2)(D)(i) for the 2006 24-hour $PM_{2.5}$ NAAQS.

E. Evaluation of Interference With Measures To Protect Visibility

To determine whether the CAA section 110(a)(2)(D)(i)(II) requirement for visibility protection is satisfied, the SIP must address the potential for

EPA could not consider reductions associated with the CAIR in the base case transport analysis for those states. *See* 76 FR at 48223–24.

[12] See 2013 I–SIP Guidance.

[13] The proposed rulemaking was published May 23, 2013 (78 FR 30830). As described in that proposed rulemaking, EPA did not approve certain portions of the State's incorporation of the 2010 $PM_{2.5}$ Increment Rule because these portions were ultimately removed from EPA's PSD regulations.

[14] See Colorado Regulation No. 3, Part D, Section V, which was most recently approved by EPA in a final rulemaking dated February 13, 2014 (79 FR 8632).

interference with visibility protection caused by the pollutant (including precursors) to which the new or revised NAAQS applies. $PM_{2.5}$ is among the pollutants which could interfere with visibility protection.[15] An approved regional haze SIP that fully meets the regional haze requirements in 40 CFR 51.308 satisfies the 110(a)(2)(D)(i)(II) requirement for visibility protection as it ensures that emissions from the state will not interfere with measures required to be included in other state SIPs to protect visibility. In the absence of a fully approved regional haze SIP, a state can still make a demonstration that satisfies the visibility requirement section of 110(a)(2)(D)(i)(II).[16]

Colorado submitted a regional haze SIP to EPA on May 25, 2011. EPA approved Colorado's regional haze SIP on December 31, 2012 (77 FR 76871). In early 2013, WildEarth Guardians and the National Parks Conservation Association (NPCA) filed separate petitions for reconsideration of certain aspects of EPA's approval of the Colorado's regional haze SIP.[17] After these petitions were filed, a settlement agreement was entered into concerning the Craig Generating Station by the petitioners, EPA, CDPHE, and Tri-State Generation and Transmission Association, Inc., and filed with the court on July 10, 2014.[18] In accordance with the settlement agreement, EPA requested and the court granted a voluntary remand to EPA of the portions of EPA's December 2012 regional haze SIP approval that related to Craig Unit 1. Because of this remand, and because the additional controls at the Craig facility will be implemented through a revision to the Colorado regional haze SIP that EPA has not yet acted on, EPA cannot rely on this approval as automatically satisfying element 4.

EPA does, however, consider aspects of our approval of Colorado's regional haze SIP to be sufficient to satisfy this requirement. Specifically, EPA found that Colorado met its 40 CFR 51.308(d)(3)(ii) requirements to include in its regional haze SIP all measures necessary to: (1) Obtain its share of the emission reductions needed to meet the reasonable progress goals for any other state's Class I area to which Colorado causes or contributes to visibility impairment; and (2) ensure it has included all measures needed to achieve its apportionment of emission reduction obligations agreed upon through a regional planning process. Colorado participated in a regional planning process with Western Regional Air Partnership (WRAP). In the regional planning process, Colorado analyzed the WRAP modeling and determined that emissions from the State do not significantly impact other states' class I areas.[19] Colorado accepted and incorporated the WRAP-developed visibility modeling into its regional haze SIP, and the SIP included the controls assumed in the modeling. For these reasons, EPA determined that Colorado had satisfied the Regional Haze Rule requirements for consultation and had included controls in the SIP sufficient to address the relevant requirements related to impacts on Class I areas in other states. Therefore, we are proposing to approve the Colorado SIP as meeting the requirements of element 4 of CAA section 110(a)(2)(D)(i)(II) for the 2006 24-hour $PM_{2.5}$ NAAQS.

F. Evaluation of CAA Section 110(a)(2)(D)(ii) Requirements

As stated above, Colorado's May 11, 2012 interstate transport submission and June 4, 2010 infrastructure SIP certification for the 2006 24-hour $PM_{2.5}$ NAAQS both overlooked the requirements of CAA section 110(a)(2)(D)(ii). The State submitted a clarification letter on March 12, 2015, which explained that the State had inadvertently left discussion of 110(a)(2)(D)(ii) out of the 2006 24-hour $PM_{2.5}$ infrastructure certification, and referenced the four subsequent infrastructure submittals (for the 2008 Pb, 2008 Ozone, 2010 NO_2 and 2010 SO_2 NAAQS) that included a demonstration that Colorado's SIP meets the requirements of 110(a)(2)(D)(ii). The State requested that the same demonstration used in all subsequent infrastructure submittals be applied to the 2006 24-hour $PM_{2.5}$ certification submitted June 4, 2010.

CAA section 110(a)(2)(D)(ii) requires that each SIP contain adequate provisions ensuring compliance with applicable requirements of CAA sections 126 and 115. Section 126(a) requires notification to affected, nearby states of major proposed new (or modified) sources. Sections 126(b) and (c) pertain to petitions by affected states to the Administrator regarding sources violating the ''interstate transport'' provisions of section 110(a)(2)(D)(i). Section 115 pertains to international transport of air pollution.

As required by 40 CFR 51.166(q)(2)(iv), Colorado's SIP-approved PSD program requires notice to states whose lands may be affected by the emissions of sources subject to PSD.[20] This suffices to meet the notice requirement of section 126(a).

Colorado has no pending obligations under sections 126(c) or 115(b); therefore, its SIP currently meets the requirements of those sections. In summary, the SIP meets the requirements of CAA section 110(a)(2)(D)(ii) for the 2006 $PM_{2.5}$ NAAQS. Therefore, we are proposing to approve the Colorado SIP as meeting the requirements of element 4 of CAA section 110(a)(2)(D)(ii) for the 2006 24-hour $PM_{2.5}$ NAAQS.

V. Proposed Action

EPA is proposing to approve all four interstate transport elements of CAA Section 110(a)(2)(D)(i) from Colorado's May 11, 2012 submission. This proposed approval is based on EPA's finding that emissions from Colorado do not significantly contribute to nonattainment or interfere with maintenance of the 2006 24-hour $PM_{2.5}$ NAAQS in any other state and that the existing Colorado SIP is, therefore, adequate to meet the requirements of CAA section 110(a)(2)(D)(i)(I) for the 2006 24-hour $PM_{2.5}$ NAAQS.

EPA is proposing to approve the 110(a)(2)(D)(ii) portion of Colorado's submission, based on our finding that the State's existing SIP is adequate to meet the requirements of this element for the 2006 24-hour $PM_{2.5}$ NAAQS.

VI. Statutory and Executive Orders Review

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 proposes to approve 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

[15] Section II.A.3 of Appendix Y to Part 51—Guidelines for BART Determinations Under the Regional Haze Rule and 40 CFR 51.166(b)(i)(b).

[16] See 2013 I–SIP Guidance. EPA also approved the visibility requirement of 110(a)(2)(D)(i)(II) in a final rulemaking published April 20, 2011 (76 FR 22036) by a demonstration provided by the State that did not rely on the Colorado Regional Haze SIP.

[17] WildEarth Guardians filed its petition on February 25, 2013, and NPCA filed its petition on March 1, 2013.

[18] This settlement agreement is included in the docket for this action; *see also* Proposed Settlement Agreement, 79 FR 47636 (Aug. 14, 2014).

[19] See our proposed rulemaking on the Colorado regional haze SIP, 77 FR 18052, March 26, 2012.

[20] See Colorado Regulation 3, Part D. IV.A.1.

Executive Order 12866 (58 FR 51735, October 4, 1993);

• 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 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).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile Organic Compounds.

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

Dated: April 29, 2015.

Shaun L. McGrath,

Regional Administrator, Region 8.

[FR Doc. 2015–11338 Filed 5–11–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2015–0297; FRL–9927–54–Region 9]

Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements for Lead and Ozone

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to partially approve and partially disapprove a State Implementation Plan (SIP) revision submitted by the State of Arizona to address the requirements of section 110(a)(1) and (2) of the Clean Air Act (CAA) for the 2008 Lead (Pb) and 2008 ozone national ambient air quality standards (NAAQS). Section 110(a) of the CAA requires that each State adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS. We refer to such SIP revisions as ''infrastructure'' SIPs because they are intended to address basic structural SIP requirements for each new or revised NAAQS including, but not limited to, legal authority, regulatory structure, resources, permit programs, monitoring and modeling necessary to assure attainment and maintenance of the standards. We are taking comments on this proposal and plan to follow with a final action.

DATES: Written comments must be received on or before June 11, 2015.

ADDRESSES: Submit your comments, identified by Docket No. EPA–R09–OAR–2015–0297, by one of the following methods:

1. *Federal Rulemaking Portal: http://www.regulations.gov.* Follow the on-line instructions for submitting comments.

2. *Email:* Jeffrey Buss at *buss.jeffrey@epa.gov.*

3. *Mail:* Jeffrey Buss, Air Planning Office (AIR–2), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne, San Francisco, California 94105.

4. *Hand or Courier Delivery:* Jeffrey Buss, Air Planning Section (AIR–2), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne, San Francisco, California 94105. Such deliveries are only accepted during the Regional Office's normal hours of operation. Special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R09–OAR–2015–0297. 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 the disclosure of which is restricted by statute. Do not submit information through *www.regulations.gov* or email that you consider to be CBI or otherwise protected from disclosure. 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 docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Air Planning Office (AIR–2), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, California 94105. EPA requests that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection during normal business hours.

FOR FURTHER INFORMATION CONTACT: Jeffrey Buss, Office of Air Planning, U.S. Environmental Protection Agency, Region 9, (415) 947–4152, email: *buss.jeffrey@epa.gov.*

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

Table of Contents

I. Background
A. EPA's Approach to the Review of Infrastructure SIP Submittals
B. Statutory Framework and Scope of Infrastructure SIPs
C. Regulatory Background
II. Arizona's Submittals
III. EPA's Evaluation
IV. Proposed Action
V. Statutory and Executive Order Reviews

I. Background

A. EPA's Approach to the Review of Infrastructure SIP Submittals

EPA is acting upon several SIP submittals from Arizona that address the infrastructure requirements of CAA sections 110(a)(1) and 110(a)(2) for the 2008 ozone and 2008 Pb NAAQS. The requirement for states to make a SIP submittal of this type arises out of CAA section 110(a)(1). Pursuant to section 110(a)(1), states must make SIP submittals ''within 3 years (or such shorter period as the Administrator may prescribe) after the promulgation of a national primary ambient air quality standard (or any revision thereof),'' and these SIP submittals are to provide for the ''implementation, maintenance, and enforcement'' of such NAAQS. The statute directly imposes on states the duty to make these SIP submittals, and the requirement to make the submittals is not conditioned upon EPA's taking any action other than promulgating a new or revised NAAQS. Section 110(a)(2) includes a list of specific elements that ''[e]ach such plan'' submittal must address.

EPA has historically referred to these SIP submittals made for the purpose of satisfying the requirements of CAA sections 110(a)(1) and 110(a)(2) as ''infrastructure SIP'' submittals. Although the term ''infrastructure SIP'' does not appear in the CAA, EPA uses the term to distinguish this particular type of SIP submittal from submittals that are intended to satisfy other SIP requirements under the CAA, such as ''nonattainment SIP'' or ''attainment SIP'' submittals to address the nonattainment planning requirements of part D of title I of the CAA, ''regional haze SIP'' submittals required by EPA rule to address the visibility protection requirements of CAA section 169A, and nonattainment new source review (NSR) permit program submittals to address the permit requirements of CAA, title I, part D.

Section 110(a)(1) addresses the timing and general requirements for infrastructure SIP submittals, and section 110(a)(2) provides more details concerning the required contents of these submittals. The list of required elements provided in section 110(a)(2) contains a wide variety of disparate provisions, some of which pertain to required legal authority, some of which pertain to required substantive program provisions, and some of which pertain to requirements for both authority and substantive program provisions.[1] EPA therefore believes that while the timing requirement in section 110(a)(1) is unambiguous, some of the other statutory provisions are ambiguous. In particular, EPA believes that the list of required elements for infrastructure SIP submittals provided in section 110(a)(2) contains ambiguities concerning what is required for inclusion in an infrastructure SIP submittal.

The following examples of ambiguities illustrate the need for EPA to interpret some section 110(a)(1) and section 110(a)(2) requirements with respect to infrastructure SIP submittals for a given new or revised NAAQS. One example of ambiguity is that section 110(a)(2) requires that ''each'' SIP submittal must meet the list of requirements therein, while EPA has long noted that this literal reading of the statute is internally inconsistent and would create a conflict with the nonattainment provisions in part D of title I of the Act, which specifically address nonattainment SIP requirements.[2] Section 110(a)(2)(I) pertains to nonattainment SIP requirements and part D addresses when attainment plan SIP submittals to address nonattainment area requirements are due. For example, section 172(b) requires EPA to establish a schedule for submittal of such plans for certain pollutants when the Administrator promulgates the designation of an area as nonattainment, and section 107(d)(1)(B) allows up to two years, or in some cases three years, for such designations to be promulgated.[3] This ambiguity illustrates that rather than apply all the stated requirements of section 110(a)(2) in a strict literal sense, EPA must determine which provisions of section 110(a)(2) are applicable for a particular infrastructure SIP submittal.

Another example of ambiguity within sections 110(a)(1) and 110(a)(2) with respect to infrastructure SIPs pertains to whether states must meet all of the infrastructure SIP requirements in a single SIP submittal, and whether EPA must act upon such SIP submittal in a single action. Although section 110(a)(1) directs states to submit ''a plan'' to meet these requirements, EPA interprets the CAA to allow states to make multiple SIP submittals separately addressing infrastructure SIP elements for the same NAAQS. If states elect to make such multiple SIP submittals to meet the infrastructure SIP requirements, EPA can elect to act on such submittals either individually or in a larger combined action.[4] Similarly, EPA interprets the CAA to allow it to take action on the individual parts of one larger, comprehensive infrastructure SIP submittal for a given NAAQS without concurrent action on the entire submittal. For example, EPA has sometimes elected to act at different times on various elements and sub-elements of the same infrastructure SIP submittal.[5]

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[1] For example: Section 110(a)(2)(E)(i) provides that states must provide assurances that they have adequate legal authority under state and local law to carry out the SIP; section 110(a)(2)(C) provides that states must have a SIP-approved program to address certain sources as required by part C of title I of the CAA; and section 110(a)(2)(G) provides that states must have legal authority to address emergencies as well as contingency plans that are triggered in the event of such emergencies.

[2] *See, e.g.,* ''Rule To Reduce Interstate Transport of Fine Particulate Matter and Ozone (Clean Air Interstate Rule); Revisions to Acid Rain Program; Revisions to the NO_X SIP Call; Final Rule,'' 70 FR 25162, at 25163–25165, May 12, 2005 (explaining relationship between timing requirement of section 110(a)(2)(D) versus section 110(a)(2)(I)).

[3] EPA notes that this ambiguity within section 110(a)(2) is heightened by the fact that various subparts of part D set specific dates for submittal of certain types of SIP submittals in designated nonattainment areas for various pollutants. Note, *e.g.,* that section 182(a)(1) provides specific dates for submittal of emissions inventories for the ozone NAAQS. Some of these specific dates are necessarily later than three years after promulgation of the new or revised NAAQS.

[4] *See, e.g.,* ''Approval and Promulgation of Implementation Plans; New Mexico; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) Permitting,'' 78 FR 4339, January 22, 2013 (EPA's final action approving the structural PSD elements of the New Mexico SIP submitted by the State separately to meet the requirements of EPA's 2008 $PM_{2.5}$ NSR rule), and ''Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Infrastructure and Interstate Transport Requirements for the 2006 $PM_{2.5}$ NAAQS,'' 78 FR 4337, January 22, 2013 (EPA's final action on the infrastructure SIP for the 2006 $PM_{2.5}$ NAAQS).

[5] On December 14, 2007, the State of Tennessee, through the Tennessee Department of Environment and Conservation, made a SIP revision to EPA demonstrating that the State meets the requirements of sections 110(a)(1) and (2). EPA proposed action for infrastructure SIP elements (C) and (J) on January 23, 2012 (77 FR 3213) and took final action on March 14, 2012 (77 FR 14976). On April 16, 2012 (77 FR 22533) and July 23, 2012 (77 FR 42997), EPA took separate proposed and final actions on all other section 110(a)(2) infrastructure SIP elements of Tennessee's December 14, 2007 submittal.

Ambiguities within sections 110(a)(1) and 110(a)(2) may also arise with respect to infrastructure SIP submittal requirements for different NAAQS. Thus, EPA notes that not every element of section 110(a)(2) would be relevant, or as relevant, or relevant in the same way, for each new or revised NAAQS. The states' attendant infrastructure SIP submittals for each NAAQS therefore could be different. For example, the monitoring requirements that a state might need to meet in its infrastructure SIP submittal for purposes of section 110(a)(2)(B) could be very different for different pollutants, for example because the content and scope of a state's infrastructure SIP submittal to meet this element might be very different for an entirely new NAAQS than for a minor revision to an existing NAAQS.[6]

EPA notes that interpretation of section 110(a)(2) is also necessary when EPA reviews other types of SIP submittals required under the CAA. Therefore, as with infrastructure SIP submittals, EPA also has to identify and interpret the relevant elements of section 110(a)(2) that logically apply to these other types of SIP submittals. For example, section 172(c)(7) requires that attainment plan SIP submittals required by part D have to meet the ''applicable requirements'' of section 110(a)(2). Thus, for example, attainment plan SIP submittals must meet the requirements of section 110(a)(2)(A) regarding enforceable emission limits and control measures and section 110(a)(2)(E)(i) regarding air agency resources and authority. By contrast, it is clear that attainment plan SIP submittals required by part D would not need to meet the portion of section 110(a)(2)(C) that pertains to the air quality prevention of significant deterioration (PSD) program required in part C of title I of the CAA, because PSD does not apply to a pollutant for which an area is designated nonattainment and thus subject to part D planning requirements. As this example illustrates, each type of SIP submittal may implicate some elements of section 110(a)(2) but not others.

Given the potential for ambiguity in some of the statutory language of section 110(a)(1) and section 110(a)(2), EPA believes that it is appropriate to interpret the ambiguous portions of section 110(a)(1) and section 110(a)(2) in the context of acting on a particular SIP submittal. In other words, EPA assumes that Congress could not have intended that each and every SIP submittal, regardless of the NAAQS in question or the history of SIP development for the relevant pollutant, would meet each of the requirements, or meet each of them in the same way. Therefore, EPA has adopted an approach under which it reviews infrastructure SIP submittals against the list of elements in section 110(a)(2), but only to the extent each element applies for that particular NAAQS.

Historically, EPA has elected to use guidance documents to make recommendations to states for infrastructure SIPs, in some cases conveying needed interpretations on newly arising issues and in some cases conveying interpretations that have already been developed and applied to individual SIP submittals for particular elements.[7] EPA most recently issued guidance for infrastructure SIPs on September 13, 2013 (2013 Infrastructure SIP Guidance).[8] EPA developed this document to provide states with up-to-date guidance for infrastructure SIPs for any new or revised NAAQS. Within this guidance, EPA describes the duty of states to make infrastructure SIP submittals to meet basic structural SIP requirements within three years of promulgation of a new or revised NAAQS. EPA also made recommendations about many specific subsections of section 110(a)(2) that are relevant in the context of infrastructure SIP submittals.[9] The guidance also discusses the substantively important issues that are germane to certain subsections of section 110(a)(2). Significantly, EPA interprets sections 110(a)(1) and 110(a)(2) such that infrastructure SIP submittals need to address certain issues and need not address others. Accordingly, EPA reviews each infrastructure SIP submittal for compliance with the applicable statutory provisions of section 110(a)(2), as appropriate.

As an example, section 110(a)(2)(E)(ii) is a required element of section 110(a)(2) for infrastructure SIP submittals. Under this element, a state must meet the substantive requirements of section 128, which pertain to state boards that approve permits or enforcement orders and heads of executive agencies with similar powers. Thus, EPA reviews infrastructure SIP submittals to ensure that the state's SIP appropriately addresses the requirements of section 110(a)(2)(E)(ii) and section 128. The 2013 Infrastructure SIP Guidance explains EPA's interpretation that there may be a variety of ways by which states can appropriately address these substantive statutory requirements, depending on the structure of an individual state's permitting or enforcement program (*e.g.,* whether permits and enforcement orders are approved by a multi-member board or by a head of an executive agency). However they are addressed by the state, the substantive requirements of section 128 are necessarily included in EPA's evaluation of infrastructure SIP submittals because section 110(a)(2)(E)(ii) explicitly requires that the state satisfy the provisions of section 128.

As another example, EPA's review of infrastructure SIP submittals with respect to the PSD program requirements in sections 110(a)(2)(C), (D)(i)(II), and (J) focuses upon the structural PSD program requirements contained in part C, title I of the Act and EPA's PSD regulations. Structural PSD program requirements include provisions necessary for the PSD program to address all regulated sources and regulated NSR pollutants, including greenhouse gases (GHGs). By contrast, structural PSD program requirements do not include provisions that are not required under EPA's regulations at 40 Code of Federal Regulations (CFR) 51.166 but are merely available as an option for the state, such as the option to provide grandfathering of complete permit applications with respect to the 2012 $PM_{2.5}$ NAAQS. Accordingly, the latter optional provisions are types of provisions EPA considers irrelevant in the context of an infrastructure SIP action.

For other section 110(a)(2) elements, however, EPA's review of a state's infrastructure SIP submittal focuses on assuring that the state's SIP meets basic

[6] For example, implementation of the 1997 $PM_{2.5}$ NAAQS required the deployment of a system of new monitors to measure ambient levels of that new indicator species for the new NAAQS.

[7] EPA notes, however, that nothing in the CAA requires EPA to provide guidance or to promulgate regulations for infrastructure SIP submittals. The CAA directly applies to states and requires the submittal of infrastructure SIP submittals, regardless of whether or not EPA provides guidance or regulations pertaining to such submittals. EPA elects to issue such guidance in order to assist states, as appropriate.

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

[9] EPA's September 13, 2013, guidance did not make recommendations with respect to infrastructure SIP submittals to address section 110(a)(2)(D)(i)(I). EPA issued the guidance shortly after the U.S. Supreme Court agreed to review the D.C. Circuit decision in *EME Homer City,* 696 F.3d7 (D.C. Cir. 2012) which had interpreted the requirements of section 110(a)(2)(D)(i)(I). In light of the uncertainty created by ongoing litigation, EPA elected not to provide additional guidance on the requirements of section 110(a)(2)(D)(i)(I) at that time. As the guidance is neither binding nor required by statute, whether EPA elects to provide guidance on a particular section has no impact on a state's CAA obligations.

structural requirements. For example, section 110(a)(2)(C) includes, *inter alia,* the requirement that states have a program to regulate minor new sources. Thus, EPA evaluates whether the state has a SIP-approved minor NSR program and whether the program addresses the pollutants relevant to that NAAQS. In the context of acting on an infrastructure SIP submittal, however, EPA does not think it is necessary to conduct a review of each and every provision of a state's existing minor source program (*i.e.,* already in the existing SIP) for compliance with the requirements of the CAA and EPA's regulations that pertain to such programs.

With respect to certain other issues, EPA does not believe that an action on a state's infrastructure SIP submittal is necessarily the appropriate type of action in which to address possible deficiencies in a state's existing SIP. These issues include: (i) Existing provisions related to excess emissions from sources during periods of startup, shutdown, or malfunction that may be contrary to the CAA and EPA's policies addressing such excess emissions (''SSM''); (ii) existing provisions related to ''director's variance'' or ''director's discretion'' that may be contrary to the CAA because they purport to allow revisions to SIP-approved emissions limits while limiting public process or not requiring further approval by EPA; and (iii) existing provisions for PSD programs that may be inconsistent with current requirements of EPA's ''Final NSR Improvement Rule,'' 67 FR 80186, December 31, 2002, as amended by 72 FR 32526, June 13, 2007 (''NSR Reform''). Thus, EPA believes it may approve an infrastructure SIP submittal without scrutinizing the totality of the existing SIP for such potentially deficient provisions and may approve the submittal even if it is aware of such existing provisions.[10] It is important to note that EPA's approval of a state's infrastructure SIP submittal should not be construed as explicit or implicit re-approval of any existing potentially deficient provisions that relate to the three specific issues just described.

EPA's approach to review of infrastructure SIP submittals is to identify the CAA requirements that are logically applicable to that submittal. EPA believes that this approach to the review of a particular infrastructure SIP submittal is appropriate, because it would not be reasonable to read the general requirements of section 110(a)(1) and the list of elements in 110(a)(2) as requiring review of each and every provision of a state's existing SIP against all requirements in the CAA and EPA regulations merely for purposes of assuring that the state in question has the basic structural elements for a functioning SIP for a new or revised NAAQS. Because SIPs have grown by accretion over the decades as statutory and regulatory requirements under the CAA have evolved, they may include some outmoded provisions and historical artifacts. These provisions, while not fully up to date, nevertheless may not pose a significant problem for the purposes of ''implementation, maintenance, and enforcement'' of a new or revised NAAQS when EPA evaluates adequacy of the infrastructure SIP submittal. EPA believes that a better approach is for states and EPA to focus attention on those elements of section 110(a)(2) of the CAA most likely to warrant a specific SIP revision due to the promulgation of a new or revised NAAQS or other factors.

For example, EPA's 2013 Infrastructure SIP Guidance gives simpler recommendations with respect to carbon monoxide than other NAAQS pollutants to meet the visibility requirements of section 110(a)(2)(D)(i)(II), because carbon monoxide does not affect visibility. As a result, an infrastructure SIP submittal for any future new or revised NAAQS for carbon monoxide need only state this fact in order to address the visibility prong of section 110(a)(2)(D)(i)(II).

Finally, EPA believes that its approach with respect to infrastructure SIP requirements is based on a reasonable reading of sections 110(a)(1) and 110(a)(2) because the CAA provides other avenues and mechanisms to address specific substantive deficiencies in existing SIPs. These other statutory tools allow EPA to take appropriately tailored action, depending upon the nature and severity of the alleged SIP deficiency. Section 110(k)(5) authorizes EPA to issue a ''SIP call'' whenever the Agency determines that a state's SIP is substantially inadequate to attain or maintain the NAAQS, to mitigate interstate transport, or to otherwise comply with the CAA.[11] Section 110(k)(6) authorizes EPA to correct errors in past actions, such as past approvals of SIP submittals.[12] Significantly, EPA's determination that an action on a state's infrastructure SIP submittal is not the appropriate time and place to address all potential existing SIP deficiencies does not preclude EPA's subsequent reliance on provisions in section 110(a)(2) as part of the basis for action to correct those deficiencies at a later time. For example, although it may not be appropriate to require a state to eliminate all existing inappropriate director's discretion provisions in the course of acting on an infrastructure SIP submittal, EPA believes that section 110(a)(2)(A) may be among the statutory bases that EPA relies upon in the course of addressing such deficiency in a subsequent action.[13]

B. Statutory Framework and Scope of Infrastructure SIPs

As discussed in Section A of this proposed rule, CAA section 110(a)(1) requires each state to submit to EPA, within three years after the promulgation of a primary or secondary NAAQS or any revision thereof, an infrastructure SIP revision that provides for the implementation, maintenance, and enforcement of such NAAQS. Section 110(a)(2) sets the content requirements of such a plan, which generally relate to the information and authorities, compliance assurances, procedural requirements, and control measures that constitute the ''infrastructure'' of a state's air quality management program. These infrastructure SIP elements required by section 110(a)(2) are as follows:

- Section 110(a)(2)(A): Emission limits and other control measures.
- Section 110(a)(2)(B): Ambient air quality monitoring/data system.

[10] By contrast, EPA notes that if a state were to include a new provision in an infrastructure SIP submittal that contained a legal deficiency, such as a new exemption for excess emissions during SSM events, then EPA would need to evaluate that provision for compliance against the rubric of applicable CAA requirements in the context of the action on the infrastructure SIP.

[11] For example, EPA issued a SIP call to Utah to address specific existing SIP deficiencies related to the treatment of excess emissions during SSM events. See ''Finding of Substantial Inadequacy of Implementation Plan; Call for Utah State Implementation Plan Revisions,'' 76 FR 21639, April 18, 2011.

[12] EPA has used this authority to correct errors in past actions on SIP submittals related to PSD programs. See ''Limitation of Approval of Prevention of Significant Deterioration Provisions Concerning Greenhouse Gas Emitting-Sources in State Implementation Plans; Final Rule,'' 75 FR 82536, December 30, 2010. EPA has previously used its authority under CAA section 110(k)(6) to remove numerous other SIP provisions that the Agency determined it had approved in error. See, *e.g.,* 61 FR 38664, July 25, 1996 and 62 FR 34641, June 27, 1997 (corrections to American Samoa, Arizona, California, Hawaii, and Nevada SIPs); 69 FR 67062, November 16, 2004 (corrections to California SIP); and 74 FR 57051, November 3, 2009 (corrections to Arizona and Nevada SIPs).

[13] See, *e.g.,* EPA's disapproval of a SIP submittal from Colorado on the grounds that it would have included a director's discretion provision inconsistent with CAA requirements, including section 110(a)(2)(A). See, *e.g.,* 75 FR 42342 at 42344, July 21, 2010 (proposed disapproval of director's discretion provisions); 76 FR 4540, January 26, 2011 (final disapproval of such provisions).

• Section 110(a)(2)(C): Program for enforcement of control measures and regulation of new and modified stationary sources.
• Section 110(a)(2)(D)(i): Interstate pollution transport.
• Section 110(a)(2)(D)(ii): Interstate and international pollution abatement.
• Section 110(a)(2)(E): Adequate resources and authority, conflict of interest, and oversight of local and regional government agencies.
• Section 110(a)(2)(F): Stationary source monitoring and reporting.
• Section 110(a)(2)(G): Emergency episodes.
• Section 110(a)(2)(H): SIP revisions.
• Section 110(a)(2)(J): Consultation with government officials, public notification, PSD, and visibility protection.
• Section 110(a)(2)(K): Air quality modeling and submittal of modeling data.
• Section 110(a)(2)(L): Permitting fees.
• Section 110(a)(2)(M): Consultation/participation by affected local entities.

Two elements identified in section 110(a)(2) are not governed by the three-year submittal deadline of section 110(a)(1) and are therefore not addressed in this action. These two elements are: section 110(a)(2)(C), to the extent it refers to permit programs required under CAA part D (nonattainment NSR), and section 110(a)(2)(I), pertaining to the nonattainment planning requirements of part D. As a result, this action does not address infrastructure for the nonattainment NSR portion of section 110(a)(2)(C) or the whole of section 110(a)(2)(I).

C. Regulatory Background

2008 Pb NAAQS

On October 15, 2008, EPA issued a revised NAAQS for Pb.[14] This action triggered a requirement for states to submit an infrastructure SIP to address the applicable requirements of CAA section 110(a)(2) within three years. On October 14, 2011, EPA issued ''Guidance on Section 110 Infrastructure SIPs for the 2008 Pb NAAQS'', referred to herein as EPA's 2011 Pb Guidance.[15] Depending on the timing of a given submittal, some states relied on the earlier draft version of this guidance, referred to herein as EPA's 2011 Draft Pb Guidance.[16] EPA issued additional guidance on infrastructure SIPs on September 13, 2013.[17]

2008 Ozone NAAQS

On March 27, 2008, EPA issued a revised NAAQS for 8-hour Ozone.[18] This action triggered a requirement for states to submit an infrastructure SIP to address the applicable requirements of CAA section 110(a)(2) within three years. EPA did not, however, prepare guidance at this time for states in submitting infrastructure SIP revisions for the 2008 Ozone NAAQS.[19] On September 13, 2013, EPA issued ''Guidance of Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2),'' which provides advice on the development of infrastructure SIPs for the 2008 ozone NAAQS (among other pollutants) as well as infrastructure SIPs for new or revised NAAQS promulgated in the future.[20]

II. Arizona's Submittals

The Arizona Department of Environmental Quality (ADEQ) has submitted several infrastructure SIP revisions pursuant to EPA's promulgation of the Pb and ozone NAAQS addressed by this proposed rule, including the following:

• October 14, 2011—''Arizona State Implementation Plan Revision under Clean Air Act Section 110(a)(1) and (2); 2008 Lead NAAQS,'' to address all of the CAA section 110(a)(2) requirements, except for section 110(a)(2)(G),[21] for the 2008 Pb NAAQS (2011 Pb I–SIP Submittal).
• December 27, 2012—''Arizona State Implementation Plan Revision under Clean Air Act Section 110(a)(1) and (2); 2008 8-hour Ozone NAAQS,'' to address all of the CAA section 110(a)(2) requirements for the 2008 8-hour Ozone NAAQS (2012 Ozone I–SIP Submittal).

On February 19, 2015 EPA approved elements of the above submittals along with others with respect to the 2008 Pb and 2008 8-hour ozone NAAQS infrastructure SIP requirements in CAA sections 110(a)(2)(A), (B), (E), (F), (G), (H), (L) and (M).[22] That action also explained that we would separately act on the permitting infrastructure SIP elements in CAA sections 110(a)(2)(C), (D), (J), and (K) in a subsequent rulemaking. These permitting related provisions are the subject of today's proposal.

In addition to the above 2011 and 2012 infrastructure SIP submittals, ADEQ submitted ''New Source Review State Implementation Plan Submission'' on October 29, 2012, and ''Supplemental Information to 2012 New Source Review State Implementation Plan Submission'' on July 2, 2014 (NSR Submittals). In addition to addressing revisions to Arizona's New Source Review (NSR) program, these submissions also relate to infrastructure SIP elements in CAA sections 110(a)(2)(C), (D), (J), and (K), which EPA is proposing action on in today's rulemaking.

As discussed in our November 24, 2014 proposed action, and our March 18, 2015 proposed action on Arizona's NSR Submittals,[23] we have found that the submittals we are acting on today fulfill the procedural requirements for public participation and other completeness criteria described in 40 CFR 51 Appendix V.

III. EPA's Evaluation

EPA has evaluated the 2011 Pb I–SIP Submittal, the 2012 Ozone I–SIP Submittal and the NSR Submittals, as well as existing provisions of the Arizona SIP for compliance with the following CAA section 110(a)(2) permit-related infrastructure SIP requirements for the 2008 Pb and ozone NAAQS:

[14] 73 FR 66964 (November 12, 2008). The 1978 Pb standard (1.5 μg/m^3 as a quarterly average) was modified to a rolling 3 month average not to exceed 0.15 μg/m^3. EPA also revised the secondary NAAQS to 0.15 μg/m^3 and made it identical to the revised primary standard. Id.

[15] See Memorandum from Stephen D. Page, Director, Office of Air Quality Planning and Standards, to Regional Air Division Directors, Regions 1–10 (October 14, 2011).

[16] ''DRAFT Guidance on SIP Elements Required Under Sections 110(a)(1) and (2) for the 2008 Lead (Pb) National Ambient Air Quality Standards (NAAQS),'' June 17, 2011 version.

[17] *See* Memorandum dated September 13, 2013 from Stephen D. Page, Director, EPA Office of Air Quality Planning and Standards, to Regional Air Directors, EPA Regions 1–10, ''Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2)'' (referred to herein as ''2013 Infrastructure SIP Guidance'').

[18] 73 FR 16436 (March 27, 2008).

[19] Preparation of guidance for the 2008 Ozone NAAQS was postponed given EPA's reconsideration of the standard. See 78 FR 34183 (June 6, 2013).

[20] See Memorandum dated September 13, 2013 from Stephen D. Page, Director, EPA Office of Air Quality Planning and Standards, to Regional Air Directors, EPA Regions 1–10, ''Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2)'' (referred to herein as ''2013 Infrastructure SIP Guidance'').

[21] In a separate rulemaking, EPA fully approved Arizona's SIP to address the requirements regarding air pollution emergency episodes in CAA section 110(a)(2)(G) for the 1997 8-hour ozone NAAQS. 77 FR 62452 (October 15, 2012). Although ADEQ did not submit an analysis of Section 110(a)(2)(G) requirements, we discuss them in our TSD, which is in the docket for this rulemaking.

[22] ''Approval and Promulgation of State Implementation Plans; Arizona; Infrastructure requirements for the 2008 Lead (Pb) and the 2008 8-Hour Ozone National Ambient Air Quality Standards (NAAQS)'' was signed on February 19, 2015 but, as of April 30, 2015, has not yet published in the **Federal Register**. This action was proposed in the **Federal Register** on November 24, 2014 (79 FR 69796).

[23] 80 FR 14044.

• Section 110(a)(2)(C): Program for enforcement of control measures and regulation of new and modified stationary sources for the 2008 Pb and ozone NAAQS.

• Section 110(a)(2)(D)(i)—Prongs 1 and 2: Interstate transport—contribute significantly to nonattainment in, or interfere with maintenance by, any other State for the 2008 Pb NAAQS.

• Section 110(a)(2)(D)(i)—Prong 3: Interstate transport—prevention of significant deterioration for the 2008 Pb and ozone NAAQS.

• Section 110(a)(2)(D)(i)—Prong 4: Interstate transport—protection of visibility for the 2008 Pb NAAQS.

• Section 110(a)(2)(J): Consultation with government officials, public notification, PSD, and visibility protection for the 2008 Pb and ozone NAAQS.

• Section 110(a)(2)(K): Air quality modeling and submission of modeling data for the 2008 Pb and ozone NAAQS.

In general, the submittals demonstrate Arizona's compliance with most of these permit-related infrastructure requirements by describing appropriate existing requirements regarding new and modified stationary source permits, interstate transport, consultation and air quality modeling. CAA section 110(l) prohibits EPA from approving any SIP revision that would interfere with any applicable requirement concerning attainment and reasonable further progress (RFP) or any other applicable requirement of the Act. We propose to determine that our approval of these submittals with respect to the permit-related infrastructure SIP elements would comply with CAA section 110(l) because nothing in this approval would relax any existing SIP requirement and the proposed SIP revision would not interfere with the on-going process for ensuring that requirements for RFP and attainment of the NAAQS are met.

Based upon this analysis, EPA proposes to partially approve the submittals with respect to the permit-related infrastructure SIP requirements.

However, we have also identified several infrastructure SIP requirements that Arizona has not demonstrated are fulfilled by the submittals. EPA proposes to partially disapprove Arizona's Infrastructure SIP Submittals with respect to the 2008 Pb and 2008 Ozone NAAQS, as follows (details of the partial disapprovals and partial approvals are presented after this list):

• 110(a)(2)(C) (in part): Program for enforcement of control measures and regulation of new and modified stationary sources.

• 110(a)(2)(D)(i) (in part): Interstate pollution transport.

• 110(a)(2)(D)(ii) (in part): Interstate pollution abatement and international air pollution.

• 110(a)(2)(J) (in part): Consultation with government officials, public notification, PSD, and visibility protection.

• 110(a)(2)(K): Air quality modeling and submission of modeling data.

PSD Programs

With respect to the requirement in section 110(a)(2)(C) to include a program to provide for regulation of the modification and construction of stationary sources, including a PSD program under part C of title I, EPA is proposing to: (1) Disapprove the 2011 Pb and 2012 Ozone Infrastructure SIP for ADEQ and Pinal County because the SIP-approved PSD programs lack certain ''structural'' PSD program elements as identified in our TSD, and (2) disapprove the 2011 Pb and 2012 Ozone Infrastructure SIP for Maricopa and Pima counties, which do not have SIP-approved PSD programs. We note that although the SIP remains deficient with respect to PSD requirements in ADEQ, Pinal, Maricopa, and Pima counties for I–SIP purposes, no further action is necessary for these purposes because the Federal PSD program addresses the deficiencies in all four areas. However, we do recommend SIP revisions consistent with the CAA infrastructure SIP requirements.

With respect to the first two ''prongs'' of CAA section 110(a)(D)(i) (regarding significant contribution to nonattainment or interference with maintenance in any other State), we are proposing approval for the 2008 Pb NAAQS for the reasons stated in our TSD. We are not proposing any action today on the first two prongs for the 2008 Ozone NAAQS. With respect to the third prong, EPA is proposing to disapprove the 2011 Pb and 2012 ozone Infrastructure SIP for the reasons discussed in our TSD regarding ''structural'' PSD requirements under section 110(a)(2)(C). With respect to the fourth prong, EPA is proposing approval for the 2008 Pb NAAQS. EPA is not proposing any action on prong four today for the 2008 ozone NAAQS and will address this requirement in a subsequent rulemaking. Finally, with respect to the requirements of CAA section 110(a)(2)(D)(ii), EPA is proposing to approve the 2011 Pb and 2012 ozone Infrastructure SIP with respect to ADEQ and Pinal County, which both implement SIP-approved PSD programs that contain the required notice provisions, but to disapprove the SIP with respect to Maricopa County and Pima County, which are subject to the Federal PSD program in 40 CFR 52.21.

With respect to the requirement in 110(a)(2)(J) to ''meet the applicable requirements of section 121 (relating to consultation), section 127 (relating to public notification), and part C (relating to prevention of significant deterioration of air quality and visibility protection),'' we propose to find that Arizona meets the requirements of sections 121 and 127 of the Clean Air Act but to disapprove it for failure to fully satisfy the requirements of part C relating to PSD.

With respect to the requirement in 110(a)(2)(K) that the SIP provide for specified air quality modeling and the submission of data related to such air quality monitoring to the Administrator, we propose to disapprove the 2011 Pb I–SIP and 2012 ozone I–SIP because ADEQ, Pinal, Pima, and Maricopa counties have not submitted adequate provisions or a narrative that explain how existing state and county law satisfy the requirements of 110(a)(2)(K). For Pima and Maricopa counties, the Federal PSD program in 40 CFR 52.21 addresses this deficiency and therefore no further action is necessary. However, we do recommend SIP revisions consistent with the CAA infrastructure SIP requirements.

For all the elements that do not meet the CAA Section 110(a)(2) requirements in today's proposed rule, there are existing FIPs in place with the exception of the modeling requirements under CAA section 110(a)(2)(K) for Pinal County and ADEQ. We note that to the extent our proposed approval or disapproval of an I–SIP element relies on our March 18, 2015 proposed action on Arizona's NSR submittals, our final action on the I–SIP elements identified in this notice is contingent upon our taking final action on Arizona's NSR submittals to approve the NSR submittals into the SIP, which may be in the form of a limited approval/limited disapproval action, as proposed in our March 18, 2015 proposed action on those submittals.

Our Technical Support Document (TSD) contains more details about our evaluation and is available in the public docket for this rulemaking.

IV. Proposed Action

As authorized in sections 110(k)(3) and 301(a) of the Act, EPA is proposing a partial approval of the submittals with respect to the permit-related infrastructure SIP requirements in CAA sections 110(a)(2)(C), (D), (J) and (K) for the 2008 Pb and ozone NAAQS. EPA is simultaneously proposing a partial disapproval of the submittals because of

deficiencies summarized above. If this partial disapproval is finalized, sanctions will not be imposed under section 179 of the Act because infrastructure SIPs are not required under Title 1, Part D of the Act.

V. Statutory and Executive Order Reviews

A. Executive Order 12866, Regulatory Planning and Review

This action is not a ''significant regulatory action'' under the terms of Executive Order (EO) 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under the EO.

B. Paperwork Reduction Act

This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* because this proposed partial approval and partial disapproval of SIP revisions under CAA section 110 will not in-and-of itself create any new information collection burdens but simply proposes to approve certain State requirements, and to disapprove certain other State requirements, for inclusion into the SIP. Burden is defined at 5 CFR 1320.3(b).

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. For purposes of assessing the impacts of today's rule on small entities, small entity is defined as: (1) A small business as defined by the Small Business Administration's (SBA) regulations at 13 CFR 121.201; (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.

After considering the economic impacts of today's proposed rule, we certify that this proposed action will not have a significant impact on a substantial number of small entities. This proposed rule does not impose any requirements or create impacts on small entities. This proposed partial SIP approval and partial SIP disapproval under CAA section 110 will not in-and-of itself create any new requirements but simply proposes to approve certain State requirements, and to disapprove certain other State requirements, for inclusion into the SIP. Accordingly, it affords no opportunity for EPA to fashion for small entities less burdensome compliance or reporting requirements or timetables or exemptions from all or part of the rule. Therefore, this action will not have a significant economic impact on a substantial number of small entities.

We continue to be interested in the potential impacts of this proposed rule on small entities and welcome comments on issues related to such impacts.

D. Unfunded Mandates Reform Act

This action contains no Federal mandates under the provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), 2 U.S.C. 1531–1538 for State, local, or tribal governments or the private sector. EPA has determined that the proposed partial approval and partial disapproval action does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This action proposes to approve certain pre-existing requirements, and to disapprove certain other pre-existing requirements, under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this proposed action.

E. Executive Order 13132, Federalism

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.''

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, as specified in Executive Order 13132, because it merely proposes to approve certain State requirements, and to disapprove certain other State requirements, for inclusion into the SIP and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. Thus, Executive Order 13132 does not apply to this action.

F. Executive Order 13175, Coordination With Indian Tribal Governments

This action does not have tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP on which EPA is proposing action would not apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law. Thus, Executive Order 13175 does not apply to this proposed action.

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

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. This proposed action is not subject to Executive Order 13045 because it is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997). This proposed partial approval and partial disapproval under CAA section 110 will not in-and-of itself create any new regulations but simply proposes to approve certain State requirements, and to disapprove certain other State requirements, for inclusion into the SIP.

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

This proposed rule is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (''NTTAA''), Public Law 104–113, 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus

standards are technical standards (*e.g.*, materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

The EPA believes that this proposed action is not subject to requirements of Section 12(d) of NTTAA because application of those requirements would be inconsistent with the Clean Air Act.

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

Executive Order 12898 (59 FR 7629 (Feb. 16, 1994)) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

EPA lacks the discretionary authority to address environmental justice in this proposed rulemaking.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Lead, Reporting and recordkeeping requirements.

Dated: May 1, 2015.

Jared Blumenfeld,

Regional Administrator, Region IX.

[FR Doc. 2015–11340 Filed 5–11–15; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Parts 47 and 48

RIN 1090–AA98

Land Exchange Procedures and Procedures To Amend the Hawaiian Homes Commission Act, 1920

AGENCY: Office of the Secretary, Interior.

ACTION: Proposed rule.

SUMMARY: This rule would remove ambiguities the State of Hawai'i faces in administration of the Hawaiian Homes Commission Act. It would facilitate the goal of the rehabilitation of the Native Hawaiian community, including the return of native Hawaiians to the land, consistent with the Hawaiian Homes Commission Act, the State of Hawai'i Admission Act, and the Hawaiian Home Lands Recovery Act. The rule clarifies the land exchange process, the documents required, and the respective responsibilities of the Department of the Interior, the Department of Hawaiian Home Lands, and other entities engaged in land exchanges of Hawaiian home lands. It also clarifies the documents required and the responsibilities of the Secretary of the Interior in the approval process for proposed amendments by the State of Hawai'i to the Hawaiian Homes Commission Act, 1920, as amended.

DATES: Comments must be submitted on or before July 13, 2015.

ADDRESSES: You may submit comments on the rulemaking by either of the methods listed below. Please use Regulation Identifier Number 1090–AA98 in your message.

1. Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions on the Web site for submitting comments.

2. U.S. mail, courier, or hand delivery: Office of Native Hawaiian Relations, Department of the Interior, 1849 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Ka'i'ini Kimo Kaloi, Director, Office of Native Hawaiian Relations, telephone (202) 208–7462.

SUPPLEMENTARY INFORMATION:

I. Background

In 1921, Congress enacted the Hawaiian Homes Commission Act (HHCA), 42 Stat. 108, to provide a homesteading program for native Hawaiians by placing approximately 200,000 acres of land (known as Hawaiian home lands) into trust. The HHCA and the Hawaiian Home Lands Trust are administered by the Department of Hawaiian Home Lands (DHHL), an agency of the State of Hawai'i. The HHCA provides the DHHL the authority to propose to the Secretary of the Interior the exchange of Hawaiian home lands for land privately or publicly owned in furtherance of the purposes of the HHCA.

The Hawaiian Homes Commission Act, among other things, created a series of funds HHCA section 213, 42 Stat. 108 (as amended). The intent of one of these funds is the ''rehabilitation of native Hawaiians,'' which includes the rehabilitation of ''the educational, economic, political, social, and cultural processes by which the general welfare and conditions of native Hawaiians are thereby improved and perpetuated.'' *Id.* The Department of the Interior interprets the term ''rehabilitation'' to include political, cultural and social reorganization that would facilitate the stated goals of rehabilitation.[1] By providing a clear process for the Department's review and approval of land exchanges and HHCA amendments, this regulation will further the goals of the HHCA, including rehabilitation.

In 1959, Congress enacted the Hawai'i Admission Act, 73 Stat. 4, to admit the State of Hawai'i into the United States. In compliance with the Hawai'i Admission Act, and as a compact between the State of Hawai'i and the United States relating to the management and disposition of the Hawaiian home lands, the State of Hawai'i adopted the HHCA, as amended, as a law of the State through Article XII of the Constitution of the State. Because Congress in the HHCA section 223 reserved the right to alter, amend, or repeal Title 2 of the HHCA, section 4 of the Hawai'i Admission Act provides that the HHCA is subject to amendment or repeal by the State of Hawai'i only with the consent of the United States. Recognizing, however, that it was granting the State administrative authority, Congress in section 4 also provided exceptions within which the State could amend certain administrative provisions of the HHCA without the consent of the United States.

During the territorial period of Hawai'i, the HHCA was included in the compilation of the Revised Laws of Hawai'i. Following Hawai'i's statehood, the HHCA was not repealed and remains in effect with elements of both Federal and State law. The compilation of the HHCA was removed from the text of the United States Code and inserted into a note in the Code, recognizing the State's authority to amend provisions of the HHCA that do not alter the responsibilities of the United States or infringe upon its interests or the interests of the beneficiaries.

[1] *See generally* Hearings on the Rehabilitation and Colonization of Hawaiians and Other Proposed Amendments to the Organic Act of the Territory of Hawai'i before the House Committee on the Territories, H.R. Rep. No. 839, 66th Cong., 2d Sess., at 4 (1920) (Sen. John H. Wise testified, ''The Hawaiian people are a farming people and fishermen, out-of-door people, and [being] frozen out of their lands . . . is one of the reasons why the Hawaiian people are dying. Now, the only way to save them, I contend, is to take them back to the lands and give them the mode of living that their ancestors were accustomed to and in that way rehabilitate them.'').

The HHCA is a compound of interdependent Federal and State law. Congress enacted the Hawaiian Home Lands Recovery Act, 1995, (HHLRA), Public Law 104–42, 109 Stat. 357, which provides that the Secretary of the Interior shall determine whether a proposed amendment to the HHCA requires the consent of the United States under section 4 of the Hawai'i Admission Act. It is appropriately the function of the United States to ensure conformance with the limitations in the Admissions Act and protect the integrity of this statutory framework.

The HHLRA also clarified the role of the Secretary in the oversight of the Hawaiian Home Lands Trust. Section 204(a)(3) of the HHCA, in conjunction with Section 205 of the HHLRA, requires the approval or disapproval of the Secretary of the Interior for the exchange of Hawaiian home lands. The HHLRA details the Secretary's responsibilities to ensure that Hawaiian home lands are administered in a manner that advances the interests of the beneficiaries.

The HHLRA clarifies the scope of two of the continuing responsibilities of the Federal Government with regard to the HHCA. It clarifies the role of the Secretary in land exchanges and requires the State of Hawai'i to notify the Secretary of the Interior of any amendment it proposes to the HHCA and requires the Secretary to determine whether the State is proposing to amend the Federal responsibilities under the HHCA, or infringe on Federal interests or those of the beneficiaries, thus requiring Congress to approve the proposed amendment. 43 CFR part 47 of the proposed regulations sets forth the Secretary's process for approving or disapproving land exchanges of Hawaiian home lands conducted by DHHL under the HHCA and HHLRA. 43 CFR part 48 of the proposed regulations establishes the review and approval process for State of Hawai'i proposed amendments to the HHCA.

II. Summary of Impacts

1. Regulatory Planning and Review (Executive Orders 12866 and 13563.)

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

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

2. Regulatory Flexibility Act

The Department of the Interior certifies that this proposed rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

3. Small Business Regulatory Enforcement Fairness Act (SBREFA)

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

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

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

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

4. Unfunded Mandates Reform Act

This proposed rule does not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than $100 million per year. The proposed rule does not have a significant or unique effect on State, local or tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

5. Takings (E.O. 12630)

In accordance with Executive Order 12630, the rule does not have significant takings implications. A takings implication assessment is not required.

6. Federalism (E.O. 13132)

In accordance with Executive Order 13132, the proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. It would not substantially and directly affect the relationship between the Federal and state governments. The Secretary of the Department of the Interior has oversight to ensure that land under the HHCA is administered in a manner that advances the interests of the beneficiaries. A Federalism Assessment is not required.

7. Civil Justice Reform (E.O. 12988)

In accordance with Executive Order 12988, the Office of the Solicitor determined that this proposed rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

8. Consultation With Indian Tribes (E.O. 13175)

Under the criteria in Executive Order 13175, the Department evaluated this proposed rule and determined that it has no potential effects on federally recognized Indian tribes. This proposed rule does not have tribal implications that impose substantial direct compliance costs on Indian Tribal governments.

9. Paperwork Reduction Act

This proposed rule does not require an information collection from 10 or more parties and a submission under the Paperwork Reduction Act is not required. An OMB form 83–I is not required.

10. National Environmental Policy Act

This proposed rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the National Environmental Policy Act, 1969, is not required. Under Departmental Manual 516 DM 2.3A(2), Section 1.10 of 516 DM 2, Appendix 1 excludes from documentation in an environmental assessment or impact statement ''policies, directives, regulations and guidelines of an administrative, financial, legal, technical or procedural nature; or the environmental effects of which are too broad, speculative or conjectural to lend themselves to meaningful analysis and will be subject later to the NEPA process, either collectively or case-by-case.''

11. Effects on the Energy Supply (E.O. 13211)

This proposed rule is not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required. This proposed rule will not have a significant effect on the nation's energy supply, distribution, or use.

12. Clarity of This Regulation

The Department is required by Executive Orders 12866 and 12988 and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule the Department publishes must:

(a) Be logically organized;

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

(c) Use clear language rather than jargon;

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

(e) Use lists and tables wherever possible.

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

13. Public Availability of Comments

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

List of Subjects in 43 CFR Parts 47 and 48

Hawaii, Intergovernmental programs, Land, State-Federal relations.

Dated: May 6, 2015.

Kristen J. Sarri,

Principal Deputy Assistant Secretary for Policy, Management and Budget.

For the reasons stated in the preamble, the Department of the Interior proposes to amend title 43 of the Code of Federal Regulations by adding new parts 47 and 48 as set forth below:

PART 47—LAND EXCHANGE PROCEDURES

Sec.

47.5 What is the purpose of this part?
47.10 What definitions apply to terms used in this part?
47.15 What laws apply to exchanges made under this part?

Subpart A—The Exchange Process

47.20 What factors will the Secretary consider in analyzing a land exchange?
47.30 When does a land exchange advance the interests of the beneficiaries?
47.35 Must lands exchanged be of equal value?
47.40 How must properties be described?
47.45 How does the exchange process work?
47.50 What should DHHL include in a land exchange proposal for the Secretary?
47.55 What are the minimum requirements for appraisals used in a land exchange?
47.60 What documentation must DHHL submit to the Secretary in the land exchange packet?

Subpart B—Approval and Finalization

47.65 When will the Secretary approve or disapprove the land exchange?
47.70 How does DHHL complete the exchange once approved?

Authority: State of Hawai'i Admission Act, 73 Stat. 4, chapter 339, approved March 18, 1959; Hawaiian Homes Commission Act, 1920, as amended, Act of July 9, 1921, chapter 42, 42 Stat. 108; Hawaiian Home Lands Recovery Act, 1995, 109 Stat. 537, Public Law 104–42; 5 U.S.C. 301; 25 U.S.C. 2 and 9; 43 U.S.C. 1457; 112 Departmental Manual 28.

§ 47.5 What is the purpose of this part?

This part sets forth the procedures for conducting land exchanges of Hawaiian home lands authorized by the Hawaiian Homes Commission Act (HHCA), 1920, as amended.

§ 47.10 What definitions apply to terms used in this part?

As used in this part, the following terms have the meanings given in this section.

Appraisal or *Appraisal report* means a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion as to the market value of the lands or interests in lands to be exchanged as of a specific date(s), supported by the presentation and analysis of relevant market information.

Beneficiaries means ''native Hawaiian(s)'' as that term is defined under section 201(a) of the *Hawaiian Homes Commission Act.*

Chairman means the Chairman of the Hawaiian Homes Commission designated under section 202 of the *Hawaiian Homes Commission Act.*

Commission means the Hawaiian Homes Commission established by section 202 of the *Hawaiian Homes Commission Act,* which also serves as the executive board of the *Department of Hawaiian Homes Lands.*

Consultation means an open discussion process that allows interested parties to address potential issues, changes, or actions. Consultation does not require formal face to face meetings. However, it does require dialogue (verbal, electronic, or printed) or at least a good faith effort to engage in dialogue between the DHHL and the beneficiaries, consideration of their views, and, where feasible, seek agreement with the beneficiaries when engaged in the land exchange process.

DHHL or *Department of Hawaiian Home Lands* means the department established by the State of Hawai'i under sections 26–4 and 26–17 of the Hawai'i Revised Statutes to administer the *Hawaiian Homes Commission Act.* This department assumes the authorities and responsibilities of the Hawaiian Homes Commission and the Commission serves as the department's executive board under amended section 202 of the *Hawaiian Homes Commission Act.*

Hawaiian home lands means all trust lands given the status of Hawaiian home lands under section 204 of the *Hawaiian Homes Commission Act,* and those lands obtained through approval under this part, and as directed by Congress.

Hazardous substances means those substances designated under Environmental Protection Agency regulations at 40 CFR part 302.

HHCA or *Hawaiian Homes Commission Act* means the Hawaiian Homes Commission Act, 1920, Act of July 9, 1921, chapter 42, 42 Stat. 108, as amended.

HHLRA or *Hawaiian Home Lands Recovery Act* means the *Hawaiian Home Lands Recovery Act,* 1995, Public Law 104–42, 109 Stat. 357.

Land exchange is any transaction, other than a sale, that transfers Hawaiian home lands from DHHL to another entity and in which DHHL receives the other entity's land as Hawaiian home lands. A land exchange can involve trading Hawaiian home lands for private land, but it can also involve trading land between DHHL and State or Federal agencies.

Market value means the most probable price in cash, or terms equivalent to cash, that lands or interests in lands should bring in a competitive and open market under all conditions requisite to a fair sale, where the buyer and seller each acts prudently and knowledgeably, and the price is not affected by undue influence.

Native Hawaiian or *native Hawaiian* has the same meaning as that term defined under section 201(a) of the *Hawaiian Homes Commission Act.*

Office of Valuation Services (OVS) means the Office with real estate appraisal functions within the Office of the Assistant Secretary—Policy, Management, and Budget of the Department of the Interior.

Outstanding interests means rights or interests in property involved in a land

exchange held by an entity other than a party to the exchange.

Secretary means the Secretary of the Interior or the individual to whom the authority and responsibilities of the Secretary have been delegated.

§ 47.15 What laws apply to exchanges made under this part?

(a) DHHL may only exchange land under the authority of the HHCA in conformity with the HHLRA.

(b) When DHHL makes any land exchange, the following laws and regulations constitute a partial list of applicable laws and regulations:

Legislation or regulation	Citation
(1) The National Historic Preservation Act, 1966	16 U.S.C. 470 et seq.
(2) Implementing regulations for the National Historic Preservation Act	36 CFR part 800
(3) Section 3 of the Native American Graves Protection and Repatriation Act (NAGPRA)	25 U.S.C. 3002
(4) Implementing regulations for the Native American Graves Protection and Repatriation Act	43 CFR part 10
(5) The National Environmental Policy Act, 1969 (NEPA)	42 U.S.C. 4371 et seq.
(6) Implementing regulations for NEPA	40 CFR parts 1500–1508; 43 CFR part 46
(7) The State of Hawai'i Admission Act	73 Stat. 4, Public Law 86–3
(8) Hawaiian Homes Commission Act, 1920, as amended	42 Stat. 108
(9) Hawaiian Home Lands Recovery Act, 1995	109 Stat. 537, Public Law 104–42
(10) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)	42 U.S.C. 9601 et seq.
(11) Implementing regulations for CERCLA	40 CFR part 312

(c) No new legal rights or obligations are created through listing applicable laws and regulatory provisions in this section.

Subpart A—The Exchange Process

§ 47.20 What factors will the Secretary consider in analyzing a land exchange?

The Secretary may approve an exchange only after making a determination that the exchange will advance the interests of the beneficiaries. In considering whether a land exchange will advance the interests of the beneficiaries, the Secretary will evaluate the extent to which it will:

(a) Achieve better management of Hawaiian home lands;

(b) Meet the needs of HHCA beneficiaries and their economic circumstances by promoting:

(1) Homesteading opportunities,

(2) Economic self-sufficiency, and,

(3) Social well-being;

(c) Promote development of Hawaiian home lands for residential, agricultural, and pastoral use;

(d) Protect cultural resources and watersheds;

(e) Consolidate lands or interests in lands, such as agricultural and timber interests, for more logical and efficient management and development;

(f) Expand homestead communities;

(g) Accommodate land use authorizations;

(h) Address HHCA beneficiary needs; and

(i) Advance other identifiable interests of the beneficiaries consistent with the HHCA.

§ 47.30 When does a land exchange advance the interests of the beneficiaries?

A determination that an exchange advances the interests of the beneficiaries must find that:

(a) The exchange supports perpetuation and administration of Hawaiian home lands;

(b) The interests of the beneficiaries in obtaining non-Hawaiian home lands exceeds the interests of the beneficiaries in retaining the Hawaiian home lands proposed for the exchange, based on an evaluation of the factors in § 47.20; and

(c) The intended use of the conveyed Hawaiian home lands will not significantly conflict with the beneficiaries' interests in adjacent Hawaiian home lands.

§ 47.35 Must lands exchanged be of equal value?

Hawaiian home lands to be exchanged must be of equal or lesser value than the lands to be received in the exchange, as determined by the appraisal. Once the market value is established by an approved appraisal, an administrative determination as to the equity of the exchange can be made based on the market value reflected in the approved appraisal.

§ 47.40 How must properties be described?

The description of properties involved in a land exchange must be either:

(a) Based upon a survey completed in accordance with the Public Land Survey System laws and standards of the United States; or

(b) If Public Land Survey System laws and standards cannot be applied, based upon a survey that both:

(1) Uses other means prescribed or allowed by applicable law; and

(2) Clearly describes the property and allows it to be easily located.

§ 47.45 How does the exchange process work?

(a) The Secretary recommends the parties prepare a land exchange proposal in accordance with § 47.50. The Secretary also recommends the DHHL and the non-DHHL party in the exchange meet with the Department before finalizing a land exchange proposal and signing an agreement to initiate the land exchange to informally discuss:

(1) The review and processing procedures for Hawaiian home lands exchanges;

(2) Potential issues involved that may require more consideration; or

(3) Any other matter that may make the proposal more complete before submission to us.

(b) Whether or not a land exchange proposal is completed, the DHHL initiates the exchange by preparing the documentation, conducting appropriate studies, and submitting them to the Secretary in accordance with § 47.60.

(c) Upon completing the review of the final land exchange packet under § 47.60, the Secretary will issue a Notice of Decision announcing the approval or disapproval of the exchange.

(d) If the Secretary approves an exchange, title will transfer in accordance with State law.

§ 47.50 What should DHHL include in a land exchange proposal for the Secretary?

(a) A land exchange proposal should include the following documentation:

The proposal should include . . .	that should contain . . .
(1) Identifying information	(i) The identity of the parties involved in the proposed exchange; and (ii) The status of their ownership of the properties in the exchange, or their ability to provide title to the properties.
(2) Descriptive information	A legal description of: (i) The land considered for the exchange; and (ii) The appurtenant rights proposed to be exchanged or reserved.
(3) Authorized use information	(i) Any authorized uses including grants, permits, easements, or leases; and (ii) Any known unauthorized uses, outstanding interests, exceptions, adverse claims, covenants, restrictions, title defects or encumbrances.
(4) A time schedule for completing the exchange	Expected dates of significant transactions or milestones.
(5) Assignment of responsibilities	Responsibilities for: (i) Performance of required actions; and (ii) Costs associated with the proposed exchange.
(6) Hazardous substance information	Notice of: (i) Any known release, storage, or disposal of hazardous substances on non-DHHL properties in the exchange; (ii) Any commitments regarding responsibility for removal or remedial actions concerning hazardous substances on non-DHHL properties; and (iii) All terms and conditions regarding hazardous substances on non-DHHL properties.
(7) Grants of permission by each party to the other	Permission to enter the properties for the purpose of conducting physical examination and studies in preparation for the exchange. Written permission to appraise the properties should also be included.
(8) Three statements	Details of: (i) Arrangements for relocating tenants occupying the DHHL and non-DHHL properties involved in the exchange; (ii) How the land exchange proposal complies with the HHCA and HHLRA; and (iii) How the documents of conveyance will be exchanged once the Secretary has approved the exchange.

(b) When the parties to the exchange agree to proceed with the land exchange proposal, they may sign an agreement that DHHL will initiate the exchange.

§ 47.55 What are the minimum requirements for appraisals used in a land exchange?

(a) The following table shows the steps in the appraisal process.

Appraisal process step	Requirements
(1) The parties to the exchange must arrange for appraisals.	(i) The parties must arrange for appraisals within 90 days after executing the agreement to initiate the land exchange, unless the parties agree to another schedule. (ii) The parties must give the appraiser the land exchange proposal, if any, and the agreement to initiate the land exchange, and any attachments and amendments. (iii) The DHHL is encouraged to request assistance from the Department's Office of Valuation Services (OVS). OVS can provide valuation services to DHHL, including appraisal, appraisal review, and appraisal consultation on a reimbursable basis. OVS is also available for post-facto program review to ensure that appraisals conducted by the State are in conformance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisitions as appropriate.
(2) The qualified appraiser must provide an appraisal report.	The appraiser must: (i) Meet the qualification requirements in paragraph (b) of this section; (ii) Produce a report that meets the qualifications in paragraph (c) of this section; and (iii) Complete the appraisal under the timeframe and terms negotiated with the parties in the exchange.
(3) The Secretary will review appraisal reports	The Secretary will evaluate the reports using: (i) The Uniform Standards of Professional Appraisal Practice; and (ii) The Uniform Appraisal Standards for Federal Land Acquisitions.

(b) To be qualified under paragraph (a)(2) of this section, an appraiser must:

(1) Be competent, reputable, impartial, and experienced in appraising property similar to the properties involved in the appraisal assignment; and

(2) Be approved by the OVS, if required by the Department's Office of Native Hawaiian Relations.

(3) Be licensed to perform appraisals in the State of Hawai'i unless a Federal employee whose position requires the performance of appraisal duties. Federal employees only need to be licensed in one State or territory to perform real estate appraisal duties as Federal employees in all States and territories.

(c) Appraisal reports for the exchange must:

(1) Be completed in accordance with the current edition of the Uniform Standards of Professional Appraisal Practice (USPAP) and the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA); and

(2) Include the estimated market value of Hawaiian home lands and non-Hawaiian home lands properties involved in the exchange.

§ 47.60 What documentation must DHHL submit to the Secretary in the land exchange packet?

The documents in the exchange packet submitted to us for approval must include the following:

The packet must contain . . .	that must include . . .
(a) Required statements	(1) A statement of approval for the exchange from the Commission; (2) A statement of compliance with the National Historic Preservation Act and, as appropriate, a cultural and historic property review; (3) An explanation of how the exchange will advance the interests of the beneficiaries; (4) A summary of any consultation with any beneficiaries that may have occurred; and (5) A statement of compliance with the Native American Graves Protection and Repatriation Act.
(b) Required analyses and reports	(1) Environmental analyses and records sufficient to meet CERCLA, NEPA, and all other pertinent Federal environmental requirements; (2) Land appraisal reports and statements of qualification of the appraisers in accordance with § 47.55; and (3) If property conveyed is adjacent to Hawaiian home lands: (i) An analysis of intended use of the Hawaiian home lands conveyed; (ii) A finding that the intended use will not conflict with established management objectives on the adjacent Hawaiian home lands; and (4) A copy of the land exchange proposal, if any.
(c) Relevant legal documents	(1) Any land exchange agreements entered into regarding the subject properties between DHHL and the non-DHHL party; (2) Evidence of title; and (3) Deeds signed by the parties, with a signature block for the Secretary of the Interior or our authorized representative to approve the transaction.

Subpart B—Approval and Finalization

§ 47.65 When will the Secretary approve or disapprove the land exchange?

On receipt of the complete land exchange packet from the Commission, the Secretary will approve or disapprove the exchange within 120 calendar days.

(a) Before approving or disapproving the exchange, the Secretary will review all environmental analyses, appraisals, and all other supporting studies and requirements to determine whether the proposed exchange complies with applicable law and advances the interests of the beneficiaries.

(b) The Secretary may consult with the beneficiaries when making a determination if a land exchange advances the interests of the beneficiaries.

(c) After approving or disapproving an exchange, the Secretary will notify DHHL, the Commission, and other officials as required by section 205(b)(2) of the HHLRA.

§ 47.70 How does DHHL complete the exchange once approved?

(a) The DHHL completes the exchange in accordance with the requirements of State law.

(b) DHHL shall provide a title report to us as evidence of the completed exchange.

PART 48—AMENDMENTS TO THE HAWAIIAN HOMES COMMISSION ACT

Sec.

48.5 What is the purpose of this part?
48.6 What definitions apply to terms used in this part?
48.10 What is the Secretary's role in reviewing proposed amendments to the HHCA?
48.15 What are the State's responsibilities in proposing amendments?
48.20 How does the Secretary determine if the State is seeking to amend Federal law?
48.25 How does the Secretary determine if the proposed amendment decreases the benefits to beneficiaries of Hawaiian home lands?
48.30 How does the Secretary determine if Congressional approval is unnecessary?
48.35 When must the Secretary determine if the proposed amendment requires Congressional approval?
48.40 What notification will the Secretary provide?
48.45 When is a proposed amendment deemed effective?
48.50 Can the State of Hawai'i amend the Hawaiian Homes Commission Act without Secretarial review?

Authority: State of Hawai'i Admission Act, 73 Stat. 4, chapter 339, approved March 18, 1959; Hawaiian Homes Commission Act, 1920, 42 Stat. 108 *et seq.,* chapter 42; Hawaiian Home Lands Recovery Act, 1995, 109 Stat. 537; 5 U.S.C. 301; 25 U.S.C. 2 and 9; 43 U.S.C. 1457; 112 Departmental Manual 28.

§ 48.5 What is the purpose of this part?

(a) This part sets forth the policies and procedures for:

(1) Review by the Secretary of proposed amendments to the Hawaiian Homes Commission Act by the State of Hawai'i; and

(2) Determination by the Secretary whether the proposed amendment requires congressional approval.

(b) This part implements requirements of the Hawaiian Homes Commission Act, the State of Hawai'i Admission Act, 1959, and the Hawaiian Home Lands Recovery Act, 1995.

§ 48.6 What definitions apply to terms used in this part?

As used in this part, the following terms have the meanings given in this section.

Beneficiaries means ''native Hawaiian(s)'' as that term is defined under section 201(a) of the *Hawaiian Homes Commission Act.*

Chairman means the Chairman of the Hawaiian Homes Commission designated under section 202 of the *Hawaiian Homes Commission Act.*

Consultation means an open discussion process that allows interested parties to address potential issues, changes, or actions. Consultation does not require formal face-to-face meetings. However, it does require dialogue (verbal, electronic, or printed)

or at least a good faith effort to engage in dialogue with the beneficiaries.

DHHL or *Department of Hawaiian Home Lands* means the department established by the State of Hawai'i under sections 26–4 and 26–17 of the Hawai'i Revised Statutes to administer the *Hawaiian Homes Commission Act.* This department assumes the authorities and responsibilities of the Hawaiian Homes Commission and the Commission serves as the department's executive board under amended section 202 of the *Hawaiian Homes Commission Act.*

HHCA or *Hawaiian Homes Commission Act* means the *Hawaiian Homes Commission Act, 1920,* 42 Stat. 108 *et seq.,* chapter 42, as amended.

HHLRA or *Hawaiian Home Lands Recovery Act* means the *Hawaiian Home Lands Recovery Act, 1995,* 109 Stat. 537, Public Law 104–42.

Hawaiian home lands means all trust lands given the status of Hawaiian home lands under section 204 of the *Hawaiian Homes Commission Act* and those lands obtained through approval under part 47, Land Exchange Procedures, by the DHHL, and as directed by Congress.

Lessee means either a:

(1) Beneficiary who has been awarded a lease under section 207(a) of the *Hawaiian Homes Commission Act*;

(2) Transferee lessee under section 208(5) of the *Hawaiian Homes Commission Act;* or

(3) Successor lessee under section 209 of the *Hawaiian Homes Commission Act.*

Secretary means the Secretary of the Interior or a designated employee.

Special Trust Funds means the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund as defined under section 213 of the *Hawaiian Homes Commission Act.*

§ 48.10 What is the Secretary's role in reviewing proposed amendments to the HHCA?

(a) The Secretary must review proposed amendments to the Hawaiian Homes Commission Act (HHCA) by the State of Hawai'i to determine whether the proposed amendment requires approval of Congress.

(b) The Secretary will notify the Chairman and Congress of this determination, and if approval is required, submit to Congress the documents required by § 48.35(b).

§ 48.15 What are the State's responsibilities in proposing amendments?

(a) Not later than 120 days after the State approves a proposed amendment to the HHCA, the Chairman must submit to the Secretary a clear and complete:

(1) Copy of the proposed amendment;

(2) Description of the nature of the change proposed by the proposed amendment; and,

(3) Opinion regarding whether the proposed amendment requires the approval of Congress.

(b) The following information must also be submitted:

(1) A description of the proposed amendment, including why the proposed amendment advances the interests of the beneficiaries;

(2) All testimony and correspondence from the Director of the Department of Hawaiian Home Lands, Hawaiian Homes Commissioners, and Homestead Associations, providing views on the proposed amendment;

(3) An analysis of the law and policy of the proposed amendment by the Department of Hawaiian Home Lands and the Hawaiian Homes Commission;

(4) Documentation of the dates and number of hearings held on the measure, and a copy of all testimony provided or submitted at each hearing;

(5) Copies of all committee reports and other legislative history, including prior versions of the proposed amendment;

(6) Final vote totals by the Commission and the legislature on the proposed amendment forwarded to the Secretary of the Interior;

(7) Summaries of all outreach or consultations conducted with the beneficiaries regarding the proposed amendment; and

(8) Other additional information that the State believes may assist in the review of the proposed amendment.

§ 48.20 How does the Secretary determine if the State is seeking to amend Federal law?

The Secretary will determine that Congressional approval is required if the proposed amendment does any of the following:

(a) Decreases benefits to the beneficiaries of Hawaiian home lands;

(b) Reduces or impairs the Special Trust Funds;

(c) Allows for additional encumbrances to be placed on Hawaiian home lands by officers other than those charged with the administration of the HHCA;

(d) Changes the qualifications of who may be a lessee;

(e) Allows the use of proceeds and income from the Hawaiian home lands for purposes other than carrying out the provisions of the HHCA; or

(f) Amends a section other than sections 202, 213, 219, 220, 222, 224, or 225, or other provisions relating to administration, or paragraph (2) of section 204, section 206, or 212 or other provisions relating to the powers and duties of officers other than those charged with the administration of the HHCA.

§ 48.25 How does the Secretary determine if the proposed amendment decreases the benefits to beneficiaries of Hawaiian home lands?

The Secretary will determine if the proposed amendment decreases the benefits to the beneficiaries, now or in the future, by weighing the answers to the following questions:

(a) How would the proposed amendment advance or otherwise impact current lessees of Hawaiian home lands?

(b) How would the proposed amendment advance or otherwise impact HHCA beneficiaries currently on a waiting list for a Hawaiian home lands lease?

(c) How would the proposed amendment advance or otherwise impact HHCA beneficiaries who have not yet applied for a Hawaiian home lands lease?

(d) If the interests of the beneficiaries who have not been awarded a Hawaiian home lands lease and the lessees differ, how does the proposed amendment weigh the interests of HHCA beneficiaries who have not been awarded a Hawaiian home lands lease with the interests of Hawaiian home lands lessees?

(e) If the interests of the beneficiaries who have not been awarded a Hawaiian home lands lease and the lessees differ, do the benefits to the lessees outweigh any detriment to the beneficiaries who have not been awarded a Hawaiian home lands lease?

(f) If the interests of the beneficiaries differ from the interests of the lessees, do the benefits to the beneficiaries outweigh any detriment to the lessees?

§ 48.30 How does the Secretary determine if Congressional approval is unnecessary?

The Secretary will determine that Congressional approval is unnecessary if the proposed amendment meets none of the circumstances in § 48.20.

§ 48.35 When must the Secretary determine if the proposed amendment requires Congressional approval?

The Secretary will review the documents submitted by the Chairman, and if they meet the requirements of § 48.15, the Secretary will determine within 60 days after receiving them if the proposed amendment requires Congressional approval.

§ 48.40 What notification will the Secretary provide?

(a) If the Secretary determines that Congressional approval of the proposed amendment is unnecessary, the Secretary will:

(1) Notify the Chairmen of the Senate Committee on Energy and Natural Resources and of the House Committee on Natural Resources; and

(2) Include, if appropriate, an opinion on whether the proposed amendment advances the interests of the beneficiaries.

(b) If the Secretary determines that Congressional approval of the proposed amendment is required, the Secretary will notify the Chairmen of the Senate Committee on Energy and Natural Resources and of the House Committee on Natural Resources. The Secretary will also submit to the Committees the following:

(1) A draft joint resolution approving the proposed amendment;

(2) A description of the change made by the proposed amendment and an explanation of how the proposed amendment advances the interests of the beneficiaries;

(3) A comparison of the existing law with the proposed amendment;

(4) A recommendation on the advisability of approving the proposed amendment;

(5) All documentation concerning the proposed amendment received from the Chairman; and

(6) All documentation concerning the proposed amendment received from the beneficiaries.

§ 48.45 When is a proposed amendment deemed effective?

(a) If the Secretary determines that a proposed amendment meets none of the criteria in § 48.20, the effective date of the proposed amendment is the date of the notification letter to the Committee Chairmen.

(b) If the Secretary determines that the proposed amendment requires congressional approval then the effective date of the proposed amendment is the date that Congress' approval becomes law.

§ 48.50 Can the State of Hawai'i amend the Hawaiian Homes Commission Act without Secretarial review?

The Secretary of the Interior must review all proposed amendments to the Hawaiian Homes Commission Act. Any proposed amendments to any terms or provisions of the Hawaiian Homes Commission Act by the State must also specifically state that the proposed amendment proposes to amend the Hawaiian Homes Commission Act. Any state enactment that impacts any of the factors in § 48.20 shall have no effect on the provisions of the HHCA or administration of the trust, except pursuant to this part.

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Notices

Federal Register
Vol. 80, No. 91
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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–2012–0103]

Privacy Act Systems of Records; Veterinary Services—Records of Accredited Veterinarians

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of proposed alteration to an existing Privacy Act System of Records; request for comment.

SUMMARY: The Animal and Plant Health Inspection Service proposes to alter an existing system of records in its inventory of record systems subject to the provisions of the Privacy Act of 1974, as amended. The system of records is Veterinary Services—Records of Accredited Veterinarians, USDA–APHIS–2. This notice is necessary to meet the requirements of the Privacy Act to publish in the **Federal Register** notice of the existence and character of record systems maintained by the agency.

DATES: *Effective Date:* This system will be adopted without further notice on June 22, 2015 unless modified to respond to comments received from the public and published in a subsequent notice.

Comment Date: Comments must be received in writing on or before June 11, 2015.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0103.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2012–0103, 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-2012-0103* 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: Dr. Todd Behre, Program Coordinator, National Veterinary Accreditation Program, VS, APHIS, 4700 River Road, Unit 200, Riverdale, MD 20737; (301) 851–3403.

SUPPLEMENTARY INFORMATION: The Privacy Act of 1974, as amended (5 U.S.C. 552a), requires agencies to publish in the **Federal Register** notice of new or revised systems of records. A system of records is a group of any records under the control of any agency, from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to an individual.

The Animal and Plant Health Inspection Service (APHIS) of the United States Department of Agriculture (USDA) is proposing to alter a system of records, entitled Veterinary Services—Records of Accredited Veterinarians, which maintains information pertaining to veterinarians who are or have been accredited, or who have applied for accreditation, under the authority of section 10410 of the Animal Health Protection Act (7 U.S.C. 8309).

Accredited veterinarians are veterinarians authorized by APHIS to perform certain services to control and prevent the spread of animal diseases within the United States and internationally. Duties may encompass a wide range of activities relating to companion animals, livestock, poultry, horses, and other animals, including issuing certificates of veterinary inspection and health certificates for animals moving interstate or internationally; participating in animal disease surveillance and testing activities (including surveillance for emerging and foreign animal diseases); diagnosing diseases in animals; developing herd or flock health plans; and performing veterinary tasks during animal disease emergencies. Veterinarians who wish to perform work for APHIS must become nationally accredited by APHIS and then authorized by APHIS to perform accredited duties in one or more specific States or territories.

In order to ensure that a veterinarian's accreditation is in good standing and that he or she has received the appropriate level of training commensurate with his or her duties, APHIS maintains information regarding the veterinarian in the Veterinary Services—Records of Accredited Veterinarians system. APHIS maintains information about accredited veterinarians in the system in accordance with the APHIS Records Management Handbook. Data associated with accredited veterinarians (including those whose accreditation has lapsed or been revoked) will be destroyed when 45 years old. Data will also be destroyed when the accredited veterinarian is deceased. The system also contains information about veterinarians who are applicants for accredited status.

The system of records notice for this system was previously published at 52 FR 6031, February 27, 1987. That notice is now being amended to add new routine uses, to add and remove categories of records maintained in the system, to clarify the individuals covered, to add record source categories, to update the authority for the system, to update the location of the system and policies and procedures for storing, retrieving, accessing, and disposing of records, and updating instructions for request of records and system manager contact information.

The new routine uses include:

- Disclosure to the American Association of Veterinary State Boards to certify accreditation or license status or exchange information regarding disciplinary action(s);
- Disclosure of contact information to the public for the purpose of locating and contacting an accredited veterinarian who has granted APHIS permission to provide business contact information;
- Disclosure to appropriate agencies, entities, and persons when the security or confidentiality of information in the system of records has been or may have been compromised and the disclosure is necessary to assist the agency in

responding and preventing, minimizing, or remedying harm;

- Disclosure to contractors and other parties engaged to assist in administering the program;
- Disclosure to contractors, partner agency employees, or private industry to detect fraud, waste, or abuse; and
- Disclosure to the National Archives and Records Administration or General Services Administration for records management.

A complete listing of the routine uses of records maintained in this system is included in the document published with this notice.

We are removing two categories of records: Social Security numbers and score on the accreditation examination. We are adding date of birth, email address, State in which licensed or legally able to practice veterinary medicine, whether business contact information may be provided upon request to members of the public, and categories providing specifics about the veterinarian's accreditation—date of core orientation to accreditation and State where the veterinarian completed the orientation, accreditation category, APHIS program certifications, and APHIS-approved supplemental training completed.

We are also amending the categories of individuals covered by the system to clarify that the system includes information about applicants for accreditation, and veterinarians whose accreditation has lapsed or been revoked, as well as about currently accredited veterinarians.

We are amending record source categories. While most information continues to be provided by the veterinarians themselves, with some additional source material provided by State animal health officials, APHIS may provide information regarding any alleged violations or disciplinary actions, and may add or correct other data based on its own information or information from State licensing or examining boards, the American Association of Veterinary State Boards, or the organization that provides accreditation training for APHIS, currently the Center for Food Security and Public Health at Iowa State University.

We are amending our authority for maintenance of the system to the Animal Health Protection Act, which in 2002 replaced and consolidated a number of other authorizing statutes. In addition, we are updating information about the location of the system of records and policies and practices for storing, retrieving, accessing, safeguarding, retaining, and disposing of records in the system to reflect changes in where and how the files are maintained. We are also providing more specific instructions about how an individual may request information about this system or whether the system contains any records pertaining to him or her, how an individual may request records pertaining to him or her, and how an individual may contest information in the system pertaining to him or her. Finally, we are updating the system manager's title and address.

Report on Altered System

A report on the altered system of records, required by 5 U.S.C. 552a(r), as implemented by Office of Management and Budget (OMB) Circular A–130, was sent to the Chairman, Committee on Homeland Security and Governmental Affairs, United States Senate; the Chairman, Committee on Oversight and Government Reform, House of Representatives; and the Administrator, Office of Information and Regulatory Affairs, OMB.

Done in Washington, DC, this 6th day of May 2015.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

SYSTEM NAME

Veterinary Services—Records of Accredited Veterinarians, USDA–APHIS–2.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

The application resides at USDA's Fort Collins, CO, data center. Spreadsheets containing data from the system may be kept temporarily at APHIS Veterinary Services (VS) area offices, VS regional offices in Ft. Collins, CO, and Raleigh, NC, and at APHIS headquarters in Riverdale, MD, as well as at other locations where employees work.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Veterinarians accredited by APHIS to perform certain services to control and prevent the spread of animal diseases within the United States and internationally (including veterinarians whose accreditation has lapsed or been revoked) and veterinarians who have applied for such accreditation.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains records related to the accreditation status of veterinarians. The records include name; date of birth; business name; home and business mailing addresses, telephone numbers, and email address; type of employment; State in which licensed or legally able to practice veterinary medicine; veterinary license number; veterinary medical college graduated and date of graduation; States in which the veterinarian is authorized to perform accredited duties; species of animals the veterinarian treats; primary medical discipline; date of core orientation to accreditation and State where the veterinarian completed the orientation; the veterinarian's accreditation category; date of accreditation renewal; APHIS program certifications; APHIS-approved supplemental training completed; whether business contact information may be provided to members of the public; and information pertaining to any alleged or adjudicated violations of accreditation standards, including disposition of the case.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The authority for maintenance of this system is section 10410 of the Animal Health Protection Act (7 U.S.C. 8309).

PURPOSE(S):

The Veterinary Services—Records of Accredited Veterinarians System database will automate submission of the accreditation application, streamline the approval process, maintain information specific to the veterinarian's accreditation, maintain current contact information, and document alleged or adjudicated violations of accreditation standards by an accredited veterinarian.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, records maintained in the system may be disclosed outside USDA as follows:

(1) To the State animal health official in each State, State veterinary examining or licensing boards, and the American Association of Veterinary State Boards to certify accreditation or license status or exchange information regarding disciplinary action(s);

(2) To the public for the purpose of locating and contacting an accredited veterinarian who has granted APHIS permission to provide business contact information;

(3) To the appropriate agency, whether Federal, State, local, or foreign, charged with responsibility of investigating or prosecuting a violation of law or of enforcing, implementing, or complying with a statute, rule, regulation, or order issued pursuant thereto, of any record within this system

when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and either arising by general statute or particular program statute, or by rule, regulation, or court order issued pursuant thereto;

(4) To the Department of Justice when: (a) The agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected;

(5) For use in a proceeding before a court or adjudicative body before which the agency is authorized to appear when: (a) The agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected;

(6) To appropriate agencies, entities, and persons when: (a) The agency suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the agency has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, a risk of identity theft or fraud, or a risk of harm to the security or integrity of this system or other systems or programs (whether maintained by the agency or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm;

(7) To contractors and other parties engaged to assist in administering the program. Such contractors and other parties will be bound by the nondisclosure provisions of the Privacy Act;

(8) To USDA contractors, partner agency employees or contractors, or private industry employed to identify patterns, trends, or anomalies indicative of fraud, waste, or abuse. Such contractors and other parties will be bound by the nondisclosure provisions of the Privacy Act;

(9) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the written request of that individual; and

(10) To the National Archives and Records Administration or to the General Services Administration for records management inspections conducted under 44 U.S.C. 2904 and 2906.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are stored in the Veterinary Accreditation Program module of the Veterinary Services Process Streamlining (VSPS) system. VSPS is a database maintained on clustered servers in a secure government-owned facility. Spreadsheets containing data from the system may be temporarily maintained as electronic files on desktop or laptop computers or as paper files.

RETRIEVABILITY:

Records are electronically retrieved primarily by name, national accreditation number, school of graduation, year of graduation, date of accreditation, State of accreditation, State license number, State where attended core orientation, accreditation status, category of animals worked on, type of practice, veterinary specialty, and email address. However, records can be retrieved by any of the categories that have been recorded.

SAFEGUARDS:

The system is physically secured in a locked facility with access only by authorized APHIS personnel. Badges are required. Visitors must be accompanied by authorized staff at all times. Data is stored and backed up using protocols established by the Fort Collins, CO, data center. Access to the records in this system is limited to those individuals who have a need to know the information for the performance of their official duties and who have appropriate clearances or permissions. Data available to individual users is role-based, which further limits access. Users must have USDA eAuthentication credentials and sign in using authorized logins and passwords. At the login screen, users must acknowledge a warning banner regarding authorized uses before proceeding. Employees who save spreadsheets containing data from the system are responsible for protecting the data. Files on employees' computers are also protected by encryption software and login and password requirements. Annually, all users are required to undergo information security training and to sign rules of behavior. Failure to comply with rules of behavior can result in corrective actions, including written reprimands, temporary suspension from duty, reassignment, demotion, or termination, suspension of system privileges, and possible criminal prosecution.

RETENTION AND DISPOSAL:

In accordance with the APHIS Records Management Handbook, the data associated with accredited veterinarians (including those whose accreditation has lapsed or been revoked) will be destroyed when 45 years old. Data will also be destroyed when the accredited veterinarian is deceased.

SYSTEM MANAGER(S) AND ADDRESS:

Information Technology Coordinator, Office of the Associate Deputy Administrator, Surveillance, Preparedness, and Response Services, Veterinary Services, APHIS, 4700 River Road, Unit 33, Riverdale, MD 20737.

NOTIFICATION PROCEDURE:

Any individual may request general information regarding this system of records or information as to whether the system contains records pertaining to him/her from the system manager at the address above. All inquiries pertaining to this system should be in writing, must name the system of records as set forth in the system notice, and must contain the individual's name, telephone number, address, and email address.

RECORD ACCESS PROCEDURES:

Any individual may obtain information from a record in the system that pertains to him or her. Requests for hard copies of records should be in

writing, and the request must contain the requesting individual's name, address, name of the system of records, timeframe for the records in question, any other pertinent information to help identify the file, and a copy of his/her photo identification containing a current address for verification of identification. All inquiries should be addressed to the Freedom of Information and Privacy Act Staff, Legislative and Public Affairs, APHIS, 4700 River Road, Unit 50, Riverdale, MD 20737–1232.

CONTESTING RECORD PROCEDURES:

Any individual may contest information contained within a record in the system that pertains to him/her by submitting a written request to the system manager at the address above. Include the reason for contesting the record and the proposed amendment to the information with supporting documentation to show how the record is inaccurate.

RECORD SOURCE CATEGORIES:

Most information is submitted by the individual veterinarian. APHIS may also obtain information from State animal health officials, State licensing and examining boards, the American Association of Veterinary State Boards, the organization that provides accreditation training for APHIS, and other APHIS records.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

The portions of this system that consist of investigatory material compiled for law enforcement purposes have been exempted pursuant to 5 U.S.C. 552a(k)(2) from the provisions of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 7 CFR 1.123. Individual access to these records would impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action to escape prosecution. Any individual who believes, however, that he has been denied any right, privilege or benefit for which he would otherwise be eligible as a result of the maintenance of such material may request access to the material. Such requests should be addressed to the Freedom of Information and Privacy Act Staff, Legislative and Public Affairs, APHIS, 4700 River Road, Unit 50, Riverdale, MD 20737–1232.

[FR Doc. 2015–11420 Filed 5–11–15; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Section 538 Guaranteed Rural Rental Housing Program 2015 Industry Forums—Open Teleconference and/or Web Conference Meetings

AGENCY: Rural Housing Service, USDA.

ACTION: Notice.

SUMMARY: This Notice announces a series of teleconference and/or web conference meetings regarding the U.S. Department of Agriculture (USDA) Section 538 Guaranteed Rural Rental Housing (GRRH) program, which are scheduled to occur during 2015 and 2016. This Notice also outlines suggested discussion topics for the meetings and is intended to notify the general public of their opportunity to participate in the teleconference and/or web conference meetings.

DATES: The dates and times for the teleconference and/or web conference meetings will be announced via email to parties registered as described below.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing to register for the calls and obtain the call-in number, access code, web link and other information for any of the public teleconference and/or web conference meetings may contact Monica Cole, Financial and Loan Analyst, at (202) 720–1251, fax: (202) 205–5066, or email: *monica.cole@wdc.usda.gov.* Those who request registration less than 15 calendar days prior to the date of a teleconference and/or web conference meetings may not receive notice of that teleconference and/or web conference meeting, but will receive notice of future teleconference and/or web conference meetings. The Agency expects to accommodate each participant's preferred form of participation by telephone or via web link. However, if it appears that existing capabilities may prevent the Agency from accommodating all requests for one form of participation, each participant will be notified and encouraged to consider an alternative form of participation. Individuals who plan to participate and need reasonable accommodations or language translation assistance should inform Monica Cole within 10 business days in advance of the meeting date.

SUPPLEMENTARY INFORMATION: The objectives of this series of teleconferences are as follows:

- Enhance the effectiveness of the Section 538 GRRH program.
- Update industry participants and Rural Housing Service (RHS) staff on developments involving the Section 538 GRRH program.
- Enhance RHS' awareness of the market and other forces that impact the Section 538 GRRH program.

Topics to be discussed could include, but will not be limited to, the following:

- Updates on USDA's Section 538 GRRH program activities.
- Perspectives on the current state of debt financing and its impact on the Section 538 GRRH program.
- Enhancing the use of Section 538 GRRH program financing with the transfer and/or preservation of section 515 developments.
- The impact of the Low Income Housing Tax Credits program changes on Section 538 GRRH program financing.

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Individuals who are deaf, hard of hearing or have speech disabilities and you wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877–8339 or (800) 845–6136 (in Spanish). Persons with disabilities, who wish to file a program complaint, please see information below on how to contact us by mail directly or by email. Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720–2600 (voice and TDD). If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Complaint Form, found online at *http://www.ascr.usda.gov/complaint_filing_cust.html,* or at any USDA office, or call (866) 632–9992 to request a form. You may also write a letter containing all of the information requested on the form. Send your completed complaint form or letter to us by mail at to USDA, Director, Office of Adjudication, 1400 Independence Avenue SW., Washington, DC 20250–9410, by fax (202) 690–7442 or email at *program.intake@usda.gov.* ''USDA is an

equal opportunity provider, employer, and lender.''

Dated: May 4, 2015.

Tony Hernandez,

Administrator, Rural Housing Service.

[FR Doc. 2015–11416 Filed 5–11–15; 8:45 am]

BILLING CODE 3410–XV–P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meeting Notice

TIME AND DATE:

Thursday, May 28, 2015; 1:00 p.m.–5:00 p.m. EST.

Friday, May 29, 2015; 9:00 a.m.–5:00 p.m. EST.

PLACE: U.S. Commission on Civil Rights Headquarters Office, 1331 Pennsylvania Avenue NW., Washington, DC 20425.

STATUS: This briefing is open to the public.

MATTERS TO BE CONSIDERED:

Topic: *An Examination of the Impact of Select Federal Financial Aid Programs upon Minority Student Enrollment at Bachelors' Degree-Granting Colleges and Universities.*

Day 1: Thursday, March 28, 2015

Introductory Remarks

Panel I. 1:00 p.m.–3:00 p.m.: Federal Government Officials Speakers' Remarks and Questions from Commissioners

Panel II. 3:00 p.m.–5:00 p.m.: Socio-Economic Mobility and Family Structure Speakers' Remarks and Questions from Commissioners

Adjourn Briefing–5:00 p.m.

Day 2: Friday, March 29, 2015

Introductory Remarks

Panel I. 9:00 a.m.–10:30 a.m.: Federal Government Officials Speakers' Remarks and Questions from Commissioners

Panel II. 10:30 a.m.–12:00 p.m.: University System Heads Speakers' Remarks and Questions from Commissioners

LUNCH–12:00 p.m.–1:00 p.m.

Panel III. 1:15 p.m.–4:15 p.m.: Scholars Speakers' Remarks and Questions from Commissioners

Adjourn Briefing–4:15 p.m.

CONTACT PERSON FOR MORE INFORMATION: 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.

Dated: May 7, 2015.

David Mussatt,

Chief, Regional Programs Unit.

[FR Doc. 2015–11504 Filed 5–8–15; 11:15 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Office of the Secretary

[Docket No. 150416373–5373–01]

Public Availability of Department of Commerce FY2014 Service Contract Inventory

AGENCY: Office of the Secretary, Department of Commerce.

ACTION: Notice of Public Availability of FY 2014 Service Contract Inventories and supplemental data.

SUMMARY: In accordance with Section 743 of Division C of the Consolidated Appropriations Act of 2010 (Pub. L. 111–117), the Department of Commerce is publishing this notice to advise the public of the availability of the Fiscal Year (FY) 2014 Service Contract Inventory, a report that analyzes the Department's FY 2013 Service Contract Inventory and an inventory supplement that identifies the amount invoiced and direct labor hours for covered service contract actions.

The service contract inventory provides information on service contract actions over $25,000 made in FY 2014. The information is organized by function to show how contracted resources are distributed throughout the agency. The inventory has been developed in accordance with guidance on service contract inventories issued on November 5, 2010 by the Office of Management and Budget's Office of Federal Procurement Policy (OFPP).

ADDRESSES: The Department of Commerce has posted its FY 2013 inventory and summary on the Office of Acquisition Management homepage at the following link *http://www.osec.doc.gov/oam/.* OFPP's guidance memo on service contract inventories is available at: *http://www.whitehouse.gov/sites/default/files/omb/procurement/memo/service-contract-inventories-guidance-11052010.pdf.*

FOR FURTHER INFORMATION CONTACT: Questions regarding the service contract inventory should be directed to Virna Winters, Director for Acquisitions Policy and Oversight Division at 202–482–4248 or *vwinters@doc.gov.*

Ellen Herbst,

Chief Financial Officer and Assistant Secretary for Administration.

[FR Doc. 2015–11376 Filed 5–11–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–954]

Certain Magnesia Carbon Bricks From the People's Republic of China: Rescission of Antidumping Duty Administrative Review; 2013–2014

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

SUMMARY: The Department of Commerce (''the Department'') is rescinding the administrative review of the antidumping duty order on Certain Magnesia Carbon bricks from the People's Republic of China (''PRC'') for the period of September 1, 2013 through August 31, 2014.

DATES: *Effective Date:* May 12, 2015.

FOR FURTHER INFORMATION CONTACT: Kenneth Hawkins, 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) 482–6491.

SUPPLEMENTARY INFORMATION:

Background

On October 30, 2014, based on a timely request for review by Resco Products, Inc. (''Petitioner'') and Magnesita Refractories Company (''Magnesita''), a domestic interested party,[1] the Department published in the **Federal Register** a notice of initiation of an administrative review of the antidumping duty order on certain magnesia carbon bricks from the PRC covering the period September 1, 2013 through August 31, 2014.[2] The review covers five companies.[3] On January 27,

[1] *See* Letter from Petitioner and Magnesita, Certain Magnesia Carbon Bricks from the People's Republic of China: Request for Fourth Administrative Review, dated September 30, 2014.

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 79 FR 64565 (October 30, 2014) (''*Initiation Notice*'').

[3] The five companies are: Fedmet Resources Corporation; Fengchi Imp. and Exp. Co., Ltd. of Haicheng City; Fengchi Mining Co., Ltd. of Haicheng City; Fengchi Refractories Corp.; and Puyang Refractories Co., Ltd. The *Initiation Notice* erroneously referred to ''Fengchi Minging Co., Ltd. of Haicheng City'' rather than ''Fengchi Mining Co., Ltd. of Haicheng City.''

2015, Petitioner and Magnesita withdrew their request for an administrative review on all of the five companies listed in the *Initiation Notice*.[4] No other party requested a review of these companies or any other exporters of subject merchandise.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 days of the publication of the notice of initiation of the requested review. In this case, Petitioner and Magnesita timely withdrew their request by the 90-day deadline, and no other party requested an administrative review of the antidumping duty order. As a result, pursuant to 19 CFR 351.213(d)(1), we are rescinding, in its entirety, the administrative review of certain magnesia carbon bricks from the PRC for the period September 1, 2013 through August 31, 2014.

Assessment

The Department will instruct CBP to assess antidumping duties on all appropriate entries. Because the Department is rescinding this administrative review in its entirety, the entries to which this administrative review pertained shall be assessed antidumping duties at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the publication of this notice in the **Federal Register**, if appropriate.

Notifications

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

This notice also serves as a final 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.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: May 5, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2015–11453 Filed 5–11–15; 8:45 am]

BILLING CODE 3510–DS–P

[4] *See* Letter from Petitioner and Magnesita, Fourth Administrative Review of the Antidumping Duty Order on Certain Magnesia Carbon Bricks from the PRC: Petitioners' Withdrawal of Request for Administrative Review, dated January 27, 2015.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–830]

Carbon and Certain Alloy Steel Wire Rod From Mexico: Final Results of Antidumping Duty Administrative Review; 2012–2013

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

SUMMARY: On November 7, 2014, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on carbon and certain alloy steel wire rod (wire rod) from Mexico. The period of review (POR) is October 1, 2012, through September 30, 2013, and the review covers one producer/exporter of subject merchandise, Deacero S.A.P.I. de C.V.

Based on our analysis of the comments received, we made certain changes in the margin calculations. The final results, consequently, differ from the preliminary results. The final weighted-average dumping margins for the reviewed producer/exporter is listed below in the section entitled ''Final Results of Review.''

DATES: *Effective Date:* May 12, 2015.

FOR FURTHER INFORMATION CONTACT: John Conniff, 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 202/482–1009.

SUPPLEMENTARY INFORMATION:

Background

On November 7, 2014, the Department published in the **Federal Register** the *Preliminary Results* of the antidumping duty administrative review of wire rod from Mexico.[1] We invited interested parties to comment on our *Preliminary Results.* On December 8, 2014, the Department received a case brief from Deacero S.A.P.I. de C.V. and Deacero USA, Inc. (collectively, Deacero). On December 15, 2014, we received a rebuttal brief from Petitioners.[2] The Department conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Period of Review

The POR covered by this review is October 1, 2012, through September 30, 2013.

Scope of the Order

The merchandise subject to this order is carbon and certain alloy steel wire rod. The product is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7213.91.3010, 7213.91.3090, 7213.91.4510, 7213.91.4590, 7213.91.6010, 7213.91.6090, 7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0010, 7227.20.0020, 7227.20.0090, 7227.20.0095, 7227.90.6051, 7227.90.6053, 7227.90.6058, and 7227.90.6059. Although the HTS numbers are provided for convenience and customs purposes, the written product description remains dispositive.[3]

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this proceeding are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document and is on file electronically *via* Enforcement and Compliance's

[1] *See Carbon and Certain Alloy Steel Wire Rod From Mexico: Preliminary Results of Antidumping Duty Administrative Review; 2012–2013,* 77 FR 66358 (November 7, 2014) (*Preliminary Results*) and accompanying Issues and Decision Memorandum (Preliminary Decision Memorandum).

[2] Petitioners are ArcelorMittal USA LLC and Gerdau Ameristeel U.S. Inc.

[3] For a complete description of the scope of the order, *see* ''Carbon and Certain Alloy Steel Wire Rod from Mexico: Issues and Decision Memorandum for the Final Results of the Antidumping Administrative Review; 2012–2013,'' (Issues and Decision Memorandum), dated concurrently with and hereby adopted by this notice.

Antidumping 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 (CRU), Room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at *http://trade.gov/enforcement.* The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on our analysis of the comments received, we corrected two programming errors in the weighted-average dumping margin calculation. A detailed discussion of the corrections made is included in the Calculation Memorandum for Final Results.[4]

Final Results of Review

As a result of this review, we determine that the following margin exists for the period October 1, 2012, through September 30, 2013:

Manufacturer/exporter	Weighted-average dumping margin (percent)
Deacero S.A.P.I. de C.V. and Deacero USA, Inc. (collectively, Deacero)	*2.13

ad valorem.

Assessment Rate

Pursuant to section 751(a)(2)(A) of the Act, and 19 CFR 351.212(b), the Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of 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,* 77 FR 8101 (February 14, 2012).

We calculated such rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of the sales for which entered value was reported. If an importer-specific assessment rate is zero or *de minimis* (*i.e.,* less than 0.50 percent) or the exporter has a weighted-average dumping margin that is zero or *de minimis,* the Department will instruct CBP to assess that importer's entries of subject merchandise without regard to antidumping duties, in accordance with 19 CFR 351.106(c)(2).

For entries of subject merchandise during the POR produced by each respondent for which they did not know that their merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this assessment practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of this administrative review, as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for Deacero will be the rate established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 20.11 percent, the all-others rate established in the investigation.[5] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (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/destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h).

Dated: May 6, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Final Decision Memorandum

I. Summary
II. Background
III. List of Comments
Comment 1: Calculation Errors
Comment 2: Differential Pricing
IV. Scope of the Order
V. Discussion of Comments
VI. Recommendation

[FR Doc. 2015–11452 Filed 5–11–15; 8:45 am]

BILLING CODE 3510–DS–P

[4] *See* ''Final Results in the 6th Administrative Review on Carbon and Certain Alloy Steel Wire Rod from Mexico: Calculation Memorandum for Deacero S.A. de C.V. and Deacero USA, Inc. (collectively, Deacero),'' from John Conniff, International Trade Analyst, AD/CVD Operations, Office III, to The File, through Eric Greynolds, Program Manager, AD/CVD Operations, Office III, dated concurrently with this notice.

[5] *See Notice of Antidumping Duty Orders: Carbon and Certain Alloy Steel Wire Rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine,* 67 FR 65945 (October 29, 2002).

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Patents for Humanity Program

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 proposed and/or continuing information collections, 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 July 13, 2015.

ADDRESSES: Written comments may be submitted by any of the following methods:

- *Email: InformationCollection@uspto.gov.* Include ''0651–0066 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 Edward Elliott, Attorney Advisor, Office of Policy and International Affairs, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450; by telephone at 571–272–9300; or by email to *Edward.Elliott@uspto.gov* with ''0651–0066 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

In 2012, the United States Patent and Trademark Office (USPTO) conducted a voluntary pilot program to incentivize the distribution of patented technologies or products for the purpose of addressing humanitarian needs. The pilot program, notice of which was published in the **Federal Register** (77 FRN 6544) in February 2012, was a follow-up to the responses received from the agency's ''Request for Comments on Incentivizing Humanitarian Technologies and Licensing Through the Intellectual Property System''—published September 20, 2010—and was open to any patent owners or patent licensees, including inventors who had not assigned their ownership rights to others, assignees, and exclusive or non-exclusive licensees. The USPTO collected information from applicants that described what actions they had taken with their patented technology to address humanitarian needs among impoverished populations, or how they furthered research by others on technologies for humanitarian purposes. After reviewing the results of the pilot, the program was renewed as an annual program in April 2014. Currently, there are five categories in which applications can be categorized: Medicine, Nutrition, Sanitation, Household Energy, and Living Standards.

To participate in this program, applicants must submit an application describing how their actions satisfy the competition criteria to address humanitarian issues. The USPTO has developed two application forms that applicants can use to apply for participation in the Patents for Humanity Program—one application covers the humanitarian uses of technologies or products and the other application covers humanitarian research. Applicants may optionally provide contact information for the public to reach them with any inquiries. Additionally, applicants may provide non-public contact information by email to the USPTO in order to be notified about their award status. Applications must be submitted electronically as described at *http://www.uspto.gov/patentsforhumanity.* Complete submitted applications will be available on the public Web site after being screened for inappropriate material.

The applications are reviewed by independent judges. A selection committee composed of representatives from other federal agencies and laboratories will make recommendations for the awards based on the judges' reviews. Those applicants who are selected for an award will receive a certificate redeemable to accelerate select matters before the USPTO and public recognition of their efforts, including an awards ceremony at the USPTO. The certificates can be redeemed to accelerate one of the following matters: An *ex parte* reexamination proceeding, including one appeal to the Patent Trial and Appeal Board (PTAB) from that proceeding; a patent application, including one appeal to the PTAB from that application; or an appeal to the PTAB of a claim twice rejected in a patent application or reissue application or finally rejected in an *ex parte* reexamination, without accelerating the underlying matter which generated the appeal. The certificates cannot be transferred to other parties.

II. Method of Collection

Electronically through the *http://www.uspto.gov/patentsforhumanity* Web site. In the past, USPTO has used challenge.gov and skild.com as platforms to host the applications.

III. Data

OMB Number: 0651–0066.

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 an existing collection.

Affected Public: Businesses or other for-profits, non-profit institutions, and individuals.

Estimated Number of Respondents: 110 responses per year, with an estimated 33 percent (36) submitted by small entities. Of this total, the USPTO expects that 100 percent of responses will be submitted electronically through the Patents for Humanity Web site.

Estimated Time per Response: The USPTO estimates that it will take the public approximately four hours to complete the humanitarian program application and one hour to complete the petition to extend the acceleration certificate redemption period beyond 12 months, if needed, depending on the nature of the information. These estimated times include gathering the necessary information, preparing the application and any supplemental supporting materials, and submitting the completed request to the USPTO.

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.

Estimated Total Annual Respondent Burden Hours: 410 hours.

Estimated Total Annual Respondent (Hourly) Cost Burden: $80,290. The USPTO expects that attorneys will complete the Petition to Extend the Redemption Period of the Humanitarian Awards Certificate, and that both attorneys and paralegals will complete the Humanitarian Program Application forms. Using the professional hourly rate of $389 for attorneys in private firms and a paraprofessional hourly rate of $125 for the paralegals, the USPTO estimates $80,290 per year for the respondent cost burden for this collection. However, it should be noted that attorneys are not necessary to fill out the form, and many applicants—including previous winners—have filled out the application themselves.

IC No.	Information collection instrument	Estimated time for response (minutes) (a)	Estimated annual responses (b)	Estimated annual burden hours (a) × (b)/60 = (c)	Rate ($/hr)
1	Humanitarian Program Application (Humanitarian Use); PTO/PFH/001.	60 minutes (attorney) ..... 180 minutes (paralegal)	85	340	*191
1	Humanitarian Program Application (Humanitarian Research); PTO/PFH/002.	60 minutes (attorney) ..... 180 minutes (paralegal)	15	60	*191
2	Petition to Extend the Redemption Period of the Humanitarian Awards Certificate; PTO/SB/431.	60 minutes	10	10	389
Total ..	.....	.....	110	410	.....

* (Blended).

Estimated Total Annual (Non-hour) Respondent Cost Burden: $0. This collection has no annual (non-hour) postage, operation or maintenance, or fee costs.

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: May 4, 2015.

Marcie Lovett,

Records Management Division Director, USPTO, Office of the Chief Information Officer.

[FR Doc. 2015–11433 Filed 5–11–15; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Pro Bono Survey

AGENCY: United States Patent and Trademark Office, Department of Commerce.

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 proposed 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 July 13, 2015.

ADDRESSES: You may submit comments by any of the following methods:

- *Email: InformationCollection@uspto.gov.* Include ''0651–Pro Bono Survey 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 Jennifer McDowell, Attorney, Office of General Law, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450; by telephone at 571–272–7013; or by email to *Jennifer.Mcdowell@uspto.gov* with ''0651–Pro Bono Survey 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 Leahy-Smith America Invents Act (AIA), Public Law 112–29 § 32 (2011) directs the USPTO to work with and support intellectual property law associations across the country in the establishment of pro bono programs designed to assist financially under-resourced independent inventors and small businesses. In February 2014, President Obama issued an Executive Action calling on the USPTO to expand the existing patent pro bono programs to all 50 states in the country. In support of this Executive Action, the USPTO—in collaboration with various non-profit organizations—has established a series of autonomous regional hubs that act as matchmakers to help connect low-income inventors with volunteer patent attorneys across the United States. The regional hubs comprise law school IP clinics, bar associations, innovation/entrepreneurial organizations, and arts-focused lawyer referral services that are strategically located to provide access to patent pro bono services across all fifty states. This information will help the USPTO determine which regional hubs are operating efficiently and which programs need additional support.

This information collection will ascertain the effectiveness of each individual regional hub with respect to their matchmaking efforts. The USPTO has worked with the Pro Bono Advisory Council (PBAC) to determine what information is necessary to ascertain the effectiveness of each regional pro bono hub's matchmaking operations. PBAC is a well-established group of patent practitioners and patent pro bono regional hub administrators who have committed to provide support and guidance to patent pro bono programs across the country. PBAC is responsible for the collection of this information, which is collected on a quarterly basis. The information, at its highest level, will allow PBAC and the USPTO to ascertain whether the regional hubs are matching qualified low income inventors with volunteer patent attorneys. It will also help establish the total economic benefit derived by low-income inventors in the form of donated legal services.

II. Method of Collection

This survey will be conducted electronically through a web form created to support this survey.

III. Data

OMB Number: 0651—New.

IC Instruments and Forms: The individual instrument in this collection, as well as its associated form, is listed in the table below.

Type of Review: New.

Affected Public: Not-for-profit institutions.

Estimated Number of Respondents: An estimated 20 respondents will provide quarterly responses, for a total of 80 responses per year.

Estimated Time per Response: The USPTO estimates that it will take two hours to complete the PBAC Administrator Survey, including time needed to gather the necessary information, enter it into the information collection instrument, and submit it.

Estimated Total Annual Respondent Burden Hours: 160 hours.

Estimated Total Annual Respondent (Hourly) Cost Burden: $8,000.00. The USPTO expects that regional program administrators will complete these applications. The professional hourly rate for a regional program administrator is $50.00. Using this hourly rate, the USPTO estimates that the total respondent cost burden for this collection is $8,000.00 per year.

IC No.	Information collection instrument	Estimated time for response (minutes) (a)	Estimated annual responses (b)	Estimated annual burden hours (a) × (b)/60 = (c)	Rate ($/hr)
1	Regional Program Administrator Survey	120	80	160	$50.00
Total			80	160	

Estimated Total Annual (Non-hour) Respondent Cost Burden: $0.00. There are no capital startup, maintenance, or operating fees associated with this collection, nor are there postage costs, filing fees, or processing fees.

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: May 4, 2015.

Marcie Lovett,

Records Management Divison Director, USPTO, Office of the Chief Information Officer.

[FR Doc. 2015–11419 Filed 5–11–15; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Submission for OMB Review; Comment Request; ''Rules for Patent Maintenance Fees''

The United States Patent and Trademark Office (USPTO) will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: United States Patent and Trademark Office, Commerce.

Title: Rules for Patent Maintenance Fees.

OMB Control Number: 0651–0016.

Form Number(s):

- PTO/SB/45
- PTO/SB/47
- PTO/SB/66

Type of Request: Regular.

Number of Respondents: 525,309.

Average Hours per Response: The estimated response time for an average response to a single collection in this information collection totals 0.039 hours, with response times ranging from 0.0056 hours (20 seconds) to 8 hours, depending on the instrument(s) used.

Burden Hours: 18,123.42.

Cost Burden: $3,801.42.

Needs and Uses: This information collection is necessary so that patent owners can maintain a utility patent in force and to ensure that the USPTO can properly credit maintenance fee payments. The USPTO offers forms to assist the public with providing the information covered by this collection, including maintenance fee payments, petitions to accept delayed maintenance fee payments, and fee address changes.

The public uses the Maintenance Fee Transmittal Form (PTO/SB/45) to determine and pay the correct amount due for a maintenance fee transaction. Customers may submit maintenance fees and six-month grace period surcharges paid before patent expiration electronically over the Internet using the USPTO's Office of Finance Online Shopping Page (hereinafter, the ''Electronic Maintenance Fee Form'') provided through the USPTO Web site. To pay a maintenance fee after patent expiration, customers must submit the maintenance fee payment and the appropriate delayed payment surcharge together with a Petition to Accept Unintentionally Delayed Payment (PTO/SB/66). A petition to accept delayed payment of a maintenance fee under the unintentional standard may be filed online. To designate or change a fee address, the customer must submit a Fee Address Indication Form (PTO/SB/47).

This proposed collection of information results in information collected, maintained, and used consistent with all applicable OMB and USPTO Information Quality Guidelines. This includes the basic information quality standards established in the Paperwork Reduction Act (44 U.S.C. chapter 35) (PRA), in OMB Circular A–130, and in the OMB information quality guidelines. (See Ref. A, the *USPTO Information Quality Guidelines.*)

Frequency: On occasion.

Respondent's Obligation: Required to Obtain or Retain Benefits.

OMB Desk Officer: Nicholas A. Fraser, email: *Nicholas_A._Fraser@omb.eop.gov*.

Once submitted, the request will be publicly available in electronic format through reginfo.gov. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Further information can be obtained by:

- Email: *InformationCollection@uspto.gov*. Include ''0651–0016 copy request'' in the subject line of the message.
- 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.

Written comments and recommendations for the proposed information collection should be sent on or before June 11, 2015 to Nicholas A. Fraser, OMB Desk Officer, via email to *Nicholas_A._Fraser@omb.eop.gov,* or by fax to 202–395–5167, marked to the attention of Nicholas A. Fraser.

Dated: May 4, 2015.

Marcie Lovett,

Records Management Division Director, USPTO, Office of the Chief Information Officer.

[FR Doc. 2015–11417 Filed 5–11–15; 8:45 am]

BILLING CODE 3510–16–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Notice of Intent To Renew Collection 3038–0021, Regulations Governing Bankruptcies of Commodity Brokers

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: The Commodity Futures Trading Commission (''Commission'' or ''CFTC'') is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (''PRA''), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection, and to allow 60 days for public comment. This notice solicits comments on collections of information provided for by Regulations Governing Bankruptcies of Commodity Brokers.

DATES: Comments must be submitted on or before July 13, 2015.

ADDRESSES: You may submit comments, identified by OMB Control No. 3038–0021 by any of the following methods:

- The Agency's Web site, at *http://comments.cftc.gov/.* Follow the instructions for submitting comments through the Web site.
- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.
- *Hand Delivery/Courier:* Same as Mail above.
- *Federal eRulemaking Portal: http://www.regulations.gov/.* Follow the instructions for submitting comments through the Portal.

Please submit your comments using only one method.

FOR FURTHER INFORMATION CONTACT: Robert Wasserman, Chief Counsel, Division of Clearing and Risk, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581; (202) 418–5092; email: *rwasserman@cftc.gov,* and refer to OMB Control No. 3038–0021.

SUPPLEMENTARY INFORMATION: Under the PRA, Federal agencies must obtain approval from the Office of Management and Budget (''OMB'') for each collection of information they conduct or sponsor. ''Collection of Information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3 and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed collection of information listed below.

Title: Regulations Governing Bankruptcies of Commodity Brokers (OMB Control No. 3038–0021). This is a request for extension of a currently approved information collection.

Abstract: This collection of information involves recordkeeping and notice requirements in the CFTC's bankruptcy rules for commodity broker liquidations, 17 CFR part 190. These requirements are intended to facilitate the effective, efficient, and fair conduct of liquidation proceedings for commodity brokers and to protect the interests of customers in these proceedings.

With respect to the collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of 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.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to *http://www.cftc.gov.* You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission's regulations.[1]

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from *http://www.cftc.gov* that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the Information Collection Request will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

Burden Statement: Commodity broker liquidations occur at unpredictable and irregular intervals; for purposes of estimating information collection burden this notice assumes an average of one commodity broker liquidation every three years. The CFTC further notes that the information collection burden will vary in particular commodity broker liquidations depending on the size of the commodity broker, the extent to which accounts are

[1] 17 CFR 145.9.

able to be quickly transferred, and other factors specific to the circumstances of the liquidation. The Commission estimates the average burden of this collection of information as follows:

- *Rule 190.02(a)(1)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 2.
Estimated Hours per Response: 0.5.
Estimated Total Hours per Year: 0.33.

- *Rule 190.02(a)(2)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 1.
Estimated Hours per Response: 2.
Estimated Total Hours per Year: 0.67.

- *Rule 190.02(b)(1)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 4.
Estimated Hours per Response: 1.
Estimated Total Hours per Year: 1.32.

- *Rule 190.02(b)(2)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 10,000.
Estimated Hours per Response: 0.1.
Estimated Total Hours per Year: 330.

- *Rule 190.02(b)(3)*

Estimated Respondents or Recordkeepers per Year: 0.05 (rarely if ever occurs).
Estimated Reports Annually per Respondent or Recordkeeper: 10,000.
Estimated Hours per Response: 0.2.
Estimated Total Hours per Year: 100.

- *Rule 190.02(b)(4)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 10,000.
Estimated Hours per Response: 0.2.
Estimated Total Hours per Year: 660.

- *Rule 190.02(c)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 10.
Estimated Hours per Response: 10.
Estimated Total Hours per Year: 33.

- *Rule 190.03(a)(1)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 20,000.
Estimated Hours per Response: 0.01.
Estimated Total Hours per Year: 0.66.

- *Rule 190.03(a)(2)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 20,000.
Estimated Hours per Response: 0.02.
Estimated Total Hours per Year: 132.

- *Rule 190.04(b)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 40,000.
Estimated Hours per Response: 0.01.
Estimated Total Hours per Year: 132.

- *Rule 190.06(b)*

Estimated Respondents or Recordkeepers per Year: 0.33.
Estimated Reports Annually per Respondent or Recordkeeper: 1.
Estimated Hours per Response: 1.
Estimated Total Hours per Year: 0.33.

- *Rule 190.06(d)*

Estimated Respondents or Recordkeepers per Year: 125.
Estimated Reports Annually per Respondent or Recordkeeper: 1000.
Estimated Hours per Response: 0.05.
Estimated Total Hours per Year: 6250.

- *Rule 190.10(c)*

Estimated Respondents or Recordkeepers per Year: 125.
Estimated Reports Annually per Respondent or Recordkeeper: 1000.
Estimated Hours per Response: 0.05.
Estimated Total Hours per Year: 6250.

There are estimated to be no capital costs or operating and maintenance costs associated with this collection.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: May 6, 2015.

Robert N. Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2015–11384 Filed 5–11–15; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD10–12–006]

Increasing Market and Planning Efficiency Through Improved Software; Supplemental Agenda Notice

Take notice that Commission staff will convene a technical conference on June 22, 23, and 24, 2015 to discuss opportunities for increasing real-time and day-ahead market efficiency through improved software.

This conference will bring together diverse experts from public utilities, the software industry, government, research centers and academia and is intended to build on the discussions initiated in the previous Commission staff technical conferences on increasing market and planning efficiency through improved software.

The agenda for this conference is attached. If any changes occur, the revised agenda will be posted on the calendar page for this event on the Commission's Web site [1] prior to the event. The technical conference may be attended by one or more Commissioners.

Dated: May 5, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11414 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Sunshine Act Meeting Notice

The following notice of meeting is published pursuant to section 3(a) of the Government in the Sunshine Act (Pub. L. 94–409), 5 U.S.C. 552b:

AGENCY HOLDING MEETING: Federal Energy Regulatory Commission.

DATE AND TIME: May 14, 2015, 10:00 a.m.

PLACE: Room 2C, 888 First Street NE., Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

* **Note**—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kimberly D. Bose, Secretary, Telephone (202) 502–8400.

For a recorded message listing items struck from or added to the meeting, call (202) 502–8627.

This is a list of matters to be considered by the Commission. It does not include a listing of all documents relevant to the items on the agenda. All public documents, however, may be viewed online at the Commission's Web site at *http://www.ferc.gov* using the eLibrary link, or may be examined in the Commission's Public Reference Room.

[1] *http://www.ferc.gov/industries/electric/indus-act/market-planning/2015-conference.asp.*

1016TH—MEETING

Item No.	Docket No.	Company
	Administrative	
A–1	AD02–1–000	Agency Business Matters.
A–2	AD02–7–000	Customer Matters, Reliability, Security and Market Operations.
A–3	AD06–3–000	Market Update.
	Electric	
E–1	RM15–11–000	Reliability Standard for Transmission System Planned Performance for Geomagnetic Disturbance Events.
E–2	ER13–1957–000	ISO New England Inc. New York Independent System Operator, Inc. PJM Interconnection, L.L.C.
	ER13–1942–000, ER13–1946–000	New York Independent System Operator, Inc.
	ER13–1960–000	ISO New England Inc. New England Power Pool Participants Committee.
	ER13–1947–000	PJM Interconnection, L.L.C.
	ER13–1926–000 (not consolidated)	PJM Interconnection, L.L.C. Duquesne Light Company.
E–3	ER13–75–006, ER13–75–007, ER13–75–008, ER15–416–000.	Public Service Company of Colorado.
	ER13–77–004, ER13–77–005, ER13–77–006, ER15–433–000.	Tucson Electric Power Company.
	ER13–78–004, ER13–78–005, ER13–78–006, ER15–434–000.	UNS Electric, Inc.
	ER13–79–004, ER13–79–005, ER13–79–006, ER15–413–000.	Public Service Company of New Mexico.
	ER13–82–004, ER13–82–005, ER13–82–006, ER15–411–000.	Arizona Public Service Company.
	ER13–91–004, ER13–91–005, ER15–426–000.	El Paso Electric Company
	ER13–96–004, ER13–96–005, ER15–431–000.	Black Hills Power, Inc.
	ER13–97–004, ER13–97–005, ER15–430–000.	Black Hills Colorado Electric Utility Company, LP.
	ER13–105–004, ER15–423–000, ER15–424–000, ER15–428–000, ER15–428–001.	NV Energy, Inc.
	ER13–120–004, ER13–120–005, ER15–432–000.	Cheyenne Light, Fuel, & Power Company.
E–4	ER13–94–004, ER15–422–000	Avista Corporation.
	ER13–99–003, ER15–429–000	Puget Sound Energy, Inc.
	ER13–836–003	MATL LLP.
E–5	EL13–33–001, EL13–33–003	ENE (Environment Northeast); The Greater Boston Real Estate Board; and National Consumer Law Center v. Bangor Hydro-Electric Company; Central Maine Power Company; New England Power Company; New Hampshire Transmission LLC; NSTAR Electric Company; Northeast Utilities Service Company; The United Illuminating Company; Unitil Energy Systems, Inc.; Fitchburg Gas and Electric Light Company; and Vermont Transco, LLC.
	EL14–86–001	Attorney General of the Commonwealth of Massachusetts; Connecticut Public Utilities Regulatory Authority; Massachusetts Municipal Wholesale Electric Company; New Hampshire Electric Cooperative, Inc.; Massachusetts Department of Public Utilities; New Hampshire Public Utilities Commission; George Jepsen, Attorney General of the State of Connecticut; Connecticut Office of Consumer Counsel; Maine Office of the Public Advocate; New Hampshire Office of the Consumer Advocate; Rhode Island Division of Public Utilities Carriers; Vermont Department of Public Service; Associated Industries of Massachusetts; The Energy Consortium; Power Options, Inc.; Western Massachusetts Industrial Group; Environment Northeast; National Consumer Law Center; Greater Boston Real Estate Board; and Industrial Energy Consumer Group v. Bangor Hydro-Electric Company; Central Maine Power Company; New England Power Company; New Hampshire Transmission LLC; The Connecticut Light and Power Company; Western Massachusetts Electric Company; Public Service Company of New Hampshire; NSTAR Electric Company; The United Illuminating Company; Unitil Energy Systems, Inc.; Fitchburg Gas and Electric Light Company; and Vermont Transco, LLC.
E–6	EL13–78–001, EL12–59–001	Golden Spread Electric Cooperative, Inc. v. Southwestern Public Service Company.
E–7	ER15–1196–000, ER15–1196–001	Nevada Power Company.
E–8	QM15–2–000	Northern States Power Company, a Minnesota corporation.
E–9	EC15–76–000	PowerMinn 9090, LLC. Fibrominn, LLC. Benson Power, LLC. CPV Biomass Holdings, LLC.

1016TH—MEETING—Continued

Item No.	Docket No.	Company
E–10	ES15–14–000	NorthWestern Corporation.
E–11	OMITTED.	
E–12	ER07–956–008	Entergy Services, Inc.
E–13	ER10–3357–000, ER10–3357–001	Entergy Services, Inc.
E–14	EL15–19–000	Avista Corporation.
E–15	ER15–990–000	Southwest Power Pool, Inc.
	Gas	
G–1	RP13–436–001	CAlifornians for Renewable Energy, Inc. Michael E. Boyd. Robert M. Sarvey v. Pacific Gas and Electric Company.
	Hydro	
H–1	OMITTED.	
H–2	P–2169–109	Brookfield Smoky Mountain Hydropower, LLC.
H–3	RM15–18–000	Commencement of Assessment of Annual Charges.
H–4	P–1892–027, P–1855–046, P–1904–074	TransCanada Hydro Northeast Inc.
	Certificates	
C–1	CP14–513–000	Impulsora Pipeline, LLC.
C–2	CP14–509–000	Paiute Pipeline Company.
C–3	CP14–522–000	Algonquin Gas Transmission, LLC.
C–4	OMITTED.	
C–5	CP15–161–000	Roadrunner Gas Transmission, LLC.
C–6	CP15–32–000	Black Hills Shoshone Pipeline, LLC.
	CP15–33–000	Energy West Development, Inc.

Issued: May 7, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

A free webcast of this event is available through *www.ferc.gov.* Anyone with Internet access who desires to view this event can do so by navigating to *www.ferc.gov's* Calendar of Events and locating this event in the Calendar. The event will contain a link to its webcast. The Capitol Connection provides technical support for the free webcasts. It also offers access to this event via television in the DC area and via phone bridge for a fee. If you have any questions, visit *www.CapitolConnection.org* or contact Danelle Springer or David Reininger at 703–993–3100.

Immediately following the conclusion of the Commission Meeting, a press briefing will be held in the Commission Meeting Room. Members of the public may view this briefing in the designated overflow room. This statement is intended to notify the public that the press briefings that follow Commission meetings may now be viewed remotely at Commission headquarters, but will not be telecast through the Capitol Connection service.

[FR Doc. 2015–11509 Filed 5–8–15; 11:15 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL13–88–000]

Northern Indiana Public Service Company v. Midcontinent Independent System Operator, Inc. PJM Interconnection, L.L.C.; Notice of Technical Conference

On September 11, 2013, Northern Indiana Public Service Company (NIPSCO) filed a complaint against Midcontinent Independent System Operator, Inc. (MISO) and PJM Interconnection, L.L.C. (PJM). NIPSCO requested that the Commission order MISO and PJM to reform the interregional transmission planning process of the Joint Operating Agreement between MISO and PJM (MISO–PJM JOA).[1] On December 18, 2014, the Commission issued an order directing Commission staff to convene a technical conference to explore issues raised in the NIPSCO Complaint related to the MISO–PJM JOA and the MISO–PJM seam.[2] Take notice that such conference will be held on June 15, 2015, at the Commission's headquarters at 888 First Street NE., Washington, DC 20426, between 9:00 a.m. and 4:00 p.m. (Eastern Time) in the Commission Meeting Room. The technical conference will be led by Commission staff and may be attended by one or more Commissioners.

The technical conference will not be transcribed. However, there will be a free webcast of the conference. The webcast will allow persons to listen to the technical conference, but not participate. Anyone with Internet access who wants to listen to the conference can do so by navigating to the Calendar of Events at *www.ferc.gov* and locating the technical conference in the Calendar. The technical conference will contain a link to its webcast. The Capitol Connection provides technical support for the webcast and offers the option of listening to the meeting via phone-bridge for a fee. If you have any questions, visit *www.CapitolConnection.org* or call 703–993–3100.[3]

Advance registration is required for all attendees. Attendees may register in advance at the following Web page: *https://www.ferc.gov/whats-new/registration/06-15-15-form.asp.* Attendees should allow time to pass

[1] NIPSCO Complaint, Docket No. EL13–88–000 (filed Sept. 11, 2013).

[2] *Northern Indiana Public Service Co.* v. *Midcontinent Indep. Sys. Operator, Inc. and PJM Interconnection, L.L.C.,* 149 FERC ¶ 61,248, at P 35 (2014).

[3] The webcast will continue to be available on the Calendar of Events on the Commission's Web site *www.ferc.gov* for three months after the conference.

through building security procedures before the 9:00 a.m. (Eastern Time) start time of the technical conference. In addition, information on this event will be posted on the Calendar of Events on the Commission's Web site, *www.ferc.gov,* prior to the event.

Those wishing to be panelists in the program for this event should nominate themselves through the on-line registration form no later than close of business May 18, 2015 at the following Web page, *https://www.ferc.gov/whats-new/registration/06-15-15-speaker-form.asp*. At this Web page, please identify the name(s) of the person(s) wishing to be a panelist and which issue(s) below you wish to discuss. Panelists will be selected to ensure relevant topics and to accommodate time constraints. Other attendees may ask questions or make comments as time permits.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an email to *accessibility@ferc.gov* or call toll free 1–866–208–3372 (voice) or 202–502 -8659 (TTY); or send a fax to 202–208–2106 with the required accommodations.

The technical conference will consist of five sessions and focus on the issues raised by NIPSCO in the Complaint, as detailed below. The times given below are approximate and may change, as needed. As time permits, at the end of each session staff will open the floor for questions and comments from attendees.

Conference Introduction: Commission Staff *(9:00 a.m.–9:15 a.m.)*

Session 1: Transmission Planning Cycles *(9:15 a.m.–10:15 a.m.)*

Panelists should be prepared to discuss the issue of whether the Commission should require the MISO–PJM cross-border transmission planning process to run concurrently with the MISO and PJM regional transmission planning cycles, rather than after those regional transmission planning cycles, and to answer questions including, but not limited to, the following: How could MISO and PJM modify their regional transmission planning cycles to better align with the MISO–PJM cross-border transmission planning process? What impact would this have on other regional and interregional transmission planning cycles (*i.e.,* neighboring regions)? Should MISO and PJM use the same planning deadlines to achieve regional benefits from coordination of the cross-border transmission planning process? Discussion of these issues should focus on the MISO–PJM seam in general, and NIPSCO's location on the seam in particular.

Session 2: Modeling and Criteria *(10:15 a.m.–11:15 a.m.)*

Panelists should be prepared to describe the existing joint interregional transmission planning model used to evaluate cross-border transmission projects and to answer questions including, but not limited to, the following: Are changes needed to this existing model or the assumptions used to enable coordinated study of proposed cross-border transmission projects? Should the Commission require MISO and PJM to use a single common set of criteria to evaluate cross-border transmission projects as proposed by NIPSCO in the Complaint? In addition to the benefit metric, what other metrics do PJM and MISO consider in the evaluation of cross-border transmission projects? Should the Commission require that there be consistency between PJM's and MISO's regional transmission planning analyses such that both entities are consistent in their application of reliability criteria and modeling assumptions as proposed by NIPSCO in the Complaint? Discussion of these issues should focus on the MISO–PJM seam in general, and NIPSCO's location on the seam in particular.

Lunch Break: (11:15 a.m.–12:15 p.m.)

Session 3: Market-to-Market Payments *(12:15 p.m.–1:30 p.m.)*

Panelists should be prepared to answer questions including, but not limited to, the following: Should the Commission require MISO and PJM to amend the criteria to evaluate cross-border market efficiency transmission projects to address all known benefits, including avoidance of future market-to-market payments made to reallocate short-term transmission capacity in the real-time operation of the system as proposed by NIPSCO in the Complaint? Have MISO, PJM, and the market monitors identified trends in market-to-market payments that may be relevant to NIPSCO's position along the PJM–MISO seam? Is there a relationship between the cross-border transmission planning process (and evaluation of potential interregional transmission projects) and persistent market-to-market payments being made between the RTOs? Are persistent market-to-market payments an indicator of the need for new transmission? Please provide examples of transmission projects that have been considered under the existing cross-border transmission planning process for the purpose of mitigating congestion and/or constraints that lead to persistent market-to-market payments but that have not been developed, and the reasons the transmission project was not developed.

Break: (1:30 p.m.–1:45 p.m.)

Session 4: Lower Voltage Transmission Projects *(1:45 p.m.–2:45 p.m.)*

Panelists should be prepared to discuss the issue of whether the Commission should require MISO and PJM to have a process for joint transmission planning and cost allocation of lower voltage and lower cost cross-border upgrades, as proposed by NIPSCO in the Complaint, and to answer questions including, but not limited to, the following: How would a lower voltage criteria align with current regional cost allocation methods? Are lower voltage transmission projects expected to provide region-wide or local benefits? Discussion of these issues should focus on the MISO–PJM seam in general, and NIPSCO's location on the seam in particular.

Session 5: Generator Interconnections and Retirements *(2:45 p.m.–3:45 p.m.)*

Panelists should be prepared to discuss the issue of whether the Commission should require MISO and PJM to improve the processes within the MISO–PJM JOA with respect to new generator interconnections and generation retirements, as proposed by NIPSCO in the Complaint, and to answer questions including, but not limited to, the following: What impact does the interconnection or retirement of external generation have on a neighboring region? How do MISO and PJM model new generation, or the retirement of existing generation, on a neighboring system? At what stage of the interconnection process do MISO and PJM share information or coordinate studies? How does the current process of studying external generation impact congestion? How do MISO and PJM share information about generator interconnections and retirements? What are the differences in timing between the two RTOs for sharing information about generator interconnections and retirements? Discussion of these issues should focus on the MISO–PJM seam in general, and NIPSCO's location on the seam in particular.

Conference Conclusion: Next Steps *(3:45 p.m.—4:00 p.m.)*

Following the technical conference, the Commission will consider post-technical conference comments submitted on or before July 15, 2015. Reply comments are due on or before August 5, 2015. The written comments will be included in the formal record of

the proceeding, which, together with the record developed to date, will form the basis for further Commission action.

For more information about this technical conference, please contact Lina Naik, 202–502–8882, *lina.naik@ferc.gov,* regarding legal issues; or Jason Strong, 202–502–6124, *jason.strong@ferc.gov,* and Ben Foster, 202–502–6149, *ben.foster@ferc.gov,* regarding technical issues; or Sarah McKinley, 202–502–8368, *sarah.mckinley@ferc.gov,* regarding logistical issues.

Dated: May 5, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11405 Filed 5–11–15; 8:45 a.m.]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL15–58–000]

Louisiana Generating, LLC; Notice of Filing

Take notice that on April 28, 2015, Louisiana Generating LLC submitted an amendment to its April 7, 2015 filed request to recover costs under Midcontinent Independent System Operator, Inc.'s FERC Electric Tariff Schedule 24 and Schedule 24–A.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 p.m. Eastern Time on May 8, 2015.

Dated: April 28, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11410 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Commission Staff Attendance

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of the Commission's staff may attend the following meeting related to the transmission planning activities of the Florida Reliability Coordinating Council, Inc.

The Florida Reliability Coordinating Council, Inc. *(FRCC) Process First Quarter Meeting.*

May 6, 2015, 10:00 a.m.–12:00 p.m. (Eastern Standard Time)

The above-referenced meeting will be via web conference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *https://www.frcc.com/Default.aspx.*

The discussions at the meeting described above may address matters at issue in the following proceedings:

Docket No. ER13–1932, *Tampa Electric Company*

Docket No. ER13–1922, *Duke Energy Florida (Progress Energy Florida)*

Docket No. ER13–1929, *Florida Power & Light Company*

Docket No. ER13–1928, *Duke Energy Carolinas/Carolina Power & Light*

Docket Nos. ER13–107, ER13–1935, *South Carolina Electric & Gas Company*

Docket No. ER13–1941, *Alabama Power Company et al.*

Docket No. ER13–1940, *Ohio Valley Electric Corporation*

For more information, contact Rhonda Jones, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (202) 502–6154 or *Rhonda.Jones@ferc.gov.*

Dated: May 5, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11406 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP15–105–000]

Texas Gas Transmission, LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed Western Kentucky Lateral Project and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Western Kentucky Lateral Project involving construction and operation of facilities by Texas Gas Transmission, LLC (Texas Gas) in Muhlenberg County, Kentucky. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before June 4, 2015.

If you sent comments on this project to the Commission before the opening of this docket on March 4, 2015, you will need to file those comments in Docket No. CP15–105–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to

construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

Texas Gas provided landowners with a fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility on My Land? What Do I Need To Know?'' This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC Web site (*www.ferc.gov*).

Public Participation

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or *efiling@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''*eRegister.''* If you are filing a comment on a particular project, please select ''Comment on a Filing'' as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (CP15–105–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Summary of the Proposed Project

Texas Gas proposes to construct and operate 22.5 miles of 24-inch-diameter pipeline to connect the existing Texas Gas Midland 3 Compressor Station to Tennessee Valley Authority's (TVA) existing Paradise Fossil Plant in Muhlenberg County, Kentucky. The Western Lateral Project would provide about 230,000 million standard cubic feet of natural gas per day to TVA's proposed combined cycle gas plant at its Paradise Fossil Plant. TVA's combined cycle gas plant includes the replacement of two coal fired units to assist TVA's compliance with the Environmental Protection Agency's Mercury and Air Toxics Standards.

The Western Kentucky Lateral Project would consist of the following facilities:

- 22.5-miles of 24-inch-diameter pipeline;
- two new meter and regulator stations; and
- one new mainline valve.

The general location of the project facilities is shown in appendix 1.[1]

Land Requirements for Construction

Construction of the proposed facilities would disturb about 356 acres of land for the aboveground facilities and the pipeline. Following construction, Texas Gas would maintain about 148 acres for permanent operation of the project's facilities; the remaining acreage would be restored and revert to former uses. About 35 percent of the proposed pipeline route parallels existing pipeline, utility, or road rights-of-way.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us [2] to discover and address concerns the public may have about proposals. This process is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife;
- air quality and noise;
- endangered and threatened species;
- public safety; and
- cumulative impacts.

We will also evaluate reasonable alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary. Depending on the comments received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before making our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate with us in the preparation of the EA.[3] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the applicable State Historic Preservation Office (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.[4] We will define the

[1] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

[2] ''We,'' ''us,'' and ''our'' refer to the environmental staff of the Commission's Office of Energy Projects.

[3] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

[4] The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

project-specific Area of Potential Effects (APE) in consultation with the SHPO as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If we publish and distribute the EA, copies will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an ''intervenor'' which is an official party to the Commission's proceeding. Intervenors play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User's Guide under the ''e-filing'' link on the Commission's Web site.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site at *www.ferc.gov* using the ''eLibrary'' link. Click on the eLibrary link, click on ''General Search'' and enter the docket number, excluding the last three digits in the Docket Number field (*i.e.,* CP15–105). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Finally, public meetings or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: May 5, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11415 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP15–118–000]

Transcontinental Gas Pipe Line Company, LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed Virginia Southside Expansion Project II and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Virginia Southside Expansion Project II involving construction and operation of facilities by Transcontinental Gas Pipe Line Company, LLC (Transco) in Virginia, North Carolina, and South Carolina. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before June 5, 2015.

If you sent comments on this project to the Commission before the opening of this docket on March 23, 2015, you will need to file those comments in Docket No. CP15–118–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

Transco provided landowners with a fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility on My Land? What Do I Need To Know?'' This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC Web site (*www.ferc.gov*).

Public Participation

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or *efiling@ferc.gov*. Please carefully

follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings*. This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings*. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''*eRegister.*'' If you are filing a comment on a particular project, please select ''Comment on a Filing'' as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (CP15–118–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Summary of the Proposed Project

Transco proposes to construct and operate 4.3 miles of 24-inch-diameter pipeline, gas compression facilities, and associated aboveground and underground facilities to provide about 250,000 dekatherms per day of incremental firm transportation service to Virginia Electric and Power Company (VEPCO). The proposed pipeline would connect Transco's approved Brunswick Lateral in Brunswick County, Virginia (to be constructed in 2015) to a proposed VEPCO power station in Greensville County, Virginia (''Greenville County Power Station''). According to Transco, its project would provide 100 percent of the natural gas required by the proposed VEPCO combined-cycle gas-fired power station. The Greenville County Power Station is subject to regulatory approval by the Virginia State Corporation Commission.

The Virginia Southside Expansion Project II would include the following facilities:

- 4.3 miles of 24-inch-diameter pipeline in Brunswick and Greensville Counties, Virginia;
- two 10,915-horsepower (hp) gas turbine compressor units at Transco's approved Compressor Station 166 in Pittsylvania County, Virginia (anticipated construction start date October 2015);
- one 25,000-hp electric-driven compressor unit at the existing Compressor Station 185 in Prince William County, Virginia;
- a new meter and regulator station and pig receiver facility in Greensville County, Virginia; [1]
- a new pig launcher facility in Brunswick County, Virginia; and
- modifications at 19 existing facilities in Cherokee and Spartanburg Counties, South Carolina and Polk County, North Carolina, including odorization/deodorization facility modifications, valves, and valve operators.

The general location of the project facilities is shown in appendix 1.[2]

Land Requirements for Construction

Construction of the proposed facilities would disturb about 180.4 acres of land for the aboveground facilities and the pipeline. Following construction, Transco would maintain about 30.2 acres for permanent operation of the project's facilities; the remaining acreage would be restored and revert to former uses. About 84 percent of the proposed pipeline route parallels existing pipeline, utility, or road rights-of-way.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us [3] to discover and address concerns the public may have about proposals. This process is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife;
- air quality and noise;
- endangered and threatened species;
- public safety; and
- cumulative impacts

We will also evaluate reasonable alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate with us in the preparation of the EA.[4] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the applicable State Historic Preservation Offices (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.[5] We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPOs as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document

[1] A ''pig'' is a tool that the pipeline company inserts into and pushes through the pipeline for cleaning the pipeline, conducting internal inspections, or other purposes.

[2] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

[3] ''We,'' ''us,'' and ''our'' refer to the environmental staff of the Commission's Office of Energy Projects.

[4] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

[5] The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Environmental Mailing List

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Becoming an Intervenor

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Additional Information

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Finally, public meetings or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: May 6, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11404 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5–098]

Confederated Salish and Kootenai Tribes, Energy Keepers, Incorporated; Notice of Application for Partial Transfer of License and Co-Licensee Status and Soliciting Comments, Motions To Intervene, and Protests

On April 14, 2015, the Confederated Salish and Kootenai Tribes (transferor or co-licensee or CSKT) and Energy Keepers, Incorporated (transferee or EKI) filed an application for a partial transfer of license and co-licensee status of the Kerr Hydroelectric Project, FERC No. 5, located on the Flathead River and Flathead Creek in Flathead Lake County, Montana.

The transferor and transferee seek Commission approval to partially transfer the license for the Kerr Hydroelectric Project from NorthWestern Corporation and Confederated Salish and Kootenai Tribes as co-licensees to Confederated Salish and Kootenai Tribes and Northwestern and add the transferee as a co-licensee. The transfer application was filed by CSKT and EKI. Northwestern specially joined the application and does not dispute the representations made by CSKT and/or EKI, concerning: (1) The legal or financial status of either CSKT or EKI; or (2) the organizational structure, staffing or proposed operations by either CSKT or EKI.

Applicant Contacts: For Transferors: Rhonda Swaney, Confederated Salish and Kootenai Tribes, P.O. Box 278, Pablo, MT 59855, Phone: 406–675–2700, Email: *rhondas@cskt.org*; John K. Tabaracci, Corporate Counsel, NorthWestern Corporation, 208 North Montana Avenue, Suite, 205, Helena, MT 59601, Phone: 406–443–8983, Email: *john.tabaracci@northwestern.com*; Matthew A. Love, Van Ness Feldman, LLP, 719 Second Avenue, Suite 1150, Seattle, WA 98104, Phone: 206–623–9372, Email: *mal@vnf.com.* For Transferee: Joe Hovenkotter, Energy Keepers, Inc., 110 Main Street, Suite 304, Polson, MT 59860, Phone: 406–883–1113, Email: *joe.hovenkotter@energykeepersinc.com*; Gary D. Bachman, Van Ness Feldman, LLP, 1050 Thomas Jefferson Street NW., Seventh Floor, Washington, DC 20007, Phone: 202–298–1880, Email: *gdb@vnf.com.*

FERC Contact: Patricia W. Gillis, (202) 502–8735.

Deadline for filing comments and motions to intervene: 30 days from the issuance date of this notice, by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–5–098.

Dated: April 28, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11411 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP15–23–000]

Southern Natural Gas Company, L.L.C.; Notice of Availability of the Environmental Assessment for the Proposed North Main Lines Relocation Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the North Main Lines Relocation Project (Project), proposed by Southern Natural Gas Company, L.L.C. (Southern) in the above-referenced docket. SNG requests authorization to abandon and relocate natural gas facilities in Jefferson County, Alabama.

The EA assesses the potential environmental effects of the construction and operation of the Project in accordance with the requirements of the National Environmental Policy Act. The FERC staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment.

The proposed Project includes the abandonment of about 9.0 miles of 20-, 22-, and 24-inch-diameter natural gas pipelines to be replaced with 10.9 miles of 20- and 24-inch-diameter natural gas pipelines. The Project, located northwest of Rock Creek, Alabama, would relocate three parallel pipelines within the same corridor (North Main Line, North Main Loop Line, and 2nd North Main Line) and the Calera Branch Line in a separate corridor. The purpose of the Project is to relocate the pipelines to avoid ground subsidence related to planned longwall coal mining operations.

The FERC staff mailed copies of the EA to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; newspapers and libraries in the project area; and parties to this proceeding. In addition, the EA is available for public viewing on the FERC's Web site (*www.ferc.gov*) using the eLibrary link. A limited number of copies of the EA are available for distribution and public inspection at: Federal Energy Regulatory Commission, Public Reference Room, 888 First Street NE., Room 2A, Washington, DC 20426, (202) 502–8371.

Any person wishing to comment on the EA may do so. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this project, it is important that we receive your comments in Washington, DC on or before June 5, 2015.

For your convenience, there are three methods you can use to file your comments with the Commission. In all instances please reference the project docket number (CP15–23–000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at 202–502–8258 or *efiling@ferc.gov*.

(1) You can file your comments electronically using the eComment feature located on the Commission's Web site (*www.ferc.gov*) under the link to Documents and Filings. This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the eFiling feature on the Commission's Web site (*www.ferc.gov*) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You must select the type of filing you are making. If you are filing a comment on a particular project, please select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214).[1] Only intervenors have the right to seek rehearing of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site (*www.ferc.gov*) using the eLibrary link. Click on the eLibrary link, click on ''General Search,'' and enter the docket number excluding the last three digits in the Docket Number field (*i.e.,* CP15–23). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: May 6, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11403 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

[1] See the previous discussion on the methods for filing comments.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PF15–12–000]

Algonquin Gas Transmission, LLC; Notice of Intent To Prepare an Environmental Assessment for the Planned Atlantic Bridge Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Atlantic Bridge Project (Project), which would involve construction and operation of facilities by Algonquin Gas Transmission, LLC (Algonquin) in New York, Connecticut, and Massachusetts. The Commission will use this EA in its decision-making process to determine

whether the Project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the Project. You can make a difference by providing use with your specific comments or concerns about the Project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues need to be evaluated in the EA. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before June 11, 2015; however, this will not be the only public input opportunity for the Project. Please refer to the Review Process flow chart in Appendix 1.[1]

If you sent comments on this project to the Commission before the opening of this docket on January 30, 2015, you will need to file those comments in Docket No. CP15–12–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this Project. State and local government representatives should notify their constituents of this planned Project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the Project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement and the Project is approved, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

A fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need To Know?'' is available for viewing on the FERC Web site (*www.ferc.gov*). This fact sheet addresses a number of typically-asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

Public Participation

For your convenience, there are four methods you can use to submit your comments to the Commission. The commission will provide equal consideration to all comments received, whether filed in written form or provided verbally. In all instances, please reference the Project docket number (PF15–12–000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or *efiling@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.*

(1) You can file your comments electronically using the *eComment* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically using the *eFiling* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''*eRegister.''* If you are filing a comment on a particular project, please select ''Comment on a Filing'' as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

(4) In lieu of sending written or electronic comments, the Commission invites you to attend one of the public scoping meetings its staff will conduct in the project area, scheduled as follows.

FERC Public Scoping Meetings—Atlantic Bridge Project

Date and time	Location
Monday, May 11, 2015, 6:30 p.m. Eastern Time	Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, NY 10598.
Tuesday, May 12, 2015, 6:30 p.m. Eastern Time	Riverfront Community Center, 300 Welles Street, Glastonbury, CT 06033.
Wednesday, May 13, 2015, 6:30 p.m. Eastern Time	Abigail Adams Middle School, 89 Middle Street East, Weymouth, MA 02189.
Thursday, May 14, 2015, 6:30 p.m. Eastern Time	Hawthorne Suites by Wyndham, 835 Upper Union Street, Franklin, MA 02038.

We will begin our sign up of speakers at 5:30 p.m. The scoping meetings will begin at 6:30 p.m. with a description of our environmental review process by Commission staff, after which speakers will be called. The meetings will end once all speakers have provided their comments or at 10 p.m., whichever comes first. Please note that there may be a time limit of three minutes to present comments, and speakers should structure their comments accordingly. If time limits are implemented, they will be strictly enforced to ensure that as many individuals as possible are given an opportunity to comment. The meetings will be recorded by a stenographer to ensure comments are accurately recorded. Transcripts will be entered into the formal record of the Commission proceeding. Algonquin representatives will be present one hour prior to the start of the scoping meetings to provide additional information about the project and answer questions.

Summary of the Planned Project

Algonquin plans to construct, install, own, operate, and maintain the planned Atlantic Bridge Project, which (as described more fully below) would involve expansion of its existing pipeline and compressor station facilities located in New York, Connecticut, and Massachusetts. Since

[1] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

sponsoring its open house meetings and initial draft resource reports 1 and 10, Algonquin has reduced the scope of the Project. The current scope of the Project would be capable of delivering up to 153,000 dekatherms per day of natural gas along various delivery points on the Algonquin and Maritimes and Northeast Pipeline systems.

The planned Atlantic Bridge Project includes approximately 18.1 miles of pipeline comprising the following facilities:

- Replacement of approximately 7.6 miles of existing 26-inch-diameter mainline pipeline with a 42-inch-diameter pipeline as follows:
  - 1.3 miles in Rockland County, New York (Upstream Ramapo Lift and Relay (L&R) [2]);
  - 4.0 miles in Westchester County, New York (Stony Point Discharge L&R); and
  - 2.3 miles in Fairfield County, Connecticut (Southeast Discharge L&R).
- Extension of an existing loop [3] pipeline with approximately 7.0 miles of additional 36-inch-diameter pipeline along Algonquin's existing pipeline right-of-way in Middlesex and Hartford counties, Connecticut (Cromwell Discharge Loop).
- Installation of approximately 3.5 miles of new 30-inch-diameter pipeline off of Algonquin's existing Q–1 System in Norfolk County, Massachusetts (Q–1 System Loop).

In addition to the pipeline facilities, Algonquin plans to modify two existing compressor stations, construct one new compressor station, modify two existing metering and regulating (M&R) stations and one regulator station, rebuild three existing M&R stations, and construct one new M&R station to replace the existing station. The modifications to the two existing compressor stations would be located in New Haven and Windham Counties, Connecticut, and would add a total additional 18,615 horsepower to Algonquin's pipeline system. The new compressor station would be located in Norfolk County, Massachusetts and include a new 7,700 horsepower gas-fired compressor unit. The modifications to the two existing Algonquin M&R stations and one regulator station would occur in New York, Connecticut, and Massachusetts to accept the new gas flows associated with the Project. The planned rebuilding of the three existing M&R stations would occur in Plymouth and Bristol Counties, Massachusetts. The new M&R station to replace an existing station would be constructed in New London County, Connecticut. Algonquin would also need to construct a number of pig [4] launcher and receiver facilities and four new MLVs.

The general location of the Project facilities is shown in Appendix 2.

Land Requirements for Construction

Construction of the planned facilities would disturb about 231 acres of land, comprising about 190 acres for the pipeline facilities, 36 acres for the compressor stations, and 5 acres for the M&R stations. Following construction, Algonquin would retain about 37 acres of new permanent easement outside of its current operating footprint to operate the new facilities. This amount includes approximately 32 acres of new permanent easement for the new pipeline right-of-way, 4 acres for the new compressor station, and a total of 1 acre for the M&R stations.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us [5] to discover and address concerns the public may have about proposals. This discovery process is referred to as ''scoping''. The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation and maintenance of the planned Project under these general headings:

- Geology and soils;
- land use, including residential, commercial, and prime farmland uses;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife, including migratory birds;
- air quality and noise;
- endangered and threatened species;
- traffic and transportation;
- public safety; and
- cumulative impacts.

We will also evaluate reasonable alternatives to the planned Project or portions of the Project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the FERC receives an application. As part of our pre-filing review, we have begun to contact some federal and state agencies to discuss their involvement in the scoping process and the preparation of the EA.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary and will be published and distributed to the public for an allotted comment period. We will consider all comments on the EA before making our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section of this notice, beginning on page 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues related to this Project to formally cooperate with us in the preparation of the EA.[6] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with applicable State Historic Preservation Offices (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the Project's potential effects on historic properties.[7] We will

[2] Lift and relay refers to a construction method by which an existing pipeline is removed and replaced with a new pipeline.

[3] A pipeline loop is a segment of pipe constructed parallel to an existing pipeline to increase capacity.

[4] A ''pig'' is a tool that the pipeline company inserts into and pushed through the pipeline for cleaning the pipeline, conducting internal inspections, or other purposes.

[5] ''We,'' ''us,'' and ''our'' refer to the environmental staff of the Commission's Office of Energy Projects.

[6] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

[7] The Advisory Council on Historic Preservation regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included

define the Project-specific Area of Potential Effects (APE) in consultation with the SHPOs as the Project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the planned facilities and the environmental information provided by Algonquin. This preliminary list of issues may change based on your comments and our analysis.

- *Geology*—Effects as a result of blasting to remove existing surface and bedrock during construction.
- *Biological Resources*—Effects on threatened and endangered species and sensitive habitats.
- *Water Resources*—Effects on waterbodies and wetlands, including the crossing of the Connecticut River.
- *Land Use*—Effects on residential and commercial areas, traffic and transportation corridors, and agricultural lands from construction.
- *Cultural Resources* – Effects on archaeological sites and historic resources.
- *Air Quality and Noise*—Effects on the local air quality and noise environment from construction and operation.
- *Reliability and Safety*—The assessment of hazards associated with natural gas pipelines and aboveground facilities.

Environmental Mailing List

The environmental mailing list includes: federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for Project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the Project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the planned Project.

When we publish and distribute the EA, copies will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (Appendix 3).

Becoming an Intervenor

In addition to involvement in the EA scoping process, once Algonquin files its application with the Commission, you may want to become an ''intervenor,'' which is an official party to the Commission's proceeding. Intervenors play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User's Guide under the ''e-filing'' link on the Commission's Web site. Please note that the Commission will not accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the Project, which is currently anticipated to be sometime in September 2015.

Additional Information

Additional information about the Project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site (*www.ferc.gov*) using the eLibrary link. Click on the eLibrary link, click on ''General Search'' and enter the docket number, excluding the last three digits in the Docket Number field (*i.e.,* PF15–12). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/esubscribenow.htm.*

Finally, public meetings or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: April 27, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11409 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

in or eligible for inclusion in the National Register of Historic Places.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD15–7–000]

Reliability Technical Conference; Supplemental Notice With Agenda

As announced in the Notice of Technical Conference issued on April 9, 2014, the Commission will hold a technical conference on Thursday, June 4, 2015 from 10:00 a.m. to 4:00 p.m. to discuss policy issues related to the reliability of the Bulk-Power System. The agenda for this conference is attached. Commission members will participate in this conference.

Registration is not required, but is encouraged. Attendees may register at: *https://www.ferc.gov/whats-new/registration/06-04-15-form.asp.*

After the close of the conference, the Commission will accept written comments regarding the matters discussed at the technical conference. Any person or entity wishing to submit written comments regarding the matters discussed at the conference should submit such comments in Docket No. AD15–7–000 on or before July 9, 2014.

Information on this event will be posted on the Calendar of Events on the Commission's Web site, *www.ferc.gov,* prior to the event. The conference will be transcribed. Transcripts will be available for a fee from Ace Reporting Company (202–347–3700). A free webcast of this event is also available through *www.ferc.gov.* Anyone with Internet access who desires to listen to this event can do so by navigating to *www.ferc.gov's* Calendar of Events and locating this event in the Calendar. The event will contain a link to the webcast. The Capitol Connection provides technical support for webcasts and offers the option of listening to the meeting via phone-bridge for a fee. If you have any questions, visit

www.CapitolConnection.org or call 703–993–3100.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to *accessibility@ferc.gov* or call toll free 1–866–208–3372 (voice) or 202–502–8659 (TTY), or send a FAX to 202–208–2106 with the required accommodations.

For more information about this conference, please contact: Sarah McKinley, Office of External Affairs, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–8368, *sarah.mckinley@ferc.gov*.

Dated: April 28, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11413 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2614–038]

City of Hamilton, Ohio, American Municipal Power, Inc.; Notice of Application for Partial Transfer of License and Soliciting Comments, Motions To Intervene, and Protests

On April 22, 2015, the City of Hamilton, Ohio (City or transferor) and American Municipal Power, Inc. (AMP or transferee) filed an application to partially transfer the license for the Greenup Project No. 2614, located on the Ohio River in Scioto County, Ohio. The application requests to partially transfer the license for the Greenup Project to add AMP as a co-licensee.

The transferor and transferee seek Commission approval to a partial transfer of the license for the Greenup Project from the City, as sole licensee, to the City and AMP, as co-licensees.

Applicant Contacts: For Transferor: Mr. Joshua Smith, City Manager, City of Hamilton, 345 High Street, 7th Floor, Hamilton, OH 45011–6071, Email: *smithja@cihamilton.oh.us;* Mr. Alan I. Robbins, Esq., Jennings Strouss & Salmon, PLC, 1350 I Street NW., Suite 810, Washington, DC 20005, Email: *arobbins@jsslaw.com.* For Transferee: Mr. Marc S. Gerken, P.E., President and CEO, American Municipal Power, Inc., 1111 Schrock Road, Suite 100, Columbus, OH 43229, Email: *mgerken@amppartners.org;* Mr. Phil E. Meier, Vice President, Hydro Development and Operations, American Municipal Power, Inc., 1111 Schrock Road, Suite 100, Columbus, OH 43229, Email: *pmeier@amppartners.org;* and Mr. John W. Bentine, Esq., Sr. Vice President and General Counsel, Email: *jbentine@amppartners.org,* American Municipal Power, Inc., 1111 Schrock Road, Suite 100, Columbus, OH 43229

FERC Contact: Patricia W. Gillis, (202) 502–8735.

Deadline for filing comments, motions to intervene, and protests: 30 days from the date that the Commission issues this notice. The Commission strongly encourages electronic filing. Please file motions to intervene, comments, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–2614–038.

Dated: April 28, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–11412 Filed 5–11–15; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9927–57–OA]

Notification of a Public Teleconference of the Chartered Science Advisory Board

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public teleconference to review three draft SAB reports on the EPA's Integrated Risk Information System (IRIS) assessments for ammonia, trimethylbenzenes and ethylene oxide, respectively.

DATES: The public teleconference for the Chartered SAB will be conducted on Monday June 8, 2015 from 1:00 p.m. to 5:00 p.m. (Eastern Time).

ADDRESSES: The public teleconference will be conducted by telephone only.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing to obtain information concerning the public teleconference may contact Mr. Thomas Carpenter, Designated Federal Officer (DFO), EPA Science Advisory Board Staff Office (1400R), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; by telephone/voice mail at (202) 564–4885 or at *carpenter.thomas@epa.gov.* General information about the SAB as well as any updates concerning the teleconference announced in this notice may be found on the EPA Web site at *http://www.epa.gov/sab.*

SUPPLEMENTARY INFORMATION: The SAB was established pursuant to the Environmental Research, Development, and Demonstration Authorization Act (ERDDAA), codified at 42 U.S.C. 4365, to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a federal advisory committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2. Pursuant to FACA and EPA policy, notice is hereby given that the chartered SAB will hold a public teleconference to review three draft SAB reports on toxicological assessments for the IRIS program. The assessments address ammonia, trimethylbenzenes, and ethylene oxide respectively. The chartered SAB will conduct a quality review of three draft reports that focus on the scientific and technical merit of the assessments. The SAB undertook this review at the request of the EPA's Office of Research and Development. Quality review is a key function of the chartered SAB. Draft reports prepared by SAB committees, panels, or work groups must be reviewed and approved by the chartered SAB before transmittal to the EPA Administrator. Consistent with FACA, the chartered SAB makes a determination in a public meeting about each draft report and determines whether the report is ready to be transmitted to the EPA Administrator.

For EPA's *Toxicological Review of Ammonia,* ORD evaluated epidemiological data, experimental animal data, and other relevant data from studies of the noncancer and cancer effects of ammonia. This assessment includes an inhalation reference concentration (RfC) and a qualitative cancer descriptor. The assessment does not include an oral reference dose (RfD) or a quantitative cancer assessment. Information about this advisory activity can be found on the Web at *http://yosemite.epa.gov/sab/*

sabproduct.nsf/fedrgstr_activites/IRIS%20Ammonia?OpenDocument.

The second review will focus on an SAB draft report reviewing the EPA's *Toxicological Review of Trimethylbenzenes.* For the trimethylbenzenes assessment; including 1,2,3-TMB, 1,2,4-TMB, and 1,3,5-TMB, ORD evaluated experimental animal data and other relevant noncancer data. The assessment includes an inhalation RfC, oral RfD, and qualitative cancer descriptor for each isomer. The assessment does not include a quantitative cancer assessment. Information about this advisory activity can be found on the Web at *http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/IRIS%20Trimethylbenzenes?OpenDocument.*

The third review will focus on an SAB draft report reviewing the EPA's *Evaluation of the Inhalation Carcinogenicity of Ethylene Oxide.* The carcinogenicity assessment of ethylene oxide presents an evaluation of the cancer hazard and the derivation of quantitative cancer risk estimates from exposure to ethylene oxide by inhalation. The hazard assessment includes a review of epidemiologic studies, rodent cancer bioassays, and mechanistic studies, *e.g.,* genotoxicity studies. The quantitative assessment includes exposure-response modeling for the derivation of inhalation unit risk estimates of cancer risk at low (generally environmental) exposure concentrations and estimates of the cancer risk associated with some occupational exposure scenarios. Information about this advisory activity can be found on the Web at *http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/Eto%20Inhalation%20Carcinogenicity?OpenDocument.*

Availability of Meeting Materials: The agenda and materials in support of these teleconference will be available on the EPA Web site at *http://www.epa.gov/sab* in advance of the teleconference.

Procedures for Providing Public Input: Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office.

Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit comments for a federal advisory committee to consider as it develops advice for EPA. Input from the public to the SAB will have the most impact if it provides specific scientific or technical information or analysis for SAB panels to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should contact the Designated Federal Officer as noted above. *Oral Statements:* In general, individuals or groups requesting an oral presentation at a teleconference will be limited to three minutes. Each person making an oral statement should consider providing written comments as well as their oral statement so that the points presented orally can be expanded upon in writing. Interested parties should contact Mr. Thomas Carpenter, DFO, in writing (preferably via email) at the contact information noted above by June 1, 2015, to be placed on the list of public speakers. *Written Statements:* Written statements should be supplied to the DFO, preferably via email, at the contact information noted above one week before the teleconference so that the information may be made available to the Board members for their consideration. It is the SAB Staff Office general policy to post written comments on the Web page for the advisory meeting or teleconference. Submitters are requested to provide an unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its Web sites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the SAB Web site. Copyrighted material will not be posted without explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities, please contact Mr. Thomas Carpenter at (202) 564–4885 or *carpenter.thomas@epa.gov*. To request accommodation of a disability, please contact Mr. Carpenter preferably at least ten days prior to the teleconference to give EPA as much time as possible to process your request.

Dated: May 5, 2015.

Thomas H. Brennan,

Deputy Director, EPA Science Advisory Staff Office.

[FR Doc. 2015–11448 Filed 5–11–15; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK

[Public Notice: EIB–2015–0011]

Application for Final Commitment for a Long-Term Loan or Financial Guarantee in Excess of $100 Million: AP088942XX

AGENCY: Export-Import Bank of the United States.

ACTION: Notice.

SUMMARY: This Notice is to inform the public, in accordance with Section 3(c)(10) of the Charter of the Export-Import Bank of the United States (''Ex-Im Bank''), that Ex-Im Bank has received an application for final commitment for a long-term loan or financial guarantee in excess of $100 million (as calculated in accordance with Section 3(c)(10) of the Charter). Comments received within the comment period specified below will be presented to the Ex-Im Bank Board of Directors prior to final action on this Transaction. Comments received will be made available to the public.

DATES: Comments must be received on or before June 8, 2015 to be assured of consideration before final consideration of the transaction by the Board of Directors of Ex-Im Bank.

ADDRESSES: Comments may be submitted through Regulations.gov at *WWW.REGULATIONS.GOV.* To submit a comment, enter *EIB-2015-0011* under the heading ''Enter Keyword or ID'' and select Search. Follow the instructions provided at the Submit a Comment screen. Please include your name, company name (if any) and *EIB-2015-0011* on any attached document.

SUPPLEMENTARY INFORMATION:

Reference: AP088942XX.

Purpose and Use:

Brief description of the purpose of the transaction:

To support the export of U.S.-manufactured commercial aircraft to Azerbaijan.

Brief non-proprietary description of the anticipated use of the items being exported:

To be used for passenger air service within Azerbaijan and between Azerbaijan and other countries. To the extent that Ex-Im Bank is reasonably aware, the items being exported are not expected to produce exports or provide services in competition with the exportation of goods or provision of services by a United States industry.

Parties:

Principal Suppliers: The Boeing Company and General Electric Corporation.

Obligor: Azerbaijan Airlines.

Guarantor(s): Ministry of Finance of the Republic of Azerbaijan.

Description of Items Being Exported: Boeing 787 aircraft; GE Spare Engine(s).

Information on Decision: Information on the final decision for this transaction will be available in the ''Summary Minutes of Meetings of Board of Directors'' on *http://exim.gov/newsandevents/boardmeetings/board/*.

Confidential Information: Please note that this notice does not include confidential or proprietary business information; information which, if disclosed, would violate the Trade Secrets Act; or information which would jeopardize jobs in the United States by supplying information that competitors could use to compete with companies in the United States.

Lloyd Ellis,

Program Specialist. Office of the General Counsel.

[FR Doc. 2015–11366 Filed 5–11–15; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL COMMUNICATIONS COMMISSION

[3060–1169]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before June 11, 2015. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Submit your PRA comments to Nicholas A. Fraser, Office of Management and Budget, via fax at 202–395–5167 or via Internet at *Nicholas_A._Fraser@omb.eop.gov* and to Benish Shah, Federal Communications Commission, via the Internet at *Benish.Shah@fcc.gov.* To submit your PRA comments by email send them to: *PRA@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: Benish Shah, Office of Managing Director, (202) 418–7866.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–1169.

Title: Part 11—Emergency Alert System (EAS), Fifth Report and Order, FCC 12–7.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions, and state, local or tribal government.

Number of Respondents: 10 respondents; 20 responses.

Estimated Time per Response: 20 hours.

Frequency of Response: On occasion reporting requirement and recordkeeping requirement.

Obligation to Respond: Voluntary. Statutory authority for this collection of information is contained in 47 U.S.C. 154(i) and 601 of the Communications Act of 1934, as amended.

Total Annual Burden: 200 hours.

Total Annual Cost: N/A.

Privacy Impact Assessment: N/A.

Nature and Extent of Confidentiality: There is no need for confidentiality.

Needs and Uses: The Commission will submit this expiring information collection to the Office of Management and Budget (OMB) after this comment period in order to obtain approval from them for the full three year clearance period.

Part 11 contains rules and regulations addressing the nation's Emergency Alert System (EAS). The EAS provides the President with the capability to provide immediate communications and information to the general public at the national, state and local area level during periods of national emergency. The EAS also provides state and local governments and the National Weather Service with the capability to provide immediate communications and information to the general public concerning emergency situations posting a threat to life and property. The Commission amended its Part 11 rules governing the EAS to more fully codify the existing obligation to process Common Alerting Protocol (CAP)-formatted alert messages adopted in the Second Report and Order.

Certification procedures for meeting general certification requirements are under *47 CFR 11.34.* Paragraphs 164–167, 107–171, and 175–176 in the Fifth Report and Order, establish that integrated CAP-capable EAS devices and intermediate devices that are used in tandem with legacy EAS equipment are subject to the Commission's existing device certification requirements set forth in the Commission's Part 2 equipment authorization rules. These paragraphs also establish specific procedures by which EAS device manufacturers can update existing device certifications and obtain new certifications, which generally involve the submission of test data and other materials to the FCC.

The information collected by the Commission is used to confirm that EAS devices comply with the technical and performance requirements set forth in the EAS rules and other applicable rules maintained by the Commission. These rules are designed to minimize electrical radiofrequency interference and to ensure that the EAS, including individual devices within the EAS, operate as intended.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison Officer. Office of the Secretary, Office of the Managing Director.

[FR Doc. 2015–11432 Filed 5–11–15; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1056]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before July 13, 2015. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060–1056.

Title: Application for International Broadcast Station License.

Form No.: FCC Form 421–IB.

Type of Review: Extension of a currently approved information collection.

Respondents: Business or other for-profit.

Number of Respondents: 10 respondents; 10 responses.

Estimated Time per Response: 6 hour per response.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this information collection is contained in section 325(c) of the Communications Act of 1934, as amended.

Total Annual Burden: 60 hours.

Annual Cost Burden: $40,500.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: In general, there is no need for confidentiality with this collection of information.

Needs and Uses: This collection will be submitted to the Office of Management and Budget (OMB) as an extension following the 60-day comment period in order to obtain the full three-year clearance from OMB.

The Federal Communications Commission (''Commission'') plans to implement and release to the public an ''Application for an International Broadcast Station License'' (FCC Form 421–IB). The FCC Form 421–IB will be used by applicants to request licenses to operate international broadcast stations. The FCC Form 421–IB has not been implemented yet due to a lack of budget resources and technical staff. After the form has been implemented and the Commission has obtained final approval from the OMB, applicants will file the FCC Form 421–IB with the Commission in lieu of the ''Application for an International, Experimental Television, Experimental Facsimile, or a Developmental Broadcast Station,'' (FCC Form 310).

(**Note:** The Commission received approval from the OMB for the FCC Form 310 under OMB Control No 3060–1035). In the interim, applicants will continue to file the FCC Form 310 with the Commission.

The Commission stated previously that the FCC Form 421–IB will be available to applicants in the International Bureau Filing System (''MyIBFS'') after its development. The Commission plans to develop a new Consolidated Licensing System (CLS) that will replace MyIBFS. Therefore, the FCC Form 421–IB will be made available to the public in CLS instead of MyIBFS.

The information collected is used by the Commission to assign frequencies for use by international broadcast stations, to grant authority to operate such stations and to determine if interference or adverse propagation conditions exist that may impact the operation of such stations. If the Commission did not collect this information, it would not be in a position to effectively coordinate spectrum for international broadcasters or to act for entities in times of frequency interference or adverse propagation conditions. The orderly nature of the provision of international broadcast service would be in jeopardy without the Commission's involvement.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison Officer, Office of the Secretary, Office of the Managing Director.

[FR Doc. 2015–11431 Filed 5–11–15; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92–237; DA 15–512]

Next Meeting of the North American Numbering Council

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission released a public notice announcing the meeting and agenda of the North American Numbering Council (NANC). The intended effect of this action is to make the public aware of the NANC's next meeting and agenda.

DATES: Thursday, June 4, 2015, 10:00 a.m.

ADDRESSES: Requests to make an oral statement or provide written comments to the NANC should be sent to Carmell Weathers, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, Portals II, 445 12th Street SW., Room 5–C162, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Carmell Weathers at (202) 418–2325 or *Carmell.Weathers@fcc.gov*. The fax number is: (202) 418–1413. The TTY number is: (202) 418–0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document in CC Docket No. 92–237; DA 15–512, released April 29, 2015. The complete text in this document is available for public inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY–A257, Washington, DC 20554. It is available on the Commission's Web site at *http://www.fcc.gov*.

The North American Numbering Council (NANC) has scheduled a meeting to be held Thursday, June 4, 2015, from 10:00 a.m. until 2:00 p.m. The meeting will be held at the Federal Communications Commission, Portals II, 445 12th Street SW., Room TW–C305, Washington, DC. This meeting is open to members of the general public. The FCC will attempt to accommodate as

many participants as possible. The public may submit written statements to the NANC, which must be received two business days before the meeting. In addition, oral statements at the meeting by parties or entities not represented on the NANC will be permitted to the extent time permits. Such statements will be limited to five minutes in length by any one party or entity, and requests to make an oral statement must be received two business days before the meeting.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty). Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need, including as much detail as you can. Also include a way we can contact you if we need more information. Please allow at least five days advance notice; last minute requests will be accepted, but may be impossible to fill.

Proposed Agenda: Thursday, June 4, 2015, 10:00 a.m.*

1. Announcements and Recent News
2. Approval of Transcript December 9, 2014
3. Report of the North American Numbering Plan Administrator (NANPA)
4. Report of the National Thousands Block Pooling Administrator (PA)
5. Report of the Numbering Oversight Working Group (NOWG)
6. Report of the North American Numbering Plan Billing and Collection (NANP B&C) Agent
7. Report of the Billing and Collection Working Group (B&C WG)
8. Report of the North American Portability Management LLC (NAPM LLC)
9. Report of the Local Number Portability Administration Working Group (LNPA WG)
10. Report of the Future of Numbering Working Group (FoN WG)
11. Status of the Industry Numbering Committee (INC) activities
12. Status of the ATIS All-IP Transition Initiatives
13. Report of the Internet Protocol Issue Management Group (IP IMG)
14. Presentation by Professor Henning Schulzrinne
15. Summary of Action Items
16. Public Comments and Participation (maximum 5 minutes per speaker)
17. Other Business

Adjourn no later than 2:00 p.m.

* The Agenda may be modified at the discretion of the NANC Chairman with the approval of the DFO.

Federal Communications Commission.

Marilyn Jones,

Attorney, Wireline Competition Bureau.

[FR Doc. 2015–11456 Filed 5–11–15; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Notice

May 8, 2015.

TIME AND DATE: 10:00 a.m., Thursday, May 21, 2015.

PLACE: The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW., Washington, DC 20004 (enter from F Street entrance).

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will hear oral argument in the matter *Secretary of Labor* v. *Black Beauty Coal Company,* Docket No. LAKE 2009–570. (Issues include whether the safeguard notice in question as modified is valid.)

Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

CONTACT PERSON FOR MORE INFO: Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

Sarah L. Stewart,

Deputy General Counsel.

[FR Doc. 2015–11519 Filed 5–8–15; 11:15 am]

BILLING CODE 6735–01–P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Notice

May 8, 2015

TIME AND DATE: 11:00 a.m., Thursday, May 21, 2015.

PLACE: *The Richard* V. *Backley* Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW., Washington, DC 20004 (enter from F Street entrance).

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will hear oral argument in the matter *Secretary of Labor* v. *Oak Grove Resources, LLC,* Docket Nos. SE 2009–261–R, et al. (Issues include whether the Judge erred by ruling that a safeguard notice prohibiting the pushing of cars by locomotives was violated.)

Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

CONTACT PERSON FOR MORE INFO: Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

Sarah L. Stewart,

Deputy General Counsel.

[FR Doc. 2015–11520 Filed 5–8–15; 11:15 am]

BILLING CODE 6735–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than May 27, 2015.

A. Federal Reserve Bank of Minneapolis (Jacquelyn K. Brunmeier, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. *Marcia Wegleitner, Tower, Minnesota, individually and as trustee, and Marcia Wegleitner, as trustee of The Dennis Frandsen 2014 Children's Trust and the Dennis Frandsen 2014 Grandchildren's Trust; Gregory and Julie Frandsen; Nick Frandsen; Holly Frandsen; and Paige Frandsen,* all of North Oaks, Minnesota, as a the group acting in concert, to retain voting shares of Frandsen Financial Corporation, Arden Hills, Minnesota, and thereby indirectly retain voting shares of Frandsen Bank & Trust, Lonsdale, Minnesota.

Board of Governors of the Federal Reserve System, May 7, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–11400 Filed 5–11–15; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 5, 2015.

A. Federal Reserve Bank of New York (Ivan Hurwitz, Vice President) 33 Liberty Street, New York, New York 10045–0001:

1. *Community Bank, Inc.,* DeWitt, New York; to acquire Oneida Financial Corp, Oneida, New York, and indirectly acquire State Bank of Chittenango, Chittenango, New York; and Oneida Savings Bank, Oneida, New York, and thereby engage in the operation of a savings association, pursuant to section 225.28(b)(4).

Board of Governors of the Federal Reserve System, May 6, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–11341 Filed 5–11–15; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System

SUMMARY: On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board of Governors of the Federal Reserve System (Board) its approval authority under the Paperwork Reduction Act (PRA), to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the PRA Submission, supporting statements and approved collection of information instruments are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before July 13, 2015.

ADDRESSES: You may submit comments, identified by FR 2900, FR 2910a, FR 2915, or FR 2930, by any of the following methods:

- *Agency Web site: http://www.federalreserve.gov.* Follow the instructions for submitting comments at *http://www.federalreserve.gov/apps/foia/proposedregs.aspx.*
- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: regs.comments@federalreserve.gov.* Include OMB number in the subject line of the message.
- *FAX:* (202) 452–3819 or (202) 452–3102.
- *Mail:* Robert deV. Frierson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW., Washington, DC 20551.

All public comments are available from the Board's Web site at *http://www.federalreserve.gov/apps/foia/proposedregs.aspx* as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper form in Room 3515, 1801 K Street (between 18th and 19th Streets NW.) Washington, DC 20006 between 9:00 a.m. and 5:00 p.m. on weekdays.

Additionally, commenters may send a copy of their comments to the OMB Desk Officer, Shagufta Ahmed, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW., Washington, DC 20503 or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: A copy of the PRA OMB submission, including the proposed reporting form and instructions, supporting statement, and other documentation will be placed into OMB's public docket files, once approved. These documents will also be made available on the Federal Reserve Board's public Web site at: *http://www.federalreserve.gov/apps/reportforms/review.aspx* or may be requested from the agency clearance officer, whose name appears below.

Federal Reserve Board Acting Clearance Officer, Mark Tokarski, Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202) 452–3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263–4869, Board of Governors of the Federal Reserve System, Washington, DC 20551.

SUPPLEMENTARY INFORMATION:

Request for Comment on Information Collection Proposals

The following information collections, which are being handled under this delegated authority, have received initial Board approval and are hereby published for comment. At the end of the comment period, the proposed information collections, along with an analysis of comments and recommendations received, will be submitted to the Board for final approval under OMB delegated authority. Comments are invited on the following:

a. Whether the proposed collections of information is necessary for the proper performance of the Federal Reserve's functions; including whether the information has practical utility;

b. The accuracy of the Federal Reserve's estimate of the burden of the proposed information collections, including the validity of the methodology and assumptions used;

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

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

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

Proposal to approve under OMB delegated authority the extension for three years, with revision, of the following report:

1. *Report title:* Report of Transaction Accounts, Other Deposits, and Vault Cash.

Agency form number: FR 2900.

OMB number: 7100–0087.

Frequency: Weekly and quarterly.

Reporters: Depository institutions.

Estimated annual reporting hours: 192,473.

Estimated average hours per response: 1.25 hours for weekly filers and 3 hours for quarterly filers.

Number of respondents: 2,053 weekly and 4,919 quarterly.

General description of report: This information collection is mandatory by the Federal Reserve Act (12 U.S.C. 248(a), 461, 603, and 615) and Regulation D (12 CFR 204). The data are given confidential treatment (5 U.S.C. 552(b)(4)).

Abstract: Institutions with net transaction accounts greater than the exemption amount are called nonexempt institutions. Institutions with total transaction accounts, savings deposits, and small time deposits greater than or equal to the reduced reporting limit, regardless of the level of their net transaction accounts, are also referred to as nonexempt institutions. Nonexempt institutions submit FR 2900 data either weekly or quarterly. An institution is required to report weekly if its total transaction accounts, savings deposits, and small time deposits are greater than or equal to the nonexempt deposit cutoff. If the nonexempt institution's total transaction accounts, savings deposits, and small time deposits are less than the nonexempt deposit cutoff then the institution must report quarterly or may elect to report weekly. U.S. branches and agencies of foreign banks and banking Edge and agreement corporations submit the FR 2900 data weekly, regardless of their size. These mandatory data are used by the Federal Reserve for administering Regulation D (Reserve Requirements of Depository Institutions) and for constructing, analyzing, and monitoring the monetary and reserve aggregates.

Current Actions: The Federal Reserve Board proposes adding a new annual checkbox to the FR 2900 asking whether reporting institutions offer deposits denominated in a foreign currency at their U.S. offices. The proposed checkbox would be collected annually in June, along with all other FR 2900 annual items. Depository institutions which offer foreign currency deposits at a U.S. office are required to submit the FR 2915 quarterly; however, no existing data series systematically collects information that can be used to ascertain whether depository institutions issue these types of deposits. Currently, Federal Reserve Banks rely on analysts personally inquiring with depository institutions about whether they issue foreign currency deposits to determine which depository institutions must file the FR 2915. This proposal would reduce the burden this questioning places on both depository institutions and the Federal Reserve Banks by adding a checkbox question to the FR 2900 report to systematically determine which depository institutions must file the FR 2915. Such a checkbox would ensure the FR 2915 panel is complete, provide the capability to verify reporting, and aid in the construction of the monetary aggregates. It is worth noting that this proposed checkbox does not change the responsibility of reporting institutions to know which reports they must file and to file the FR 2915 if they begin offering foreign currency deposits during the year.

The Federal Reserve Board proposes that the nonexempt deposit cutoff be raised to $400 million instead of its indexed amount of $325.4 million. This proposed increase in the nonexempt deposit cutoff would reduce reporting burden on depository institutions while keeping any adverse consequences to the accurate measurement of money and reserves to what the Board believes are an acceptable level. Under the proposal to raise the nonexempt deposit cutoff to $400 million, the Board estimates that 350 nonexempt institutions would become newly eligible to elect to shift from weekly to quarterly FR 2900 reporting. Consistent with current policy, newly eligible institutions for quarterly reporting may opt to continue reporting weekly.

Proposal to approve under OMB delegated authority the extension for three years, without revision, of the following reports:

2. *Report title:* Annual Report of Deposits and Reservable Liabilities.

Agency form number: FR 2910a.

OMB number: 7100–0175.

Frequency: Annually.

Reporters: Depository institutions.

Estimated annual reporting hours: 2,551.

Estimated average hours per response: 0.75 hours.

Number of respondents: 3,401.

General description of report: This information collection is mandatory by the Federal Reserve Act (12 U.S.C. 248(a), 461, 603, and 615) and Regulation D (12 CFR 204). The data are given confidential treatment (5 U.S.C. 552(b)(4)).

Abstract: The FR 2910a is an annual report generally filed by depository institutions that are exempt from reserve requirements under the Garn-St Germain Depository Institutions Act of 1982 and whose total deposits, measured from depository institutions' December quarterly condition reports, are greater than the exemption amount but less than the reduced reporting limit. The report contains three data items that are to be submitted for a single day, June 30: (1) Total transaction accounts, savings deposits, and small time deposits; (2) reservable liabilities; and (3) net transaction accounts. The data collected on this report serves two purposes. First, the data are used to determine which depository institutions will remain exempt from reserve requirements and consequently eligible for reduced reporting for another year. Second, the data are used in the annual indexation of the low reserve tranche, the exemption amount, the nonexempt deposit cutoff, and the reduced reporting limit.

3. *Report title:* Report of Foreign (Non-U.S.) Currency Deposits.

Agency form number: FR 2915.

OMB number: 7100–0237.

Frequency: Quarterly.

Reporters: Depository institutions.

Estimated annual reporting hours: 288.

Estimated average hours per response: 0.5 hours.

Number of respondents: 144.

General description of report: This information collection is mandatory by the Federal Reserve Act (12 U.S.C. 248(a), 461, 603, and 615) and Regulation D (12 CFR 204). The data are given confidential treatment (5 U.S.C. 552(b)(4)).

Abstract: All FR 2900 respondents, both weekly and quarterly, that offer deposits denominated in foreign currencies at their U.S. offices file the FR 2915 quarterly on the same reporting schedule as quarterly FR 2900 respondents. Foreign currency deposits are subject to reserve requirements and, therefore, are included in the FR 2900 data. However, because foreign currency deposits are not included in the monetary aggregates, the FR 2915 data are used to net foreign currency-denominated deposits from the FR 2900 data in order to exclude them from measures of the monetary aggregates. The FR 2915 is the only source of data on such deposits.

4. *Report title:* Allocation of Low Reserve Tranche and Reservable Liabilities Exemption.

Agency form number: FR 2930.

OMB number: 7100–0088.

Frequency: Annually and on occasion.

Reporters: Depository institutions.

Estimated annual reporting hours: 30.

Estimated average hours per response: 0.25 hours.

Number of respondents: 120.

General description of report: This information collection is mandatory by the Federal Reserve Act (12 U.S.C. 248(a), 461, 603, and 615) and Regulation D (12 CFR 204). The data are given confidential treatment (5 U.S.C. 552(b)(4)).

Abstract: Institutions with offices (or groups of offices) in more than one state or Federal Reserve District, or those operating under operational convenience, are required to file the FR 2930 at least annually. An institution's net transaction accounts up to the exemption amount ($14.5 million in 2015) are reserved at zero percent. Net transaction accounts up to the low reserve tranche ($103.6 million in 2015) are reserved at 3 percent while amounts in excess of this amount are reserved at 10 percent. Only a single exemption amount and a single low reserve tranche are allowed per depository institution (including subsidiaries). Therefore, an institution that submits separate FR 2900 reports covering different offices is required to file the FR 2930 at least annually to allocate its reservable liabilities exemption and low reserve tranche among its offices. The Federal Reserve Board does not propose any changes to this report.

Board of Governors of the Federal Reserve System, May 7, 2015.

Michael Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–11443 Filed 5–11–15; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 8, 2015.

A. Federal Reserve Bank of Richmond (Adam M. Drimer, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23261–4528:

1. *BNC Bancorp,* High Point, North Carolina, to merge with Valley Financial Corporation, Roanoke, Virginia, and thereby indirectly acquire Valley Bank, Roanoke, Virginia.

Board of Governors of the Federal Reserve System, May 7, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–11399 Filed 5–11–15; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than May 26, 2015.

A. Federal Reserve Bank of Atlanta (Chapelle Davis, Assistant Vice President) 1000 Peachtree Street NE., Atlanta, Georgia 30309:

1. *4580 Trust, with Shveta S. Raju and Asha J. Shah as co-trustees; 3490 Trust, with Deep J. Shah and Asha J. Shah as co-trustees; 2764 Trust, with Deep J. Shah and Shveta S. Raju as co-trustees; and Deep J. Shah,* all of Duluth, Georgia; to become members of the Shah Family control group, and acquire voting shares of Touchmark Bancshares, Inc., and thereby indirectly acquire voting shares of Touchmark National Bank, both in Alpharetta, Georgia.

B. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *Robert A. Clemente, as Trustee of the OJT Irrevocable Trust dated 09/20/2010,* Birmingham, Michigan; to acquire voting shares of Oxford Bank Corporation, and thereby indirectly acquire voting shares of Oxford Bank, both Oxford, Michigan.

Board of Governors of the Federal Reserve System, May 6, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–11342 Filed 5–11–15; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Sunshine Act; Notice of Joint Meeting of the Federal Retirement Thrift Investment Board and the Employee Thrift Advisory Council

TIME AND DATE: 8:30 a.m. (Eastern Time) May 18, 2015.

PLACE: 10th Floor Training Room, 77 K Street NE., Washington, DC 20002.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

Open to the Public

1. Approval of the Minutes of the April 20, 2015 Federal Retirement Thrift Investment Board (FRTIB) Board Member Meeting
2. Approval of the Minutes of the November 12, 2014 Employee Thrift Advisory Council (ETAC) Meeting
3. Selection of ETAC Chairman and Vice Chairman
4. Monthly Reports
   (a) Monthly Participant Activity Report
   (b) Monthly Investment Performance Report
   (c) Legislative Report
5. Quarterly Metrics Report
6. Office of Communications and Education Report

7. Office of Enterprise Planning Report/ Benchmarking Presentation
8. Now & Later Presentation

CONTACT PERSON FOR MORE INFORMATION: Kimberly Weaver, Director, Office of External Affairs, (202) 942–1640.

Dated: May 7, 2015.

James Petrick,

General Counsel, Federal Retirement Thrift Investment Board.

[FR Doc. 2015–11494 Filed 5–8–15; 11:15 am]

BILLING CODE 6760–01–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Submission for OMB Review; Comment Request

AGENCY: Federal Trade Commission.

ACTION: Notice and request for comment.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, the FTC is seeking public comments on its request to OMB to extend for three years the current PRA clearance for the information collection requirements contained in the Pay-Per-Call Rule (Rule), 16 CFR part 308. That clearance expires on May 31, 2015 (OMB Control No. 3084–0102).

DATES: Comments must be received by June 11, 2015.

ADDRESSES: Interested parties may file a comment online or on paper by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Pay-Per-Call Rule: FTC File No. R611016'' on your comment, and file your comment online at *https://ftcpublic.commentworks.com/ftc/ppcrulepra2* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex J), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex J), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the proposed information requirements should be addressed to Daniel O. Hanks, Attorney, Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW., Mail Drop CC–8528, Washington, DC 20580, (202) 326–2472.

SUPPLEMENTARY INFORMATION:

Title: Trade Regulation Rule Pursuant to the Telephone Disclosure and Dispute Resolution Act of 1992 (''Pay-Per-Call Rule''), 16 CFR part 308.

OMB Control Number: 3084–0102.

Type of Review: Extension of a currently approved collection.

Abstract: The existing reporting and disclosure requirements of the Pay-Per-Call Rule are mandated by the Telephone Disclosure and Dispute Resolution Act of 1992 to help prevent unfair and deceptive acts and practices in the advertising and operation of pay-per-call services and in the collection of charges for telephone-billed purchases. The information obtained by the Commission pursuant to the reporting requirement is used for law enforcement purposes. The disclosure requirements ensure that consumers are told about the costs of using a pay-per-call service, that they will not be liable for unauthorized non-toll charges on their telephone bills, and how to deal with disputes about telephone-billed purchases.

On February 10, 2015, the Commission sought comment on the information collection requirements in the Pay-Per-Call Rule. 80 FR 7466. No comments were received. As required by OMB regulations, 5 CFR part 1320, the FTC is providing this second opportunity for public comment.

Likely Respondents: telecommunications common carriers (subject to the reporting requirement only, unless acting as a billing entity), information providers (vendors) offering one or more pay-per-call services or programs, and billing entities.

Estimated Annual Hours Burden: 1,165,428 hours (18 + 1,165,410).

Reporting: 18 hours for reporting by common carriers.

Disclosure: 1,165,410 [(24,120 hours for advertising by vendors + 24,700 hours for preamble disclosure which applies to every pay-per-call service + 8,040 burden hours for telephone-billed charges in billing statements (applies to vendors; applies to common carriers if acting as billing entity) + 8,500 burden hours for dispute resolution procedures in billing statements (applies to billing entities) + 1,100,050 hours for disclosures related to consumers reporting a billing error (applies to billing entities)].

Estimated annual cost burden: $50,178,450 (solely relating to labor costs).[1]

Request for Comment

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before June 11, 2015. Write ''Pay-Per-Call Rule: FTC File No. R611016'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, such as anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which is . . . privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you are required to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c). Your comment will be kept confidential only if the FTC General Counsel grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a

[1] Non-labor (*e.g.,* capital/other start-up) costs are generally subsumed in activities otherwise undertaken in the ordinary course of business (*e.g.,* business records from which only existing information must be reported to the Commission, pay-per-call advertisements or audiotext to which cost or other disclosures are added, etc.). To the extent that entities incur operating or maintenance expenses, or purchase outside services to satisfy the Rule's requirements, staff believe those expenses are also included in (or, if contracted out, would be comparable to) the annual burden hour and cost estimates provided below (where such costs are labor-related), or are otherwise included in the ordinary cost of doing business (regarding non-labor costs).

result, we encourage you to submit your comment online, or to send it to the Commission by courier or overnight service. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/ppcrulepra2,* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Pay-Per-Call Rule: FTC File No. R611016'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex J), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex J), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before June 11, 2015. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.shtm.*

Comments on the information collection requirements subject to review under the PRA should also be submitted to OMB. If sent by U.S. mail, address comments to: Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Federal Trade Commission, New Executive Office Building, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503. Comments sent to OMB by U.S. postal mail, however, are subject to delays due to heightened security precautions. Thus, comments instead should be sent by facsimile to (202) 395–5167.

David C. Shonka,

Principal Deputy General Counsel.

[FR Doc. 2015–11434 Filed 5–11–15; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Advisory Council for the Elimination of Tuberculosis (ACET)

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Centers for Disease Control and Prevention (CDC), announces the following meeting of the aforementioned committee:

Time and Date: 10:00 a.m.–3:40 p.m., EDT, June 2, 2015.

Place: This meeting is accessible by Web conference.

Toll free number: +1 888–947–9021, Participant Code: 6816256.

For Participants:

URL: *https://www.mymeetings.com/nc/join/.*

Conference number: PW1126527.

Audience passcode: 6816256.

Participants can join the event directly at: *https://www.mymeetings.com/nc/join.php?i=PW1126527&p=6816256&t=c.*

Status: Open to public participation, limited only by the number of ports available for the Web conference. The meeting accommodates 100 ports.

Purpose: This council advises and makes recommendations to the Secretary of Health and Human Services, the Assistant Secretary for Health, and the Director, CDC, regarding the elimination of tuberculosis. Specifically, the Council makes recommendations regarding policies, strategies, objectives, and priorities; addresses the development and application of new technologies; and reviews the extent to which progress has been made toward eliminating tuberculosis.

Matters for Discussion: Agenda items include the following topics: (1) International TB Activities; (2) Methods to accelerate the decline of TB in the U.S.; (3) Updates from Workgroups; and (4) other tuberculosis-related issues.

Agenda items are subject to change as priorities dictate.

Contact Person for More Information: Margie Scott-Cseh, Centers for Disease Control and Prevention, 1600 Clifton Road NE., M/S E–07, Atlanta, Georgia 30333, telephone (404) 639–8317; Email: *zkr7@cdc.gov*.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** Notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Elaine L. Baker,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 2015–11353 Filed 5–11–15; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the Advisory Committee on Minority Health

AGENCY: Office of the Secretary, Office of Minority Health, Department of Health and Human Services.

ACTION: Notice of meeting.

SUMMARY: As stipulated by the Federal Advisory Committee Act, the Department of Health and Human Services (HHS) is hereby giving notice that the Advisory Committee on Minority Health (ACMH) will hold a meeting conducted as a telephone conference call. This call will be open to the public. Preregistration is required for both public participation and comment. Any individual who wishes to participate in the call should email *OMH-ACMH@hhs.gov* by May 29, 2015. Instructions regarding participating in the call and how to provide verbal public comments will be given at the time of preregistration.

Information about the meeting is available from the designated contact and will be posted on the Web site for the Office of Minority Health (OMH), *www.minorityhealth.hhs.gov.* Information about ACMH activities can be found on the OMH Web site under the heading *About OMH.*

DATES: The conference call will be held on June 1, 2015, 11:00 a.m.–1:00 p.m. ET.

ADDRESSES: Instructions regarding participating in the call will be given at the time of preregistration.

FOR FURTHER INFORMATION CONTACT: Dr. Rashida Dorsey, Designated Federal Officer, ACMH, Tower Building, 1101 Wootton Parkway, Suite 600, Rockville, Maryland 20852. Phone: 240–453–8222; fax: 240–453–8223; email *OMH-ACMH@hhs.gov.*

SUPPLEMENTARY INFORMATION: In accordance with Public Law 105–392, the ACMH was established to provide advice to the Deputy Assistant Secretary for Minority Health on improving the health of each racial and ethnic minority group and on the development of goals and specific program activities of the OMH.

Topics to be discussed during this conference call include potential recommendations to the Deputy Assistant Secretary for Minority Health related to delivery system reform, research supporting the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care, and the availability of administrative Medicaid data for academic research on vulnerable populations.

This call will be limited to 125 participants. The OMH will make every effort to accommodate persons with special needs. Individuals who have special needs for which special accommodations may be required should contact Professional and Scientific Associates at (703) 234–1700 and reference this meeting. Requests for special accommodations should be made at least ten (10) business days prior to the meeting.

Members of the public will have an opportunity to provide comments at the meeting. Public comments will be limited to two minutes per speaker during the time allotted. Individuals who would like to submit written statements should email, mail, or fax their comments to the designated contact at least seven (7) business days prior to the meeting.

Any members of the public who wish to have electronic or printed material distributed to ACMH members should email *OMH-ACMH@hhs.gov* or mail their materials to the Designated Federal Officer, ACMH, Tower Building, 1101 Wootton Parkway, Suite 600, Rockville, Maryland 20852, prior to close of business on May 26, 2015.

Dated: April 30, 2015.

Rashida Dorsey,

Designated Federal Officer, ACMH, Office of Minority Health, U.S. Department of Health and Human Services.

[FR Doc. 2015–11377 Filed 5–11–15; 8:45 am]

BILLING CODE 4150–29–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Office of Direct Service and Contracting Tribes; Tribal Management Grant Program; Correction

AGENCY: Indian Health Service, HHS.

ACTION: Notice; correction.

SUMMARY: The Indian Health Service published a document in the **Federal Register** on March 19, 2015, for the FY 2015 Office of Direct Service and Contracting Tribes; Tribal Management Grant Program. The notice contained incorrect guidance and an incorrect date.

FOR FURTHER INFORMATION CONTACT: Ms. Patricia Spotted Horse, Program Analyst, Office of Direct Service and Contracting Tribes, Indian Health Service, 801 Thompson Avenue, Suite 220, Reyes Building, Rockville, MD 20852, Telephone (301) 443–1104. (This is not a toll-free number.)

Corrections

In the **Federal Register** of March 19, 2015, in FR Doc. 2015–06353, on page 14395, in the first column, under the heading ''FUNDING PRIORITIES,'' ''PRIORITY I,'' the ''March 2009'' date should read ''March 2010.''

Also in the **Federal Register** of March 19, 2015, in FR Doc. 2015–06353, on page 14398, in the first column, from the heading ''Universal Entity Identifier (UEI) Numbering System,'' to just before ''V. Application Review Information,'' the correct language should read as follows:

Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)

All IHS applicants and grantee organizations are required to obtain a DUNS number and maintain an active registration in the SAM database. The DUNS number is a unique 9-digit identification number provided by D&B which uniquely identifies each entity. The DUNS number is site specific; therefore, each distinct performance site may be assigned a DUNS number. Obtaining a DUNS number is easy, and there is no charge. To obtain a DUNS number, please access it through *http://fedgov.dnb.com/webform,* or to expedite the process, call (866) 705–5711.

All HHS recipients are required by the Federal Funding Accountability and Transparency Act of 2006, as amended (''Transparency Act''), to report information on subawards. Accordingly, all IHS grantees must notify potential first-tier subrecipients that no entity may receive a first-tier subaward unless the entity has provided its DUNS number to the prime grantee organization. This requirement ensures the use of a universal identifier to enhance the quality of information available to the public pursuant to the Transparency Act.

System for Award Management (SAM)

Organizations that were not registered with Central Contractor Registration (CCR) and have not registered with SAM will need to obtain a DUNS number first and then access the SAM online registration through the SAM home page at *https://www.sam.gov* (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2–5 weeks to become active). Completing and submitting the registration takes approximately one hour to complete and SAM registration will take 3–5 business days to process. Registration with the SAM is free of charge. Applicants may register online at *https://www.sam.gov.*

Additional information on implementing the Transparency Act, including the specific requirements for DUNS and SAM, can be found on the IHS Grants Management, Grants Policy Web site: *https://www.ihs.gov/dgm/index.cfm?module=dsp_dgm_policy_topics.*

Dated: May 4, 2015.

Robert G. McSwain,

Acting Director, Indian Health Service.

[FR Doc. 2015–11435 Filed 5–11–15; 8:45 am]

BILLING CODE 4165–16–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Request for Public Comment: 30-Day Notice for Extension of Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery: IHS Customer Service Satisfaction and Similar Surveys

AGENCY: Indian Health Service, HHS.

ACTION: Notice and request for comments. Request for extension of approval.

SUMMARY: As part of a Federal Government-wide effort to streamline the process to seek feedback from the public on service delivery, Indian Health Service (IHS) has submitted a Generic Information Collection Request (Generic ICR): ''Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery: IHS Customer Service Satisfaction and Similar Surveys'' to the Office of Management and Budget (OMB) for approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 et. seq.).

DATES: Comments must be submitted June 11, 2015.

Direct Your Comments to OMB: Send your comments and suggestions regarding the proposed information collection contained in this notice, especially regarding the estimated public burden and associated response time to: Office of Management and Budget, Office of Regulatory Affairs, New Executive Office Building, Room 10235, Washington, DC 20503, Attention: Desk Officer for IHS.

FOR FURTHER INFORMATION CONTACT: To request additional information, please contact Tamara Clay by one of the following methods:

- *Mail:* Tamara Clay, Information Collection Clearance Officer, Indian Health Service 801 Thompson Avenue, TMP, STE 450–30, Rockville, MD 20852.

- *Phone:* 301–443–4750.
- *Email: Tamara.Clay@ihs.gov.*
- *Fax:* 301–443–4750.

SUPPLEMENTARY INFORMATION:

Title: OMB Control No. 0917–0036, Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery: IHS Customer Service Satisfaction and Similar Surveys. *Abstract:* The IHS will be engaging in information collection activities that will garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery within Federal Agencies. Qualitative feedback is information that provides useful insights on perceptions and opinions, but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insight into customer or stakeholder perceptions, opinions, experiences and expectations, and provide an early warning of issues with service. Also, the collection of qualitative feedback will assist IHS to focus its attention on areas where communication, training, or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. Furthermore, the collection activity will allow feedback to contribute directly to the improvement of program management.

Feedback or information collected under this generic clearance will provide useful information, but it will not yield data that can be generalized to the overall population. This type of generic clearance for qualitative collection will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, sampling frame, sample design (including stratification and clustering), precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, protocols for data collection, and any testing procedures that were or will be undertaken prior fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

The Agency received zero (0) comments in response to the 60-day notice published in the **Federal Register** of March 2, 2015 (80 FR 11206).

Below are provided Indian Health Services projected average estimates for the next three years: [1]

Current Actions: Extension of approval for a collection of information.

Type of Review: Extension.

Affected Public: Individuals and households, businesses and organizations, and Tribal Government.

Average expected annual number of activities: 100.

Respondents: 105,000.

Annual responses: 105,000.

Frequency of response: Once per request.

Average minutes per response: 10.

Burden hours: 17,500.

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.

Dated: May 4, 2015.

Robert G. McSwain,

Acting Director, Indian Health Service.

[FR Doc. 2015–11364 Filed 5–11–15; 8:45 am]

BILLING CODE 4160–16–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Injury Prevention Program; Announcement; New and Competing Continuation Cooperation Agreement; Correction

AGENCY: Indian Health Service, HHS.

ACTION: Notice; correction.

SUMMARY: The Indian Health Service published a document in the **Federal Register** on April 14, 2015 for the FY 2015 New and Competing Continuation Cooperative Agreement Funding Announcement. The notice contained an incorrect statement.

FOR FURTHER INFORMATION CONTACT: Nancy Bill, Injury Prevention Program Manager, Indian Health Service, 801 Thompson Avenue, TMP Suite 610, Rockville, MD 20852, Telephone (301) 443–0105. (This is not a toll-free number.)

Corrections

In the **Federal Register** of April 14, 2015, 80 FR 19994, on page 19995, in the first column, under the heading ''Anticipated Number of Awards,'' insert the word ''Year'' in the last sentence in that column to read:

''Part II—Five-Year Effective Strategy Projects: Up to $20,000, for each of the five years, will be awarded to successful applicants (up to 15 awards).''

Dated: May 5, 2015.

Robert G. McSwain,

Acting Director, Indian Health Service.

[FR Doc. 2015–11424 Filed 5–11–15; 8:45 am]

BILLING CODE 4165–16–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, Use of 3–D Printers for the Production of Medical Devices.

Date: June 30, 2015.

Time: 1:00 p.m. to 3:00 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: Sathasiva B. Kandasamy, 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) 435–6680, *skandasa@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research;

[1] The 60-day notice included the following estimate of the aggregate burden hours for this generic clearance for IHS federal-wide:

Average expected annual number of activities: 100.

Average number of respondents per activity: 1,050.

Annual responses: 105,000.

Frequency of response: Once per request.

Average minutes per response: 10.

Burden hours: 17,500.

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: May 6, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–11359 Filed 5–11–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Draft Report on Carcinogens Monograph on Cobalt and Certain Cobalt Compounds; Availability of Document; Request for Comments; Notice of Meeting

SUMMARY: The notice announces a meeting to peer review the Draft Report on Carcinogens (RoC) Monograph on Cobalt and Certain Cobalt Compounds. This document was prepared by the Office of the Report on Carcinogens (ORoC), Division of the National Toxicology Program (DNTP), National Institute of Environmental Health Sciences (NIEHS). The peer-review meeting is open to the public. Registration is requested for both public attendance and oral comment and required to access the webcast. Information about the meeting and registration is available at *http://ntp.niehs.nih.gov/go/38853.*

DATES:

Meeting: July 22, 2015, 9:00 a.m. Eastern Daylight Time (EDT) to adjournment.

Document Availability: Draft monograph will be available by June 5, 2015, at *http://ntp.niehs.nih.gov/go/38853.*

Written Public Comments Submissions: Deadline is July 8, 2015. Registration for Attendance and/or Oral Comments: Deadline is July 15, 2015. Registration to view the meeting via the webcast is required.

ADDRESSES: *Meeting Location:* Rodbell Auditorium, Rall Building, NIEHS, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Agency Meeting Web page: The draft monographs, draft agenda, registration, and other meeting materials will be posted at *http://ntp.niehs.nih.gov/go/38853.*

Webcast: The URL for viewing the webcast will be provided to those who register.

FOR FURTHER INFORMATION CONTACT: Dr. Lori White, NTP Designated Federal Official, Office of Liaison, Policy and Review, DNTP, NIEHS, P.O. Box 12233, MD K2–03, Research Triangle Park, NC 27709. Phone: (919) 541–9834, Fax: (301) 480–3272, Email: *whiteld@niehs.nih.gov.* Hand Delivery/Courier: 530 Davis Drive, Room 2136, Morrisville, NC 27560.

SUPPLEMENTARY INFORMATION:

Background: The RoC is a congressionally mandated, science-based, public health report that identifies agents, substances, mixtures, or exposures (collectively called ''substances'') in our environment that pose a cancer hazard for people in the United States. The NTP prepares the RoC on behalf of the Secretary of Health and Human Services.

The NTP follows an established, four-part process for preparation of the RoC (*http://ntp.niehs.nih.gov/go/rocprocess*). A RoC monograph is prepared for each candidate substance selected for review for the RoC. A draft RoC monograph consists of (1) a cancer evaluation component that reviews all information that may bear on a listing decision, assesses its quality and sufficiency for reaching a listing decision, applies the RoC listing criteria to the relevant scientific information, and recommends a listing status for the candidate substance in the RoC and (2) a substance profile that contains the NTP's preliminary listing recommendation and a summary of the scientific evidence considered key to reaching that recommendation.

Cobalt was selected as a candidate substance following solicitation of public comment, review by the NTP Board of Scientific Counselors on April 16—18, 2014, and approved by the NTP Director (*http://ntp.niehs.nih.gov/go/9741*). This meeting is planned for peer review of the Draft RoC Monograph on Cobalt and Certain Cobalt Compounds.

Cobalt is a naturally occurring metallic element that exists in different forms. It occurs in the environment in ores where it is combined with other elements such as arsenic and sulfur. Pure cobalt is a grey metal and there are numerous inorganic and organic cobalt compounds, with varying valence states and water solubility. The RoC evaluation includes cobalt metal and certain cobalt compounds—both water soluble and poorly soluble compounds—that can release cobalt ions in biological fluids. One cobalt compound that releases cobalt ions, cobalt sulfate, is listed in the 13th RoC as *reasonably anticipated to be a human carcinogen* (*http://ntp.niehs.nih.gov/go/roc13*). The RoC evaluation does not include cobalt forms that have confounding exposures, such as cobalt carbides, alloys and radioactive forms of cobalt or cobalt compounds. It also does not include Vitamin $B_{12,}$ which does not release cobalt ions *in vivo.* Cobalt-tungsten carbide: powders and hard metals is listed in the 13th RoC as *reasonably anticipated to be a human carcinogen* and is not included in this evaluation.

Major uses of cobalt include the production of cemented carbides, diamond tools, and superalloys and other alloys used in a variety of commercial, industrial, medical and military applications. Some cobalt compounds are used as pigments for coloring glass, ceramics, and pottery. A more recent use of cobalt is in green energy (*e.g.,* rechargeable batteries for electric vehicles and consumer electronics). People are exposed to cobalt in workplaces that process cobalt metals and produce cobalt alloys; exposure to cobalt in their everyday lives may also result from implanted medical devices, consumption of food and drinking water and, to a lesser extent, from breathing contaminated air. Additional information about the review of cobalt and certain cobalt compounds for the RoC is available at *http://ntp.niehs.nih.gov/go/730697.*

Meeting and Registration: This meeting is open to the public with time set aside for oral public comment. The public may attend the meeting at NIEHS, where attendance is limited only by the space available, or view the webcast. Registration is required to view the webcast; the URL for the webcast will be provided in the email confirming registration. Individuals who plan to provide oral comments (see below) are encouraged to register online at the meeting Web site (*http://ntp.niehs.nih.gov/go/38853*) by July 15, 2015, to facilitate planning for the meeting.

The preliminary agenda and draft monograph should be posted on the NTP Web site (*http://ntp.niehs.nih.gov/go/38853*) by June 5, 2015. Additional information will be posted when available or may be requested in hardcopy, *see* **FOR FURTHER INFORMATION CONTACT**. Following the meeting, a report of the peer review will be prepared and made available on the NTP Web site. Registered attendees are encouraged to access the meeting Web page to stay abreast of the most current information regarding the meeting.

Visitor and security information is available at *http://www.niehs.nih.gov/about/visiting/index.cfm.* Individuals with disabilities who need accommodation to participate in this event should contact Ms. Robbin Guy at

phone: (919) 541–4363 or email: *guyr2@niehs.nih.gov.* TTY users should contact the Federal TTY Relay Service at (800) 877–8339. Requests should be made at least five business days in advance of the event.

Request for Comments: The NTP invites written and oral public comments on the draft monograph. The deadline for submission of written comments is July 8, 2015, to enable review by the peer-review panel and NTP staff prior to the meeting. Registration to provide oral comments is by July 15, 2015, at *http://ntp.niehs.nih.gov/go/38853.* Public comments and any other correspondence on the draft monographs should be sent to the **FOR FURTHER INFORMATION CONTACT**. Persons submitting written comments should include their name, affiliation, mailing address, phone, email, and sponsoring organization (if any) with the document. Written comments received in response to this notice will be posted on the NTP Web site, and the submitter will be identified by name, affiliation, and/or sponsoring organization.

Public comment at this meeting is welcome, with time set aside for the presentation of oral comments on the draft monograph. In addition to in-person oral comments at the meeting at the NIEHS, public comments can be presented by teleconference line. There will be 50 lines for this call; availability will be on a first-come, first-served basis. The lines will be open from 9:00 a.m. until adjournment on July 22, 2015, and oral comments will be received only during the formal public comment period indicated on the preliminary agenda. Each organization (sponsoring organization or affiliation) is allowed one time slot. At least 7 minutes will be allotted to each speaker, and if time permits, may be extended to 10 minutes at the discretion of the chair.

Persons wishing to make an oral presentation are asked to register online at *http://ntp.niehs.nih.gov/go/38853* by July 15, 2015, and if possible, to send a copy of their slides and/or statement or talking points at that time. Written statements can supplement and may expand the oral presentation. Registration for in-person oral comments will also be available at the meeting, although time allowed for presentation by on-site registrants may be less than that for registered speakers and will be determined by the number of speakers who register on-site.

Background Information on the RoC: Published biennially, each edition of the RoC is cumulative and consists of substances newly reviewed in addition to those listed in previous editions. The 13th RoC, the latest edition, was published on October 2, 2014 (available at *http://ntp.niehs.nih.gov/go/roc13*). The 14th RoC is under development. For each listed substance, the RoC contains a substance profile, which provides information on: cancer studies that support the listing—including those in humans, animals, and studies on possible mechanisms of action—information about potential sources of exposure to humans, and current Federal regulations to limit exposures.

Background Information on NTP Peer-Review Panels: NTP panels are technical, scientific advisory bodies established on an ''as needed'' basis to provide independent scientific peer review and advise the NTP on agents of public health concern, new/revised toxicological test methods, or other issues. These panels help ensure transparent, unbiased, and scientifically rigorous input to the program for its use in making credible decisions about human hazard, setting research and testing priorities, and providing information to regulatory agencies about alternative methods for toxicity screening. The NTP welcomes nominations of scientific experts for upcoming panels. Scientists interested in serving on an NTP panel should provide a current *curriculum vita* to the **FOR FURTHER INFORMATION CONTACT**. The authority for NTP panels is provided by 42 U.S.C. 217a; section 222 of the Public Health Service (PHS) Act, as amended. The panel is governed by the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

Dated: May 6, 2015.

John R. Bucher,

Associate Director, National Toxicology Program.

[FR Doc. 2015–11355 Filed 5–11–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group, Neurobiology of Motivated Behavior Study Section.

Date: June 2–3, 2015.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications

Place: Mayflower Park Hotel, 405 Olive Way, Seattle, WA 98101.

Contact Person: Nicholas Gaiano, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5178, MSC 7844, Bethesda, MD 20892–7844, 301–435–1033, *gaianonr@csr.nih.gov.*

Name of Committee: Risk, Prevention and Health Behavior Integrated Review Group, Risk, Prevention and Intervention for Addictions Study Section.

Date: June 4–5, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Dupont Circle Hotel, 1500 New Hampshire Avenue NW., Washington, DC 20036.

Contact Person: Miriam Mintzer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Room 3108, Bethesda, MD 20892, (301) 523–0646, *mintzermz@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group, Clinical and Integrative Diabetes and Obesity Study Section.

Date: June 4–5, 2015.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Hui Chen, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–435–1044, *chenhui@csr.nih.gov.*

Name of Committee: Immunology Integrated Review Group, Cellular and Molecular Immunology—A Study Section.

Date: June 4–5, 2015.

Time: 8:30 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Sheraton Silver Spring, 8777 Georgia Avenue, Silver Spring, MD 20910.

Contact Person: David B Winter, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4204, MSC 7812, Bethesda, MD 20892, 301–435–1152, *dwinter@mail.nih.gov.*

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group, Biomedical Imaging Technology B Study Section.

Date: June 5–6, 2015.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Sheraton BWI (Baltimore), 1100 Old Elkridge Landing Road, Baltimore, MD 21090.
Contact Person: Lee Rosen, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5116, MSC 7854, Bethesda, MD 20892, (301) 435–1171, *rosenl@csr.nih.gov.*

Name of Committee: Emerging Technologies and Training Neurosciences Integrated Review Group, Bioengineering of Neuroscience, Vision and Low Vision Technologies Study Section.
Date: June 5, 2015.
Time: 8:00 a.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hotel Palomar, 2121 P Street NW., Washington, DC 20037.
Contact Person: Robert C Elliott, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5190, MSC 7846, Bethesda, MD 20892, 301–435–3009, *elliotro@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 6, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–11360 Filed 5–11–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Advisory General Medical Sciences Council.

The meeting will be open to the public as indicated below, with a short public comment period at the end. Attendance is limited by the space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The open session will also be videocast and can be accessed from the NIH Videocasting and Podcasting Web site (*http://videocast.nih.gov/*).

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 Advisory General Medical Sciences Council.
Date: May 21–22, 2015.
Closed: May 21, 2015, 8:30 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Natcher Building, Conference Rooms E1 & E2, 45 Center Drive, Bethesda, MD 20892.
Open: May 22, 2015, 8:30 a.m. to Adjournment.
Agenda: For the discussion of program policies and issues, opening remarks, report of the Director, NIGMS, and other business of the Council.
Place: National Institutes of Health, Natcher Building, Conference Rooms E1 & E2, 45 Center Drive, Bethesda, MD 20892.
Contact Person: Ann A. Hagan, Ph.D., Associate Director for Extramural Activities, NIGMS, NIH, DHHS, 45 Center Drive, Room 2AN24B, MSC 6200, Bethesda, MD 20892, (301) 594–4499, *hagana@nigms.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to administrative oversight.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and, when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxis, hotel, and airport shuttles, will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit. Information is also available on the Institute's home page (*http://www.nigms.nih.gov/About/Council/*) where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: May 6, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–11356 Filed 5–11–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute Amended; Notice of Meeting

Notice is hereby given of a change in the meeting of the National Cancer Institute Special Emphasis Panel, June 16, 2015 8:00 a.m. to June 17, 2015, 06:00 p.m., Doubletree by Hilton Bethesda, 8120 Wisconsin Avenue, Bethesda, MD, 20892 which was published in the **Federal Register** on April 17, 2015, 80FR21250.

The meeting notice is amended to change the start time on June 16, 2015 from 8:00 a.m. to 6:00 p.m. and the end time on June 17, 2015 from 6:00 p.m. to 3:00 p.m. The meeting is closed to the public.

Dated: May 6, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–11357 Filed 5–11–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Closed Meetings

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 meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; Hearing and Balance Fellowship Review.
Date: June 10, 2015.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Sheo Singh, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities,

6001 Executive Blvd., Room 8351, Bethesda, MD 20892, 301–496–8683, *singhs@nidcd.nih.gov*.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; VSL Fellowship Review.

Date: June 11, 2015.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Shiguang Yang, DVM, Ph.D., Scientific Review Officer, Division of Extramural Activities NIDCD, NIH, 6001 Executive Blvd., Room 8349, Bethesda, MD 20892, 301–496–8683, *yangshi@nidcd.nih.gov*.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; Chemical Senses Fellowship Review.

Date: June 17, 2015.

Time: 11:30 a.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Kausik Ray, Ph.D., Scientific Review Officer, National Institute on Deafness and Other Communication Disorders, National Institutes of Health, Rockville, MD 20850, 301–402–3587, *rayk@nidcd.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: May 6, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–11358 Filed 5–11–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meetings

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 meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Mental Health Services Conflicts.

Date: June 1, 2015.

Time: 2:00 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Karen Gavin-Evans, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Boulevard, Room 6153, MSC 9606, Bethesda, MD 20892, 301–451–2356, *gavinevanskm@mail.nih.gov*.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Experimental Therapeutics Clinical Trials.

Date: June 4, 2015.

Time: 8:30 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: David I. Sommers, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, 6001 Executive Blvd., Room 6154, MSC 9606, Bethesda, MD 20892–9606, 301–443–7861, *dsommers@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: May 6, 2015.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–11361 Filed 5–11–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2010–0164]

National Boating Safety Advisory Council

AGENCY: Coast Guard, DHS.

ACTION: Notice of federal advisory committee meeting.

SUMMARY: The National Boating Safety Advisory Council and its Subcommittees will meet on May 28 through May 30, 2015, in Arlington, VA, to discuss issues relating to recreational boating safety. These meetings will be open to the public.

DATES: The National Boating Safety Advisory Council will meet Thursday, May 28, 2015, from 8:30 a.m. to 12:00 p.m. and Saturday May 30, 2015 from 8:30 a.m. to 1 p.m. The Boats and Associated Equipment Subcommittee will meet on May 28, 2015, from 1:30 p.m. to 5 p.m. The Recreational Boating Safety Strategic Planning Subcommittee will meet on May 29, 2015, from 8:30 a.m. to 11:30 a.m., and the Prevention Through People Subcommittee will meet on May 29, 2015, from 1 p.m. to 5 p.m. Please note that these meetings may conclude early if the National Boating Safety Advisory Council has completed all business.

ADDRESSES: All meetings will be held in the Ballroom of the Holiday Inn Arlington (*http://www.hiarlington.com*), 4610 N Fairfax Drive, Arlington, VA 22203.

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Mr. Jeff Ludwig, Alternate Designated Federal Officer, telephone 202–372–1061, or at *jeffrey.a.ludwig@uscg.mil.*

To facilitate public participation, we are inviting public comment on the issues to be considered by the Council as listed in the ''Agenda'' section below. Written comments for distribution to Council members must be submitted no later than May 21, 2015, if Council review is desired prior to the meeting. Written comments must be identified by docket number USCG 2010–0164 and must be submitted by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments (preferred method to avoid delays in processing).
- *Fax:* (202) 493–2251.
- *Mail:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.
- *Hand Delivery:* Same as mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number for the Docket Management Facility is 202–366–9329.

Instructions: All submissions received must include the words ''Department of Homeland Security'' and the docket number of this action, USCG–2010–0164. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review a Privacy Act notice regarding public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Docket: For access to the docket to read documents or comments related to this notice, go to *http://www.regulations.gov* insert USCG–2010–0164 in the ''Search'' box, press Enter, then click the item you wish to view.

FOR FURTHER INFORMATION CONTACT: Mr. Jeff Ludwig, Alternate Designated Federal Officer for the National Boating Safety Advisory Council, telephone (202) 372–1061, or at *jeffrey.a.ludwig@uscg.mil.* If you have any questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826 or 1–800–647–5527.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given under the *Federal Advisory Committee Act,* (Title 5, U.S.C, Appendix). Congress established the National Boating Safety Advisory Council in the *Federal Boat Safety Act of 1971* (Pub. L. 92–75). The National Boating Safety Advisory Council currently operates under the authority of 46 U.S.C. 13110, which requires the Secretary of Homeland Security and the Commandant of the Coast Guard by delegation to consult with the National Boating Safety Advisory Council in prescribing regulations for recreational vessels and associated equipment and on other major safety matters. See 46 U.S.C. 4302(c) and 13110(c).

Meeting Agenda

The agenda for the National Boating Safety Advisory Council meeting is as follows:

Thursday, May 28, 2015

(1) Opening remarks and swearing-in of new members.
(2) Receipt and discussion of the following reports:
  (a) Chief, Office of Auxiliary and Boating Safety, Update on the Coast Guard's implementation of National Boating Safety Advisory Council Resolutions and Recreational Boating Safety Program report.
  (b) Alternate Designated Federal Officer's report concerning Council administrative and logistical matters.
(3) Subcommittee Session: Boats and Associated Equipment Subcommittee.
  Issues to be discussed include alternatives to pyrotechnic visual distress signals; grant projects related to boats and associated equipment; and updates to 33 CFR 181 ''Manufacturer Requirements'' and 33 CFR 183 ''Boats and Associated Equipment.''
(4) Public comment period.
(5) Adjournment of Meeting.

Friday, May 29, 2015

The meeting will primarily be dedicated to Subcommittee sessions:
(1) Recreational Boating Safety Strategic Planning Subcommittee.
  Issues to be discussed include progress on implementation of the 2012–2016 Strategic Plan, and development of the 2017–2021 Strategic Plan.
(2) Prevention Through People Subcommittee.
  Issues to be discussed include life jacket carriage requirements for certain recreational vessels and licensing requirements for on-water boating safety instruction providers.

Saturday, May 30, 2015

The full Council will resume meeting on this day.
(1) Receipt and Discussion of the Boats and Associated Equipment, Prevention through People and The Recreational Boating Safety Strategic Planning Subcommittee reports.
(2) Discussion of any recommendations to be made to the Coast Guard.
(3) Public comment period.
(4) Voting on any recommendations to be made to the Coast Guard.
(5) Adjournment of meeting.

There will be a comment period for the National Boating Safety Advisory Council members and a comment period for the public after each report presentation, but before each is voted on by the Council. The Council members will review the information presented on each issue, deliberate on any recommendations presented in the Subcommittees' reports, and formulate recommendations for the Department's consideration.

The meeting agenda and all meeting documentation can be found at: *http://homeport.uscg.mil/NBSAC.* Alternatively, you may contact Mr. Jeff Ludwig as noted in the **FOR FURTHER INFORMATION CONTACT** section above.

Public oral comment periods will be held during the meetings after each presentation and at the end of each day. Speakers are requested to limit their comments to 3 minutes. Please note that the public comment periods may end before the time indicated, following the last call for comments. Contact Mr. Jeff Ludwig as indicated above to register as a speaker.

Dated: May 6, 2015.

Jonathan C. Burton,

Director of Inspections and Compliance.

[FR Doc. 2015–11407 Filed 5–11–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2010–0316]

National Boating Safety Advisory Council; Vacancies

AGENCY: Coast Guard, DHS.

ACTION: Request for applicants; extension of deadline.

SUMMARY: The Coast Guard is extending the deadline for accepting applications for membership on the National Boating Safety Advisory Council. This Council advises the Coast Guard on recreational boating safety regulations and other major boating safety matters.

DATES: Completed applications should reach the Coast Guard on or before June 11, 2015.

ADDRESSES: Applicants should send a cover letter expressing interest in an appointment to the National Boating Safety Advisory Council that also identifies which membership category the applicant is applying under, along with a resume detailing the applicant's boating experience via one of the following methods:

- By email: *jeffrey.a.ludwig@uscg.mil* (preferred).
- By mail: Commandant (CG–BSX–2)/NBSAC, *Attn:* Mr. Jeff Ludwig, U.S. Coast Guard, 2703 Martin Luther King Ave. SE., Stop 7581, Washington, DC 20593–7581.

FOR FURTHER INFORMATION CONTACT: Mr. Jeff Ludwig, Alternate Designated Federal Officer of National Boating Safety Advisory Council; telephone 202–372–1061 or email at *jeffrey.a.ludwig@uscg.mil.*

SUPPLEMENTARY INFORMATION: On February 4, 2015, the Coast Guard published a request in the **Federal Register** (80 FR 6096), for applications for membership in the National Boating Safety Advisory Council. The deadline to submit an application was April 6, 2015. The Coast Guard is extending the deadline until May 26, 2015. Applicants who responded to the initial notice do not need to reapply.

The National Boating Safety Council is a Federal advisory committee under the Federal Advisory Committee Act, 5 U.S.C., Appendix). It was established under the authority of 46 United States Code 13110 and advises the Coast Guard on boating safety regulations and other major boating safety matters.

The National Boating Safety Advisory Council has 21 members: Seven representatives of State officials responsible for State boating safety

programs, seven representatives of recreational boat manufacturers and associated equipment manufacturers, and seven representatives of national recreational boating organizations and the general public, at least five of whom are representatives of national recreational boating organizations. Members are appointed by the Secretary of the Department of Homeland Security.

The Council usually meets at least twice each year at a location selected by the Coast Guard. It may also meet for extraordinary purposes. Subcommittees or working groups may also meet to consider specific issues.

We will consider applications for seven positions that expire or become vacant on December 31, 2015:

- Two representatives of State officials responsible for State boating safety programs;
- Two representatives of recreational boat and associated equipment manufacturers; and
- Three representatives of national recreational boating organizations or the general public.
- Applications will also be considered for a one vacancy in the national recreational boating organizations or the general public membership category that was caused by a last minute change in eligibility of an individual recommended for appointment in 2015. This position will serve a term that expires on December 31, 2017.

Applicants are considered for membership on the basis of their particular expertise, knowledge, and experience in recreational boating safety. The vacancies announced in this notice apply to membership positions that become vacant on January 1, 2016. To be eligible, you should have experience in one of the categories listed above.

Registered lobbyists are not eligible to serve on Federal advisory committees in an individual capacity. See ''Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards and Commissions'' (79 FR 47482, August 13, 2014). The category for a member from the general public would be someone appointed in their individual capacity and would be designated as a Special Government Employee as defined in 202(a) of Title 18, United States Code. Registered lobbyists are lobbyists required to comply with provisions contained in The Lobbying Disclosure Act of 1995 (Pub. L. 104–65; as amended by Title II of Pub. L. 110–81).

Each member serves for a term of three years. Members may be considered to serve a maximum of two full consecutive terms. All members serve at their own expense and receive no salary, or other compensation from the Federal Government. The exception to this policy is when attending National Boating Safety Advisory Council meetings; members may be reimbursed for travel expenses and provided per diem in accordance with Federal Travel Regulations.

The Department of Homeland Security does not discriminate in selection of Council members on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, gender identity, marital status, disability and genetic information, age, membership in an employee organization, or other non-merit factor. The Department of Homeland Security strives to achieve a widely diverse candidate pool for all of its recruitment actions.

If you are selected as a non-representative member or as a member from the general public, you will serve as a Special Government Employee as defined in section 202(a) of title 18, United States Code. As a candidate for appointment as a Special Government Employee, applicants are required to complete a Confidential Financial Disclosure Report (OGE Form 450). The Coast Guard may not release the reports or the information in them to the public except under an order issued by a Federal court or as otherwise provided under the *Privacy Act* (5 U.S.C. 552a). Applicants can obtain this form by going to the Web site of the Office of Government Ethics (*www.oge.gov*) or by contacting the individual listed above in **FOR FURTHER INFORMATION CONTACT**. Applications which are not accompanied by a completed OGE Form 450 will not be considered.

If you are interested in applying to become a member of the Council, send your cover letter and resume to Mr. Jeff Ludwig, Alternate Designated Federal Officer of National Boating Safety Advisory Council by email or mail according to the instructions in the **ADDRESSES** section by the deadline in the **DATES** section of this notice. Indicate the specific category you request to be considered for and specify your area of expertise that qualifies you to serve on the National Boating Safety Advisory Council. All email submittals will receive email receipt confirmation.

To visit our online docket, go to *http://www.regulations.gov.* Enter the docket number for this notice (USCG–2010–0316) in the Search box, and click ''Search.'' Please do not post your resume or OGE–450 Form on this site.

Dated: May 6, 2015.

Jonathan C. Burton,

Captain, U.S. Coast Guard, Director of Inspections and Compliance.

[FR Doc. 2015–11408 Filed 5–11–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Privacy Act of 1974, As Amended; Revision of a System of Records

AGENCY: U.S. Fish and Wildlife Service, Interior.

ACTION: Proposed revisions to an existing system of records.

SUMMARY: The Department of the Interior (DOI) is issuing public notice of its intent to revise a system of records in its current inventory, Migratory Bird Population and Harvest Surveys—Interior, FWS–26, subject to the Privacy Act of 1974. This action is necessary to meet the requirements of the Privacy Act to publish in the **Federal Register** a notice of amended systems of records. This system of records was previously published in the **Federal Register** on March 24, 1981 (46 FR 18378). The agency is updating information on the system and adding new information on purposes, routine uses, and procedures.

DATES: Comments on this revised system of records must be received on or before June 22, 2015.

ADDRESSES: Address all comments on this revised system of records to U.S. Fish and Wildlife Service, Privacy Act Officer, Mail Stop IRTM, 5275 Leesburg Pike, Falls Church, Virginia 22041–3830; or by email at *Melissa_Allen@fws.gov.*

FOR FURTHER INFORMATION CONTACT: Melissa Allen, Privacy Act Officer, U.S. Fish and Wildlife Service, telephone: 703–358–2470, or fax: 703–358–2251.

SUPPLEMENTARY INFORMATION: The U.S. Fish and Wildlife Service's (FWS) migratory bird population and harvest survey programs collect information that is used in the promulgation of annual migratory bird hunting regulations. People who participate in annual migratory bird population surveys are professional biologists and biological technicians employed by cooperating Federal and State agencies; we collect and maintain their name, address, telephone number, and email address information in order to facilitate the communication and coordination efforts needed to conduct those surveys. People participating in migratory bird harvest surveys have obtained hunting

licenses from a State wildlife agency (State) and have been identified as migratory bird hunters by the States. The States collect the required information from those hunters and provide the data to the FWS, which then selects samples of those hunters for voluntary mail surveys. Information collected by the States and provided to the FWS includes name, mailing address, email address, date of birth, date the license was issued, what migratory game birds the person hunted the previous year, and approximately how many birds he or she took the previous year. We updated information for this system of records to reflect current categories of individuals and records covered by the system, as well as current locations of records and system managers. We deleted all categories of individuals and records related to bird banding permits and bird band encounters from this system, because those categories now fall under the purview of the U.S. Geological Survey.

The Privacy Act (5 U.S.C. 552a(e)(11)) requires that the public be provided a 30-day period in which to comment on the intended use of the information in the system of records. The Office of Management and Budget (OMB), in Circular A–130, requires an additional 10-day period (for a total of 40 days) in which to make these comments. Any persons interested in commenting on this proposed system notice may do so by submitting comments in writing as indicated under **ADDRESSES**. Comments received within 40 days of publication will be effective as proposed at the end of the comment period, unless comments are received that would require a contrary determination. We will publish a revised notice if we make changes based on our review of comments received.

Public Comments

You may submit your comments and supporting materials to the address in the **ADDRESSES** section. We will not consider comments sent by email or fax, or written comments sent to an address other than the one listed in the **ADDRESSES** section.

If you submit a comment, your entire comment—including any personal identifying information—may be available to the public. If you submit a comment that includes personal identifying information, you may request that we withhold the information from public review, but we cannot guarantee that we will be able to do so.

Dated: February 5, 2015.

Melissa Allen,

U.S. Fish and Wildlife Service Privacy Act Officer.

INTERIOR/FWS–26

SYSTEM NAME:

Migratory bird population and harvest surveys.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

The records are stored at the following offices of the U.S. Fish and Wildlife Service (FWS):

(1) Population surveys records: Division of Migratory Bird Management, U.S. Fish and Wildlife Service, Patuxent Wildlife Research Center, Merriam Building, 11510 American Holly Drive, Laurel, Maryland 20708.

(2) Harvest surveys records: Division of Migratory Bird Management, U.S. Fish and Wildlife Service, Patuxent Wildlife Research Center, 10815 Loblolly Pine Drive, Laurel, Maryland 20708.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Records are maintained by biologists and biological technicians who participate in the Mourning Dove Call-count Survey and the American Woodcock Singing-ground Survey. Records are also kept for all persons who obtain hunting licenses and indicate to the State licensing authority that they intend to hunt migratory game birds, as required by the Migratory Bird Harvest Information Program (50 CFR 20.20). This includes the subset of hunters who are selected to participate in one of the FWS's national harvest surveys.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records for migratory bird population survey participants contain the name, address, work telephone number, facsimile number, and email address of each participant. Each migratory bird hunter record contains the name, mailing address, email address, date of birth, date the license was issued, what migratory game bird species the person hunted the previous year, and approximately how many birds he or she took the previous year.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Migratory Bird Treaty Act (16 U.S.C. 703–712).

PURPOSES:

The purposes are to facilitate the communication and coordination efforts needed to conduct migratory bird population surveys, and to provide a sampling frame of migratory bird hunters for national migratory bird harvest surveys.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The FWS is the primary user of the system, and the primary uses of the records will be:

(1) To contact population survey participants annually and coordinate the scheduling, operating procedures, data transmittal, and reporting of results for each survey.

(2) To select members of the public (migratory bird hunters) and ask them to participate in voluntary harvest surveys.

(3) To mail survey forms to select members of the public. Electronic files containing the mailing information will be sent to a private company to print out the survey forms, insert them in envelopes, and deliver the survey forms to the U.S. Postal Service. Any company awarded this printing contract by the Government Publishing Office will be certified to handle Privacy Act materials. All databases will be deleted by the contractor upon at the end of each survey year. However, we will maintain records in accordance with the Service's applicable records schedule.

(4) To track the timing and types of responses from selected harvest survey participants. Upon completion of the harvest surveys, the personal identifier information is removed from each participant's survey response data, and the personal identification information is destroyed.

(5) To determine the total number of licensed migratory bird hunters in each State.

Disclosures outside the DOI may be made under the routine uses listed below without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected.

(1) To the individual State wildlife agencies that provided the migratory bird hunter information to the FWS.

(2) To the Department of Justice (DOJ), or a court, adjudicative, or other administrative body or to a party in litigation before a court or adjudicative or administrative body, when:

(a) One of the following is a party to the proceeding or has an interest in the proceeding:

(i) The DOI or any component of the DOI;

(ii) Any DOI employee acting in his or her official capacity;

(iii) Any DOI employee acting in his or her individual capacity where the DOI or DOJ has agreed to represent the employee; or

(iv) The United States, when DOI determines that DOI is likely to be affected by the proceeding; and

(b) The DOI deems the disclosure to be:

(v) Relevant and necessary to the proceedings; and

(vi) Compatible with the purpose for which we compiled the information.

(3) To the appropriate Federal, State, tribal, local, or foreign governmental agency that is responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, order, or license, when we become aware of an indication of a violation or potential violation of the statute, rule, regulation, order, or license.

(4) To a congressional office in response to an inquiry to the office by the individual to whom the record pertains.

(5) To the General Accounting Office or Congress when the information is required for the evaluation of the migratory bird population and harvest surveys programs.

(6) To a contractor, expert, or consultant employed by the FWS when necessary to accomplish a FWS function related to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system.

STORAGE:

Paper records are stored in file boxes in rooms and offices until they have been converted to electronic form, after which they are shredded. Electronic records are stored on a computer server and disks or tapes.

RETRIEVABILITY:

Electronic records may be searched on or reported by any data field.

SAFEGUARDS:

Access to records in the system is limited to authorized personnel whose official duties require such access, in accordance with requirements found in the Code of Federal Regulations (43 CFR 2.51). Paper records are maintained in secured rooms. Electronic records are password-protected, backed up daily, and maintained with safeguards meeting the security requirements of 43 CFR 2.51.

RETENTION AND DISPOSAL:

Records are maintained in accordance with the Service's applicable records schedule.

SYSTEM MANAGER AND ADDRESS:

Chief, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS MB, Falls Church, Virginia 22041–3830.

NOTIFICATION PROCEDURES:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her, from the System Manager identified above. We require that the request to be in writing and signed by the requester, and to include the requester's full name, address, and Social Security number. See 43 CFR 2.60 for procedures on making inquiries.

RECORD ACCESS PROCEDURES:

For copies of your records, write to the System Manager identified above. The request envelope and letter should be clearly marked ''PRIVACY ACT REQUEST FOR ACCESS.'' A request for access must meet the content requirements of 43 CFR 2.63(b)(4).

CONTESTING RECORD PROCEDURES:

Use the same procedures as ''Records Access Procedures'' section above. See 43 CFR 2.71.

RECORD SOURCE CATEGORIES:

RECORDS COME FROM:

(1) Federal and State agencies that assign their personnel to participate in migratory bird population surveys; and

(2) State wildlife agencies that collect the information from licensed migratory bird hunters.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 2015–11430 Filed 5–11–15; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[156A2100DD/AAKC001030/ A0A501010.999900 253G]

American Indian Education Study Group

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Additional tribal consultation meeting; extension of comment period.

SUMMARY: The Bureau of Indian Education (BIE) published a notice in the **Federal Register** on March 25, 2015 (80 FR 15807), announcing the American Indian Education Study Group (Study Group) will conduct four consultation meetings with Indian tribes to obtain oral and written comments. Another **Federal Register** notice was published on April 17, 2015 (80 FR 21261) to announce BIE will conduct an additional consultation for a total of five consultation meetings with Indian tribes to obtain oral and written comments. This notice extends the comment deadline by 7 days and announces an additional meeting scheduled for May 15, 2015, making a total of 6 tribal consultation meetings.

DATES: The BIE will host an additional tribal consultation session on Friday, May 15, 2015. We will consider all comments received by May 22, 2015, 5:00 p.m., Eastern Daylight Time.

ADDRESSES: Submit comments by mail or hand-deliver written comments to: Ms. Jacquelyn Cheek, Special Assistant to the Director, Bureau of Indian Education, 1849 C Street NW., Mailstop 4657–MIB, Washington, DC 20240; facsimile: (202) 208–3312; or email to: *IAEDTC-CMTS@bia.gov.*

FOR FURTHER INFORMATION CONTACT: Ms. Jacquelyn Cheek, Special Assistant to the Director, Bureau of Indian Education, telephone: (202) 208–6983.

SUPPLEMENTARY INFORMATION: This consultation meeting is scheduled under exceptional circumstances due to the request of several tribal leaders to hold a tribal consultation session in Albuquerque, New Mexico. This complies with the Department of the Interior's Policy on Consultation with Indian Tribes.

The additional tribal consultation session on the BIE Restructuring will be held on the following date and at the following location:

Date	Time	Location
Friday, May 15, 2015	9:00 a.m.–12:00 p.m. (Local Time)	Isleta Resort and Casino, Seminar Room, 11000 Broadway Boulevard, Southeast, Albuquerque, New Mexico 87105.

Information for this set of consultations is available on the BIE Web site at *http://www.bie.edu/consultation/index.htm.*

As required by 25 U.S.C. 2011 (b), the purpose of consultation is to provide Indian tribes, school boards, parents, Indian organizations and other interested parties with an opportunity to comment on the implementation plan developed following the submittal of the American Indian Study Group's Blueprint for Reform and the Secretarial Order 3334. The consultation will cover issues raised during the previous consultation meetings and those issues currently being considered by BIE on Indian education programs.

Dated: May 7, 2015.

Lawrence S. Roberts,

Principal Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 2015–11444 Filed 5–7–15; 4:15 pm]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLAZ910000.L12100000.XP0000 15X 6100.241A)

State of Arizona Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings.

SUMMARY: In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management (BLM), Arizona Resource Advisory Council (RAC) will meet in Phoenix, Arizona, as indicated below.

DATES: The Arizona RAC Business meeting will take place June 4, 2015, from 8:30 a.m. to 4:30 p.m.

ADDRESSES: The meeting will be held at the BLM Arizona State Office located at One North Central Avenue, Suite 800, Phoenix, Arizona 85004.

FOR FURTHER INFORMATION CONTACT: Dorothea Boothe, Arizona RAC Coordinator at the Bureau of Land Management, Arizona State Office, One North Central Avenue, Suite 800, Phoenix, Arizona 85004–4427, 602–417–9504. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The 15-member Council advises the Secretary of the Interior, through the BLM, on a variety of planning and management issues associated with public land management in Arizona. Planned agenda items include: A Welcome and Introduction of Council Members; BLM State Director's Update on BLM Programs and Issues; RAC Recommendations on BLM's Restoration Project Focal Area; West Wide Energy Corridor Update; Reports by the RAC Working Groups; RAC Questions on BLM District Manager Reports; RAC Recommendations to the U.S. Forest Service Supervisor on Tonto National Forest Recreation Fee Proposals and other items of interest to the RAC. Members of the public are welcome to attend the RAC Business meeting. The Recreation RAC (RRAC) Working Group will review and make recommendations on U.S. Forest Service recreation fee program proposals. A public comment period is scheduled on the day of the Business meeting from 10:30 to 11:00 a.m. during the RRAC Session for any interested members of the public who wish to address the Council on BLM or Forest Service recreation fee programs, and again from 2:30 to 3:00 p.m. for any interested members of the public who wish to address the Council on BLM programs and business. Depending on the number of persons wishing to speak and time available, the time for individual comments may be limited. Written comments may also be submitted during the meeting for the RAC's consideration. The final meeting agenda will be available two weeks prior to the meeting and posted on the BLM Web site at: *http://www.blm.gov/az/st/en/res/rac.html.* Additionally, directions to the meeting site and parking information may be found on the BLM Web site at: *http://www.blm.gov/az/st/en/res/pub_room/location.html.* Individuals who need special assistance, such as sign language interpretation or other reasonable accommodations, should contact the RAC Coordinator listed above no later than two weeks before the start of the meeting.

Under the Federal Lands Recreation Enhancement Act, the RAC has been designated as the Recreation RAC and has the authority to review all BLM and Forest Service recreation fee proposals in Arizona. The RRAC will review recreation fee program proposals at this meeting.

Raymond Suazo,

Arizona State Director.

[FR Doc. 2015–11398 Filed 5–11–15; 8:45 am]

BILLING CODE 4310–32–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNMF01000 L13110000.PP0000 15XL1109PF]

Notice of Public Meeting, Farmington District Resource Advisory Council Meeting, New Mexico

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act and the Federal Advisory Committee Act, the Bureau of Land Management's (BLM) Farmington District Resource Advisory Council (RAC) will meet as indicated below.

DATES: The RAC will meet on June 15 and 16, 2015, at the Taos Field Office, 226 Cruz Alta Road, Taos, NM 87571, from 9 a.m.–4 p.m. The public may send written comments to the RAC at the BLM Farmington District Office, 6251 College Blvd., Suite A, Farmington, NM 87402.

FOR FURTHER INFORMATION CONTACT: Christine Horton, BLM Farmington District Office, 6251 College Blvd., Suite A, Farmington, NM 87402, 505–564–7633. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8229 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The 10-member Farmington District RAC advises the Secretary of the Interior, through the BLM, on a variety of planning and management issues associated with public land management in the BLM's Farmington District. Planned agenda items include: Opening remarks from the BLM Farmington District Manager; Farmington District Office updates and planning efforts; Farmington Field Office updates and planning efforts; Taos Field Office updates and planning efforts; District fuel projects; and oil and gas reclamation. A conference telephone line has been set up for the meeting.

Contact Christine Horton at 505–564–7633 at least two business days before the meeting to reserve a line. Due to a limited number of available lines, the conference line is available on a first-come first-served basis. All RAC meetings are open to the public. On Monday, June 15, 2015, at 3:30 p.m., members of the public will have the opportunity to make comments to the RAC, during a half-hour public comment period. Persons wishing to make comments during the public comment period should register in person with the BLM by 2:30 p.m. on June 15, 2015, at the meeting location. If you wish to make a comment during the comment period through the conference line, inform Christine Horton when you call to reserve the conference line. Depending on the number of commenters, the length of comments may be limited; this time may vary. The BLM appreciates any and all comments.

James K. Stovall,

Acting Deputy State Director, Lands and Resources.

[FR Doc. 2015–11396 Filed 5–11–15; 8:45 am]

BILLING CODE 4310–FB–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[15XL LLID100000–L10200000–PH0000 241A 4500075502]

Notice of Public Meeting, Idaho Falls District Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings.

SUMMARY: In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management (BLM) Idaho Falls District Resource Advisory Council (RAC) will meet as indicated below.

DATES: The Idaho Falls District RAC will meet in Pocatello, Idaho, June 16 and 17, 2015, for a two-day meeting at the BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, Idaho 83204. The first day will begin at 9:00 a.m. and adjourn at 4:30 p.m. The second day will begin at 9:00 a.m. and adjourn at 2:00 p.m. Members of the public are invited to attend. A comment period will be held on June 16 following the introductions from 1:00–1:30 p.m. All meetings are open to the public.

FOR FURTHER INFORMATION CONTACT: Sarah Wheeler, RAC Coordinator, Idaho Falls District, 1405 Hollipark Dr., Idaho Falls, ID 83401. Telephone: (208) 524–7550. Email: *sawheeler@blm.gov.*

SUPPLEMENTARY INFORMATION: On June 16 the meeting will begin with new member orientation at 9:00 a.m. at the BLM Pocatello Field Office. At 1:00 p.m. the full RAC will convene and elect a new chairman, vice chairman and secretary. Topics on the agenda include the Twin Lakes Canal Company Bear River Dam proposal and climate change. On June 17 the RAC will depart the Pocatello Field Office at 9:00 a.m. for Soda Springs Hills to tour several fuels projects and discuss partnerships. At 11:30, the group will head to Bear River to discuss the Twin Lakes Canal Company Dam proposal and the Federal Energy Regulatory Commission process. The meeting will adjourn at approximately 1:30 p.m.

The 15-member Council advises the Secretary of the Interior, through the Bureau of Land Management, on a variety of planning and management issues associated with public land management in the BLM Idaho Falls District, which covers eastern Idaho.

All meetings are open to the public. The public may present written comments to the Council. Each formal Council meeting will also have time allocated for hearing public comments. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. Individuals who plan to attend and need special assistance, such as sign language interpretation, tour transportation or other reasonable accommodations, should contact the BLM as indicated below.

Dated: May 1, 2015.

Sarah Wheeler,

Idaho Falls District RAC Coordinator.

[FR Doc. 2015–11397 Filed 5–11–15; 8:45 am]

BILLING CODE 4310–GG–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–562 (Enforcement—Remand)]

Certain Incremental Dental Positioning Adjustment Appliances and Methods of Producing Same Termination of Investigation on the Basis of a Settlement Agreement

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (''ALJ'') initial determination (''ID'') (Order No. 76) granting a joint motion to terminate the above-captioned investigation on the basis of a settlement agreement. The Commission has terminated the investigation.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–2532. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at *http://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted the underlying investigation in this matter on February 15, 2006, based on a complaint filed by Align Technology, Inc. (''Align'') of Santa Clara, California (now of San Jose, California). 71 *FR* 7995–96. The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain incremental dental positioning adjustment appliances by reason of infringement of certain patents. The complaint also alleged a violation of section 337 by reason of misappropriation of trade secrets. The Commission's notice of investigation named OrthoClear, Inc. of San Francisco, California; OrthoClear Holdings, Inc. of Tortola, British Virgin Islands; and OrthoClear Pakistan Pvt, Ltd. of Lahore, Pakistan as respondents. On November 13, 2006, the Commission issued notice of its determination not to review the ALJ's initial determination granting Align's and the respondents' joint motion to terminate the investigation based on a consent order.

On March 1, 2012, Align filed a complaint for an enforcement

proceeding under Commission Rule 210.75, and filed a corrected complaint on March 22, 2012. On April 25, 2012, the Commission determined that the criteria for institution of an enforcement proceeding were satisfied and instituted an enforcement proceeding, naming the following six respondents, which were alleged to be bound by the consent order: ClearCorrect Operating, LLC of Houston, Texas; ClearCorrect Pakistan (Private), Ltd. of Lahore, Pakistan; and Mudassar Rathore, Waqas Wahab, Nadeem Arif, and Asim Waheed (''Enforcement Respondents''). 77 *Fed. Reg.* 25747 (May 1, 2012).

On November 28, 2012, the ALJ issued Order No. 57, and found that the accused digital datasets at issue in the enforcement proceeding fall within the scope of the term ''articles'' in the consent order. On January 4, 2013, the Commission determined to review and reverse Order No. 57. 78 *FR* 2282–83 (Jan. 10, 2013). The Commission terminated the enforcement proceeding with a finding of no violation of the consent order. *Id.* Upon Align's appeal, the Federal Circuit held that Order No. 57 was not reviewable as an ID under the Commission's rules. *Align Tech., Inc.* v. *Int'l Trade Comm'n,* 771 F.3d 1317, 1324–25 (Fed. Cir. 2014). The Court vacated the Commission's determination to review and reverse Order No. 57, and remanded the case to the Commission for further proceedings consistent with the Court's opinion. *Id.* at 1326. On November 24, 2014, the Commission issued a notice to remand the investigation to the Chief Administrative Law Judge for assignment to a presiding ALJ to resume enforcement proceedings.

On April 6, 2015, Align and the Enforcement Respondents filed a joint motion to terminate the enforcement proceeding on the basis of an agreement between the parties. The Commission investigative attorney filed a response in support of the motion. On April 8, 2015, the ALJ granted the motion as the subject ID (Order No. 76). The ID found that granting the motion is in the public interest. Order No. 76 at 1–2; *see* 19 CFR 210.50(b)(2).

No petitions for review were filed. The Commission has determined not to review the ID. The Commission has terminated the investigation.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

Issued: May 6, 2015.

By order of the Commission.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–11383 Filed 5–11–15; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–934]

Certain Dental Implants: Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Amend the Complaint and Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (''ALJ'') initial determination (''ID'') (Order No. 24) granting a joint motion of complainants Nobel Biocare Services AG of Switzerland and Nobel Biocare USA, LLC of Yorba Linda, California (collectively, ''Nobel Biocare'') and respondents Neodent USA, Inc., of Andover, Massachusetts (''Neodent USA'') and JJGC Indústria e Comércio de Materiais Dentários S/A of Curitiba, Brazil (collectively, ''Respondents'') to amend the Complaint and Notice of Investigation (''NOI'') to reflect the corporate name change of Neodent USA to Instradent USA, Inc.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–2301. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at *http://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on October 27, 2014, based on a Complaint filed by Nobel Biocare, as supplemented. 79 *FR.* 63940–41 (Oct. 27, 2014). The Complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), in the sale for importation, importation, and sale within the United States after importation of certain dental implants by reason of infringement of certain claims of U.S. Patent Nos. 8,714,977 and 8,764,443. The Complaint further alleges the existence of a domestic industry. The Commission's Notice of Investigation named Respondents and the Office of Unfair Import Investigations as parties to the investigation.

On April 8, 2015, Nobel Biocare and Respondents filed a joint motion to amend the Complaint and NOI to reflect a corporate name change, effective August 15, 2014, of respondent Neodent USA to Instradent USA, Inc. The motion indicated that the Commission investigative attorney does not oppose the motion.

On April 9, 2015, the ALJ issued the subject ID granting the joint motion to amend the Complaint and NOI. The ALJ found, pursuant to section 210.14(b)(1) of the Commission's Rules of Practice and Procedure (19 CFR 210.14(b)(1)), that good cause exists to amend the Complaint and NOI to conform to the name change. The ALJ also found that the amendment would not prejudice the public interest or the rights of the parties to the investigation.

No petitions for review of the subject ID were filed.

The Commission has determined not to review the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: May 6, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–11378 Filed 5–11–15; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–463 and 731–TA–1159 (Review)]

Oil Country Tubular Goods From China

Determinations

On the basis of the record [1] developed in the subject five-year reviews, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930, that revocation of the countervailing duty and antidumping duty orders on oil country tubular goods from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), instituted these reviews on December 1, 2014 (79 FR 71121) and determined on March 6, 2015 that it would conduct expedited reviews (80 FR 17495, April 1, 2015).

The Commission made these determinations pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on May 7, 2015. The views of the Commission are contained in USITC Publication 4532 (May 2015), entitled *Oil Country Tubular Goods from China: Investigation Nos. 701–TA–463 and 731–TA–1159 (Review).*

By order of the Commission.

Issued: May 7, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–11421 Filed 5–11–15; 8:45 am]

BILLING CODE 7020–02–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–2015–041]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice.

SUMMARY: NARA gives public notice that it proposes to request extension of three currently approved information collections. People use the first information collection to request permission to use privately owned equipment to microfilm NARA and Presidential library archival holdings. They use the second information collection to request permission to film, photograph, or videotape at a NARA facility for news purposes. And they use the third information collection to request permission to use NARA facilities for events. We invite you to comment on these proposed information collections pursuant to the Paperwork Reduction Act of 1995.

DATES: We must receive written comments on or before July 13, 2015.

ADDRESSES: Send comments to Paperwork Reduction Act Comments (I–P), Room 4400; National Archives and Records Administration; 8601 Adelphi Road; College Park, MD 20740–6001, fax them to 301–713–7409, or email them to *tamee.fechhelm@nara.gov*.

FOR FURTHER INFORMATION CONTACT: Contact Tamee Fechhelm by telephone at 301–837–1694 or fax at 301–713–7409 with requests for additional information or copies of the proposed information collections and supporting statements.

SUPPLEMENTARY INFORMATION: Pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13), NARA invites the public and other Federal agencies to comment on proposed information collections. The comments and suggestions should address one or more of the following points: (a) Whether the proposed information collection is necessary for NARA to properly perform its functions; (b) NARA's estimate of the burden of the proposed information collection and its accuracy; (c) ways NARA could enhance the quality, utility, and clarity of the information it collects; (d) ways NARA could minimize the burden on respondents of collecting the information, including through information technology; and (e) whether the collection affects small businesses. We will summarize any comments you submit and include the summary in our request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this notice, NARA solicits comments concerning the following information collections:

1. *Title:* Request to Microfilm Records.
OMB number: 3095–0017.
Agency form number: None.
Type of review: Regular.
Affected public: Companies and organizations that wish to microfilm archival holdings in the National Archives of the United States or a Presidential library for micropublication.
Estimated number of respondents: 2.
Estimated time per response: 10 hours.
Frequency of response: On occasion (when respondent wishes to request permission to microfilm records).
Estimated total annual burden hours: 20.
Abstract: The information collection is prescribed by 36 CFR 1254.92. The collection is prepared by companies and organizations that wish to microfilm archival holdings with privately-owned equipment. NARA uses the information to determine whether the request meets the criteria in 36 CFR 1254.94, to evaluate the records for filming, and to schedule use of the limited space available for filming.

2. *Title:* Request to film, photograph, or videotape at a NARA facility for news purposes.
OMB number: 3095–0040.
Agency form number: None.
Type of review: Regular.
Affected public: Business or other for-profit, not-for-profit institutions.
Estimated number of respondents: 350.
Estimated time per response: 15 minutes.
Frequency of response: On occasion.
Estimated total annual burden hours: 87.5.
Abstract: The information collection is prescribed by 36 CFR 1280.48. The collection is prepared by organizations that wish to film, photograph, or videotape on NARA property for news purposes. NARA needs the information to determine if the request complies with NARA's regulations, to ensure protection of archival holdings, and to schedule the filming appointment.

3. *Title:* Request to use NARA facilities for events.
OMB number: 3095–0043.
Agency form number: None.
Type of review: Regular.
Affected public: Not-for-profit institutions, individuals or households, business or other for-profit, Federal Government.
Estimated number of respondents: 330.
Estimated time per response: 30 minutes.
Frequency of response: On occasion.
Estimated total annual burden hours: 180.
Abstract: The information collection is prescribed by 36 CFR 1280.80 and 1280.82. The collection is prepared by organizations that wish to use NARA public areas for an event. NARA uses the information to determine whether or

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

not we can accommodate the request and to ensure that the proposed event complies with NARA regulations.

Dated: May 4, 2015.

Swarnali Haldar,

Executive for Information Services/CIO.

[FR Doc. 2015–11423 Filed 5–11–15; 8:45 am]

BILLING CODE 7515–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 52–012 and 52–013; NRC–2008–0091]

Nuclear Innovation North America LLC; South Texas Project, Units 3 and 4

AGENCY: Nuclear Regulatory Commission.

ACTION: Combined license application; availability.

SUMMARY: On September 20, 2007, South Texas Project Nuclear Operating Company (STPNOC) submitted to the U.S. Nuclear Regulatory Commission (NRC) an application for combined licenses (COLs) for two additional units (Units 3 and 4) at the South Texas Project (STP) Electric Generating Station site in Matagorda County near Bay City, Texas. The NRC published a notice of receipt and availability for this COL application in the **Federal Register** on December 5, 2007. In a letter dated January 19, 2011, STPNOC notified the NRC that, effective January 24, 2011, Nuclear Innovation North America LLC (NINA) became the lead applicant for STP, Units 3 and 4. This notice is being published to notify the public of the availability of the COL application for STP, Units 3 and 4.

DATES: The COL application is available May 12, 2015.

ADDRESSES: Please refer to Docket ID NRC–2008–0091 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2008–0091. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents''* and then select ''*Begin Web-based ADAMS Search.''* For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it available in ADAMS) is provided the first time that a document is referenced. For the convenience of the reader, the ADAMS accession numbers are provided in a table in the ''Availability of Documents'' section of this document.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Tom Tai, telephone: 301–415–8484, email: *Tom.Tai@nrc.gov;* or Luis Betancourt, telephone: 301–415–6145, email: *Luis.Betancourt@nrc.gov.* Both are staff of the Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION: On September 20, 2007, the NRC received a COL application from STPNOC, filed pursuant to section 103 of the Atomic Energy Act of 1954, as amended, and part 52 of Title 10 of the *Code of Federal Regulations* (10 CFR), ''Licenses, Certifications, and Approvals for Nuclear Power Plants,'' to construct and operate two additional units (Units 3 and 4) at the STP Electric Generating Station site in Matagorda County near Bay City, Texas. The additional units are based on the U.S. Advanced Boiling Water Reactor design, which is certified in 10 CFR part 52, appendix A. The NRC published a notice of receipt and availability for an application for a COL in the **Federal Register** on December 5, 2007 (72 FR 68597). In a letter dated January 19, 2011, STPNOC notified the NRC that, effective January 24, 2011, NINA became the lead applicant for STP, Units 3 and 4. As such, NINA assumed responsibility for the design, construction and licensing of STP, Units 3 and 4. The application is currently under review by the NRC.

An applicant may seek a COL in accordance with subpart C of 10 CFR part 52. The information submitted by the applicant includes certain administrative information, such as financial qualifications submitted pursuant to 10 CFR 52.77, as well as technical information submitted pursuant to 10 CFR 52.79. This notice is being provided in accordance with the requirements in 10 CFR 50.43(a)(3).

Availability of Documents

The documents identified in the following table are available to interested persons through the ADAMS Public Documents collection. A copy of the COL application is also available for public inspection at the NRC's PDR and at *http://www.nrc.gov/reactors/new-reactors/col.html.*

Document	ADAMS Accession No.
South Texas Project, Units 3 and 4, Combined License Application, Revision 0, September 20, 2007	ML072830407
South Texas Project, Units 3 and 4, Supplement to Combined License Application ''Safeguards Information,'' Part 8, Revision 0, September 26, 2007.	ML072740461
South Texas Project, Units 3 and 4, Supplement to Combined License Application, Revision 0, October 15, 2007	ML072960352
South Texas Project, Units 3 and 4, Supplement to Combined License Application, Revision 0, October 18, 2007	ML072960489
South Texas Project, Units 3 and 4, Supplement to Combined License Application, Revision 0, November 13, 2007	ML073200992
South Texas Project, Units 3 and 4, Supplement to Combined License Application, Revision 0, November 21, 2007	ML073310616
South Texas Project, Units 3 and 4, Combined License Application, Revision 1, January 31, 2008	ML080700399
South Texas Project, Units 3 and 4, Submittal of Supplement to Combined License Application ''Safeguards Information,'' Part 8, Revision 1, January 31, 2008.	ML080420090
South Texas Project, Units 3 and 4, Combined License Application, Revision 2, September 24, 2008	ML082830938
South Texas Project, Units 3 and 4, Submittal of Supplement to Combined License Application ''Safeguards Information,'' Part 8, Revision 2, September 24, 2008.	ML082730700
South Texas Project, Units 3 and 4, Submittal of Combined License Application, ''Proprietary Information,'' Part 10, Revision 2, December 11, 2008.	ML083530131
South Texas Project, Units 3 and 4, Combined License Application, Revision 3, September 16, 2009	ML092930393

Document	ADAMS Accession No.
South Texas Project, Units 3 and 4, Submittal of Supplement to Combined License Application ''Safeguards Information,'' Part 8, Revision 3, July 15, 2010.	ML102010268
South Texas Project, Units 3 and 4, Combined License Application, Revision 4, October 5, 2010	ML102861292
South Texas Project, Units 3 and 4, Submittal of Supplement to Combined License Application ''Safeguards Information,'' Part 8, Revision 4, February 3, 2011.	ML110400425
South Texas Project, Units 3 and 4, Update to Change in Lead Applicant, January 19, 2011	ML110250369
South Texas Project, Units 3 and 4, Combined License Application, Revision 5, January 26, 2011	ML110340451
South Texas Project, Units 3 and 4, Submittal of Supplement to Combined License Application ''Safeguards Information,'' Part 8, Revision 5, August 30, 2011.	ML11243A171
South Texas Project, Units 3 and 4, Combined License Application, Revision 6, August 30, 2011	ML11252A505
South Texas Project, Units 3 and 4, Combined License Application, Revision 7, February 1, 2012	ML12048A714
South Texas Project, Units 3 and 4, Combined License Application, Revision 8, September 17, 2012	ML12291A415
South Texas Project, Units 3 and 4, Combined License Application, Revision 9, April 17, 2013	ML13115A094
South Texas Project, Units 3 and 4, Combined License Application, Revision 10, October 29, 2013	ML13310A599
South Texas Project, Units 3 and 4, Combined License Application, Revision 11, October 21, 2014	ML14307A876

Dated at Rockville, Maryland, this 6th day of May 2015.

For the Nuclear Regulatory Commission.

Samuel Lee,

Chief, Licensing Branch 2, Division of New Reactor Licensing, Office of New Reactors.

[FR Doc. 2015–11549 Filed 5–11–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2013–0254]

Evaluation of a Proposed Risk Management Regulatory Framework

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft white paper; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on a draft document entitled, ''NRC Staff White Paper on Options for Responding to the June 14, 2012 Chairman's Tasking Memorandum on 'Evaluating Options Proposed for a More Holistic Risk-Informed, Performance-Based Regulatory Approach' '' (hereinafter referred to as NRC Staff White Paper). The draft NRC Staff White Paper discusses three items that the NRC staff expects to present to the Commission for its consideration: Options for enhancing the risk management approach used to ensure nuclear power reactor safety; re-evaluations of two ''improvement activities'' from Fukushima Near-Term Task Force Recommendation 1 that the Commission deferred; and consideration of an over-arching, agencywide policy statement on using the risk management approach to ensure safety and security.

DATES: Submit comments by June 11, 2015. Comments received after this date will be considered if it is practical to do so, but the NRC staff is able to assure consideration only for comments received on or before this date. Although the NRC staff will consider all timely comments, the NRC does not intend to prepare detailed comment responses.

ADDRESSES: You may submit comment by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

• *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0254. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Richard F. Dudley, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1116; email: *Richard.Dudley@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2013–0254 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

• *Federal rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0254.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2013–0254 in the subject line of your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission.

Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Background

In early 2011, the NRC formed a Risk Management Task Force (RMTF) to evaluate how the agency should be regulating 10 to 15 years in the future. More specifically, the RMTF was chartered ''to develop a strategic vision and options for adopting a more comprehensive and holistic risk-informed, performance-based regulatory approach for reactors, materials, waste, fuel cycle, and transportation that would continue to ensure the safe and secure use of nuclear material.'' The task force report, NUREG–2150, ''A Proposed Risk Management Regulatory Framework'' (ADAMS Accession No. ML12109A277), was published in April 2012. The report provides findings and recommendations in two categories. The first category addresses strategic, agencywide issues, recommending that ''[t]he NRC should formally adopt the proposed Risk Management Regulatory Framework through a Commission Policy Statement.'' The second category addresses what changes could be made in specific regulatory program areas (power reactors, nuclear materials, etc.) in the next several years to support implementation of the risk management regulatory framework.

On June 14, 2012, the NRC Chairman issued a tasking memorandum, ''Evaluating Options Proposed for a More Holistic Risk-Informed, Performance-Based Regulatory Approach'' (ADAMS Accession No. ML121660102), directing the NRC staff to ''. . . review NUREG–2150 and provide a paper to the Commission that would identify options and make recommendations, including the potential development of a Commission policy statement.''

In response to this direction, the NRC staff prepared a draft NRC Staff White Paper (ADAMS Accession No. ML15107A402) that discusses three items it expects to present to the Commission for its consideration. The following discussion briefly describes these three items.

Item 1: Three options for enhancing the risk management approach used to ensure nuclear power reactor safety.

The NRC staff formed a working group to review NUREG–2150 and make recommendations to the Commission regarding possible implementation of an agencywide Risk Management Regulatory Framework (RMRF). The staff's evaluation determined that the existing Policy Statements on ''Safety Goals for the Operation of Nuclear Power Plants'' (51 FR 30028; August 21, 1986), and ''Use of Probabilistic Risk Assessment Methods in Nuclear Regulatory Activities'' (60 FR 42622; August 16, 1995), in concert with increasing experience with risk-informed regulation and integrated risk-informed decision making processes, have already established a de-facto RMRF for the nuclear power reactor safety program area. Furthermore, the existing risk-informed regulatory guidance, risk tools, and risk information provide a sufficient foundation to allow the NRC staff to proceed with recommending specific risk management implementation options for nuclear power reactor safety. Therefore, to obtain Commission direction on whether the current risk-informed regulatory approach for nuclear power reactor safety should be enhanced, the NRC staff intends to provide the Commission with an RMRF paper that includes three specific options for increasing the use of risk information. These options are discussed in Section I of the NRC Staff White Paper. The NRC staff is seeking public comments on these options for enhancing the risk management approach for nuclear power reactor safety.

Item 2: Re-evaluations of two ''improvement activities'' from Fukushima Near-Term Task Force Recommendation 1 that the Commission deferred.

On March 11, 2011, the Great Tohoku Earthquake off the coast of Japan caused a series of events that led to core damage at three of the six nuclear power reactors at the Fukushima Dai-ichi site. The NRC established a senior-level agency task force, referred to as the Near Term Task Force (NTTF), to conduct a review of the NRC's processes and regulations to determine whether the agency should make additional improvements to its regulatory system and to make recommendations to the Commission for its policy direction. The NTTF issued its report on July 12, 2011 (ADAMS Accession No. ML111861807), as an enclosure to Commission Paper, SECY–11–0093, ''Near-Term Report and Recommendations for Agency Actions Following the Events in Japan'' (ADAMS Accession No. ML11186A959). The NTTF developed 12 overarching recommendations for nuclear power reactors. Recommendation 1 was to establish a ''logical, systematic, and coherent regulatory framework for adequate protection that appropriately balances defense-in-depth and risk considerations.'' The June 14, 2012, tasking memorandum on the RMTF report also directed the NRC staff to consider, when developing options for the disposition of NTTF Recommendation 1, the regulatory framework recommendations for nuclear power reactors in the RMTF report. The NRC staff provided its evaluation of NTTF Recommendation 1 and the RMTF report recommendations related to nuclear power reactors on December 6, 2013, in SECY–13–0132, ''U.S. Nuclear Regulatory Commission Staff Recommendation for the Disposition of Recommendation 1 of the Near-Term Task Force Report'' (ADAMS Package Accession No. ML13277A413). In its staff requirements memorandum (SRM) for SECY–13–0132 (ADAMS Accession No. ML14139A104), the Commission closed NTTF Recommendation 1. The Commission directed the NRC staff to reevaluate the objectives of the staff's proposed Improvement Activity 1 (establish new design-basis extension category) and Improvement Activity 2 (establish Commission expectations for defense-in-depth) ''in the context of the Commission direction on a long-term Risk Management Regulatory Framework (RMRF). . . .'' The NRC staff believes that these two improvement activities are key elements involved in evaluating an RMRF for nuclear power reactors as described in NUREG–2150. Therefore, the NRC staff has reevaluated these improvement activities and provides recommendations for how Improvement Activities 1 and 2 could be addressed under each of the three RMRF nuclear power reactor implementation options discussed in Item 1. These proposed activities are discussed in Section II of the draft NRC Staff White Paper. The NRC staff is seeking public comments on these proposed regulatory framework improvement activities for nuclear power reactor safety.

Item 3: Consideration of an over-arching, agencywide policy statement on using the risk management approach to ensure safety and security.

Early in its review of NUREG–2150, the NRC staff determined that it would provide an example of a conceptual RMRF policy statement for Commission consideration. The RMRF working group drafted a conceptual example of a policy statement and made it publicly available in ADAMS under Accession No. ML13273A517. The NRC staff then published a notice in the **Federal Register** on November 25, 2013 (78 FR 70354), requesting public comments on the document (ADAMS Accession No.

ML13273A493). The NRC staff held public meetings on June 5, 2013 (ADAMS Accession No. ML13197A216), and January 30, 2014 (ADAMS Accession No. ML14064A550). Public comments were accepted and are available at the Federal rulemaking Web site (*www.regulations.gov*) under Docket ID NRC–2013–0254. The public comments that were received on the draft conceptual agencywide policy statement varied greatly. The NRC staff's overall assessment was that the comments indicated a need to revise the staff's approach. The NRC staff is now seeking public comments on a revised policy statement approach as described in Section III of the draft NRC Staff White Paper.

III. Opportunity for Public Comment

The NRC staff notes that the draft NRC Staff White Paper represents work in progress; the information may be modified before the NRC staff provides its recommendation to the Commission for a decision, as a result of internal NRC review and/or consideration of public comments received. The NRC staff will review and consider all timely comments received on the draft NRC Staff White Paper, but the staff does not intend to provide detailed comment responses for all comments received. Should the Commission proceed with these initiatives, the public will be afforded opportunity to provide formal comment to the NRC through the rulemaking or policy statement development process.

Persons interested in monitoring this activity can do so by searching for Docket ID NRC–2013–0254 on the Federal Rulemaking Web site at *https://www.regulations.gov.* The Federal Rulemaking Web site allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) Navigate to the docket folder (NRC–2013–0254); (2) click the ''Email Alert'' link; and (3) enter your email address and select how frequently you would like to receive emails (daily, weekly, or monthly).

Dated at Rockville, Maryland, this 5th day of May, 2015.

For the Nuclear Regulatory Commission.

Lawrence E. Kokajko,

Director, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.

[FR Doc. 2015–11454 Filed 5–11–15; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC–2015–0117]

Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: Pursuant to Section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued, from April 16, 2015, to April 29, 2015. The last biweekly notice was published on April 28, 2015.

DATES: Comments must be filed by June 11, 2015. A request for a hearing must be filed by July 13, 2015.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0117. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Lynn M. Ronewicz, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1927, email: *Lynn.Ronewicz@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0117 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0117.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2015–0117, facility name, unit number(s), application date, and subject in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at *http://www.regulations.gov* as well as entering the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment

submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in § 50.92 of Title 10 of the *Code of Federal Regulations* (10 CFR), this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period, provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final no significant hazards consideration determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license or combined license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. The NRC's regulations are accessible electronically from the NRC Library on the NRC's Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/*. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion that support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of any amendment, unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory

documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* System requirements for accessing the E-Submittal server are detailed in the NRC's ''Guidance for Electronic Submission,'' which is available on the agency's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.*

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/,* unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Requests for hearing, petitions for leave to intervene, and motions for leave to file new or amended contentions that are filed after the 60-day deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i)–(iii).

For further details with respect to these license amendment applications, see the application for amendment which is available for public inspection in ADAMS and at the NRC's PDR. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

Arizona Public Service Company, et al., Docket Nos. STN 50–528, STN 50–529, and STN 50–530, Palo Verde Nuclear Generating Station, Units 1, 2, and 3, Maricopa County, Arizona

Date of amendment request: February 27, 2015. A publicly-available version is

in ADAMS under Accession No. ML15065A031.

Description of amendment request: The amendments would revise Technical Specification (TS) 1.3, ''Completion Times''; TS 3.7.5, ''Auxiliary Feedwater (AFW) System''; TS 3.8.1, ''AC [Alternating Current] Sources—Operating''; and TS 3.8.9, ''Distribution Systems—Operating,'' to remove the second completion times. The change would also revise Example 1.3–3 in TS 1.3, ''Completion Times,'' by adding a discussion of administrative controls to combinations of Conditions to ensure that the Completion Times for those conditions are not inappropriately extended.

The proposed changes are consistent with the NRC-approved Technical Specification Task Force (TSTF) Traveler TSTF–439–A, Revision 2, ''Eliminate Second Completion Times Limiting Time From Discovery of Failure to Meet an LCO [Limiting Condition of Operation],'' dated June 20, 2005 (ADAMS Accession No. ML051860296).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The change proposed by incorporating TSTF–439–A, Revision 2, eliminates certain Completion Times from the Technical Specifications. Completion Times are not an initiator of any accident previously evaluated. As a result, the probability of an accident previously evaluated is not affected. The consequences of an accident during the revised Completion Times are no different than the consequences of the same accident during the existing Completion Times. As a result, the consequences of an accident previously evaluated are not affected by this change. The proposed change does not alter or prevent the ability of structures, systems, or components from performing their intended function to mitigate the consequences of an initiating event within the assumed acceptance limits.

The proposed change to modify certain Completion Times does not affect the source term, containment isolation, or radiological release assumptions used in evaluating the radiological consequences of an accident previously evaluated. Further, the proposed change does not increase the types or amounts of radioactive effluent that may be released offsite, nor significantly increase the cumulative occupational/public radiation exposures. The proposed change is consistent with the safety analysis assumptions and resultant consequences.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes do not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The proposed changes do not alter any assumptions made in the safety analyses.

3. Does the proposed amendment involve a significant reduction in the margin of safety?

Response: No.

The proposed change to delete the second [Completion Time] and the related example of the second Completion Time does not alter the manner in which safety limits, limiting safety systems settings or limiting conditions for operation are determined. The safety analysis acceptance criteria are not affected by this change. The proposed change will not result in plant operation in a configuration outside of the design basis.

Therefore, the proposed amendment does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on that review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the request for amendments involves no significant hazards consideration.

Attorney for licensee: Michael G. Green, Senior Regulatory Counsel, Pinnacle West Capital Corporation, P.O. Box 52034, Mail Station 8695, Phoenix, AZ 85072–2034.

NRC Branch Chief: Michael T. Markley.

Duke Energy Carolinas, LLC, Docket Nos. 50–369 and 50–370, McGuire Nuclear Station, Units 1 and 2, Mecklenburg County, North Carolina

Date of amendment request: March 23, 2015. A publicly-available version is in ADAMS under Accession No. ML15097A010.

Description of amendment request: The amendments would modify the definition of RATED THERMAL POWER and delete a footnote that allowed for staggered implementation of the previously approved Measurement Uncertainty Recapture Power Uprate.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

This LAR [license amendment request] proposes administrative non-technical changes only. These proposed changes do not adversely affect accident initiators or precursors nor alter the design assumptions, conditions, or configurations of the facility. The proposed changes do not alter or prevent the ability of structures, systems[,] and components (SSCs) to perform their intended function to mitigate the consequences of an initiating event witin the assumed acceptance limits.

Given the above discussion, it is concluded the proposed amendment does not significantly increase the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The LAR proposes administrative non-technical changes only. The proposed changes will not alter the design requirements of any SSC or its function during accident conditions. No new or different accidents result from the changes proposed. The changes do not involve a physical alteration of the plant or any changes in methods governing normal plant operation. The changes do not alter assumptions made in the safety analysis.

Given the above discussion, it is concluded the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

This LAR proposes administrative non-technical changes only. The proposed changes do not alter the manner in which safety limits, limiting safety system settings or limiting conditions for operation are determined. The safety analysis acceptance criteria are not affected by these changes. The proposed changes will not result in plant operation in a configuration outside the design basis. The proposed changes do not adversely affect systems that respond to safely shutdown the plant and to maintain the plant in a safe shutdown condition.

Given the above discussion, it is concluded [that] the proposed amendment does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lara S. Nichols, Associate General Counsel, Duke Energy Corporation, 526 South Church Street—EC07H, Charlotte, NC 28202.

NRC Branch Chief: Robert J. Pascarelli.

Exelon Generation Company, LLC, Docket No. 50–461, Clinton Power Station (CPS), Unit 1, DeWitt County, Illinois

Date of amendment request: November 17, 2014, as supplemented by letter dated April 21, 2015. Publicly-available versions are in ADAMS under Accession Nos. ML14321A882 and ML15111A258, respectively.

Description of amendment request: The amendment would revise technical specification (TS) 5.5.2, ''Primary Coolant Sources Outside Containment,'' to change the integrated leak testing frequency for systems subject to TS 5.5.2. The proposed amendment was initially published in the **Federal Register** Biweekly Notice on February 17, 2015 (80 FR 8361).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change to the CPS, Unit 1, TS 5.5.2, ''Primary Coolant Sources Outside Containment'' program, does not involve a physical change to the plant or a change in the manner in which the plant is operated or controlled. The proposed amendment affects only the interval at which integrated system leak tests are performed, not the effectiveness of the integrated leak test requirements for the identified systems. The proposed change effectively results in the performance of the integrated system leak tests at the same frequency that these tests are currently being performed. Incorporation of an allowance to extend the 24-month interval by 25% does not significantly degrade the reliability that results from performing the surveillance at its specified frequency. Implementation of the proposed change will continue to provide adequate assurance that during design basis accidents, the containment and its components would limit leakage rates to less than the values assumed in the plant safety analyses.

Test intervals are not considered as initiators of any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased by the proposed amendment. TS 5.5.2 continues to require the performance of periodic integrated system leak tests. As stated in TS 5.5.2, the required plan provides controls to minimize leakage from those portions of systems outside containment that could contain highly radioactive fluids during a serious transient or accident to levels as low as practicable. Therefore, accident analysis assumptions will still be verified. The proposed change does not impact the purpose of this plan. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the probability and consequences of an accident previously evaluated will not be increased by this proposed change.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The testing requirements, to minimize leakage from those portions of systems outside containment that could contain highly radioactive fluids during a serious transient or accident, exist to ensure the plant's ability to mitigate the consequences of an accident and do not involve any accident precursors or initiators. The proposed amendment affects only the interval at which integrated system leak tests are performed; they do not alter the design or physical configuration of the plant. The proposed change does not involve a physical change to the plant (*i.e.,* no new or different type of equipment will be installed) or a change to the manner in which the plant is currently operated or controlled.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change does not alter the manner in which safety limits, limiting safety system setpoints, or limiting conditions for operation are determined. The specific requirements and conditions of the primary coolant sources outside containment program, as proposed, will continue to ensure that the leakage from the identified systems outside containment is minimized. The proposed amendment provides operating flexibility without significantly affecting plant operation.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Tamra Domeyer, Associate General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555.

NRC Branch Chief: Travis L. Tate.

Exelon Generation Company, LLC, Docket Nos. 50–317 and 50–318, Calvert Cliffs Nuclear Power Plant, Units 1 and 2, Calvert County, Maryland

Exelon Generation Company, LLC, Docket No. 50–410, Nine Mile Point Nuclear Station, Unit 2, Oswego County, New York

Exelon Generation Company, LLC, Docket No. 50–244, R.E. Ginna Nuclear Power Plant, Wayne County, New York

Date of amendment request: July 10, 2014. A publicly-available version is in ADAMS under Accession No. ML14191A255.

Description of amendment request: The amendments would revise and add several Technical Specification surveillance requirements (SRs) to address concerns discussed in Generic Letter 2008–01, ''Managing Gas Accumulation in Emergency Core Cooling, Decay Heat Removal, and Containment Spray Systems.'' These changes are consistent with Technical Specification Task Force Traveler 523, Revision 2, ''Generic Letter 2008–01, Managing Gas Accumulation.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change revises or adds SRs that require verification that the Emergency Core Cooling System (ECCS), Residual Heat Removal (RHR) System, Shutdown Cooling (SDC) System, the Containment Spray (CS) System, and the Reactor Core Isolation Cooling (RCIC) System, as appropriate, are not rendered inoperable due to accumulated gas and to provide allowances which permit performance of the revised verification. Gas accumulation in the subject systems is not an initiator of any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased. The proposed SRs ensure that the subject systems continue to be capable to perform their assumed safety function and are not rendered inoperable due to gas accumulation. Thus, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change revises or adds SRs that require verification that the ECCS, RHR, SDC, CS, and RCIC systems, as appropriate, are not rendered inoperable due to accumulated gas and to provide allowances which permit performance of the revised verification. The proposed change does not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the proposed change does not impose any new or different requirements that could initiate an accident. The proposed change does not alter assumptions made in the safety analysis and is consistent with the safety analysis assumptions.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change revises or adds SRs that require verification that the ECCS, RHR, SDC, CS, and RCIC systems, as appropriate, are not rendered inoperable due to accumulated gas and to provide allowances which permit performance of the revised verification. The proposed change adds new requirements to manage gas accumulation in order to ensure the subject systems are capable of performing their assumed safety functions. The proposed SRs are more comprehensive than the current SRs and will ensure that the assumptions of the safety analysis are protected. The proposed change does not adversely affect any current plant safety margins or the reliability of the equipment assumed in the safety analysis. Therefore, there are no changes being made to any safety analysis assumptions, safety limits or limiting safety system settings that would adversely affect plant safety as a result of the proposed change.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: J. Bradley Fewell, Exelon Generation, 200 Exelon Way, Kennett Square, PA 19348.

NRC Acting Branch Chief: Michael I. Dudek.

FirstEnergy Nuclear Operating Company, et al., Docket Nos. 50–334 and 50–412, Beaver Valley Power Station, Units 1 and 2, Beaver County, Pennsylvania

Date of amendment request: April 1, 2015. A publicly-available version is in ADAMS under Accession No. ML15092A569.

Description of amendment request: The amendment would change the Beaver Valley Power Station, Units 1 and 2 (BVPS–1 and BVPS–2), technical specifications. Specifically, the proposed license amendment would revise various sections associated with steam generators and would include changes that are consistent with the guidance provided in Technical Specification Task Force (TSTF) Traveler 510, Revision 2, ''Revision to Steam Generator Program Inspection Frequencies and Tube Sample Selection'' (ADAMS Accession No. ML110610350).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below, along with NRC edits in square brackets:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes to Technical Specification 5.5.5.2.f.3 replaces the date and outage when all Alloy 800 sleeves shall be removed from service with a limitation on the individual sleeve service life from the date of installation. The allowed maximum service life previously approved for Alloy 800 sleeves remains unchanged. Since the maximum service life of the Alloy 800 sleeves is unchanged, the probability of a failure due to degradation does not increase.

Implementation of the proposed changes to TS 5.5.5.2.f.3 have no significant effect on either the configuration of the plant or the manner in which is it operated. The consequences of a hypothetical failure of the leak-limiting Alloy 800 sleeve/tube assembly are bound by the current steam generator tube rupture (SGTR) analysis described in the BVPS–2 Updated Final Safety Analysis Report (UFSAR) because the total number of plugged SG tubes (including equivalency associated with installed sleeves) is required to be consistent with accident analysis assumptions. A main steam line break or feedwater line break would not cause a SGTR since the sleeves are analyzed for a maximum accident differential pressure greater than that predicted in the BVPS–2 accident analysis. The sleeve/tube assembly leakage during plant operation would be minimal and is well within the allowable Technical Specification leakage limits and accident analysis assumptions, neither of which would be changed to compensate for the repair method.

The proposed changes to TSs 3.4.20, 5.5.5, and 5.6.6 are consistent with TSTF–510, editorial corrections, and clarifications. Changes that are consistent with TSTF–510 and other editorial corrections and clarifications do not change the physical plant or how it is operated; therefore they cannot affect the probability or consequence of a previously-evaluated accident. A proposed change modifies the frequency of verification of SG [steam generator] tube integrity and SG tube sample selection. The proposed SG tube inspection frequency and sample selection criteria will continue to ensure that the SG tubes are inspected such that the probability of a SGTR is not increased. The consequences of a SGTR are bounded by the conservative assumptions in the design basis accident analysis. The proposed changes will not cause the consequences of a SGTR to exceed those assumptions.

Therefore, it is concluded that these changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

Proposed changes to Technical Specification 5.5.5.2.f.3 replaces the date and outage when all Alloy 800 sleeves shall be removed from service with a limitation on the individual sleeve service life from the date of installation. The allowed maximum service life previously approved for Alloy 800 sleeves remains unchanged.

Implementation of these proposed changes have no significant effect on either the configuration of the plant or the manner in which it is operated. The leak-limiting Alloy-800 sleeves are designed using the applicable ASME Code as guidance and meet the objectives of the original SG tubing. As a result, the functions of the SG will not be significantly affected by the installation of the proposed sleeve. Therefore, the only credible failure mode for the sleeve or tube is to rupture, which has already been evaluated. No new failure modes, malfunctions, or accident initiators have been created. The continued integrity of the installed sleeve/tube assembly is periodically verified as required by the Technical Specifications and a sleeved tube will be plugged on detection of a flaw in the sleeve or in the pressure boundary portion of the original tube wall in the sleeve-to-tube joint.

The proposed changes to TSs 3.4.20, 5.5.5, and 5.6.6 are changes consistent with TSTF–510, editorial corrections, and clarification. These changes do not affect the operation of the SGs or the ability of the SGs to perform their design or safety functions; therefore they do not create new failure modes, malfunctions, or accident initiators.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The SG tubes in pressurized water reactors are an integral part of the reactor coolant pressure boundary and, as such, are relied upon to maintain the primary system's pressure and inventory. As part of the reactor coolant pressure boundary, the SG tubes are unique in that they are also relied upon as a heat transfer surface between the primary and secondary systems such that residual heat can be removed from the primary system. In addition, the SG tubes also isolate

the radioactive fission products in the primary coolant from the secondary system. In summary, the safety function of a SG is maintained by ensuring the integrity of its tubes.

Proposed changes to Technical Specification 5.5.5.2.f.3 replaces the date and outage when all Alloy 800 sleeves shall be removed from service with a limitation on the individual sleeve service life from the date of installation. The allowed maximum service life previously approved for Alloy 800 sleeves remains unchanged.

The sleeve and portions of the installed sleeve/tube assembly that represent the reactor coolant pressure boundary will be monitored and a sleeved tube will be plugged on detection of a flaw in the sleeve or in the pressure boundary portion of the original tube wall in the leak-limiting sleeve/tube assembly. Design criteria and design verification testing ensures that the margin of safety is not significantly different from the original SG tubes.

The proposed changes to TSs 3.4.20, 5.5.5, and 5.6.6 are changes consistent with TSTF–510, editorial corrections, and clarifications. The proposed changes will continue to require monitoring of the physical condition of the SG tubes such that there will not be a reduction in the margin of safety compared to the current requirements.

Therefore, the proposed changes do not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: David W. Jenkins, FirstEnergy Nuclear Operating Company, FirstEnergy Corporation, 76 South Main Street, Akron, OH 44308.

NRC Branch Chief: Douglas A. Broaddus.

Florida Power & Light Company (FPL), Docket Nos. 50–250 and 50–251, Turkey Point Nuclear Generating Units 3 and 4, Miami-Dade County, Florida

Date of amendment request: April 9, 2014, as supplemented by letters dated February 20, 2015, and April 3, 2015. Publicly available versions are in ADAMS under Accession Nos. ML14105A042, ML15069A153, and ML15113A311, respectively.

Description of amendment request: The NRC staff has previously made a proposed determination that the amendment request dated April 9, 2014, involves no significant hazards consideration (79 FR 42551; July 22, 2014). Subsequently, by letter dated April 3, 2015, the licensee provided additional information that expanded the scope of the amendment request as originally noticed. Accordingly, this notice supersedes the previous notice in its entirety.

The amendment would revise the Technical Specifications (TSs) by relocating specific surveillance frequency requirements to a licensee-controlled program with implementation of Nuclear Energy Institute (NEI) 04–10 (Revision 1), ''Risk-Informed Technical Specification Initiative 5b, Risk-Informed Method for Control of Surveillance Frequencies'' (ADAMS Accession No. ML071360456). The licensee stated that the NEI 04–10 methodology provides reasonable acceptance guidelines and methods for evaluating the risk increase of proposed changes to surveillance frequencies, consistent with Regulatory Guide 1.177, ''An Approach for Plant-Specific, Risk-Informed Decisionmaking: Technical Specifications'' (ADAMS Accession No. ML003740176). The licensee stated that the changes are consistent with NRC-approved Technical Specification Task Force (TSTF) Standard Technical Specifications change TSTF–425, Revision 3, ''Relocate Surveillance Frequencies to Licensee Control—RITSTF [Risk-Informed TSTF] Initiative 5b,'' Revision 3 (ADAMS Accession No. ML090850642). The **Federal Register** notice published on July 6, 2009 (74 FR 31996), announced the availability of TSTF–425, Revision 3. In the supplement dated April 3, 2015, the licensee requested additional surveillance frequencies be relocated to the licensee-controlled program, editorial changes, administrative deviations from TSTF–425, and other changes resulting from differences between the Turkey Point Units 3 and 4 TSs and the TSs on which TSTF–425 is based.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relocates the specified frequencies for periodic surveillance requirements to licensee control under a new Surveillance Frequency Control Program. Surveillance frequencies are not an initiator to any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased. The systems and components required by the Technical Specifications for which the surveillance frequencies are relocated are still required to be operable, meet the acceptance criteria for the surveillance requirements, and be capable of performing any mitigation function assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of any accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes relocate the surveillance frequencies for Surveillance Requirements that have a set periodicity from the TS to a licensee controlled Surveillance Frequency Control Program. This change does not alter any existing surveillance frequencies. Within the constraints of the Program, the licensee will be able to change the periodicity of these surveillance requirements. Relocating the surveillance frequencies does not impact the ability of structures, systems or components (SSCs) from performing there [sic] design functions, and thus, does not create the possibility of a new or different kind of accident from any previously evaluated.

No new or different accidents result from utilizing the proposed change. The changes do not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements. The changes do not alter assumptions made in the safety analysis assumptions and current plant operating practice.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in the margin of safety?

Response: No.

The design, operation, testing methods, and acceptance criteria for systems, structures, and components (SSCs), specified in applicable codes and standards (or alternatives approved for use by the NRC) will continue to be met as described in the plant licensing basis (including the final safety analysis report and bases to TS), since these are not affected by changes to the surveillance frequencies. Similarly, there is no impact to safety analysis acceptance criteria as described in the plant licensing basis. To evaluate a change in the relocated surveillance frequency, FPL will perform a probabilistic risk evaluation using the guidance contained in NRC-approved NEI 04–10, Revision 1, in accordance with the TS Surveillance Frequency Control Program. NEI 04–10, Revision 1, methodology provides reasonable acceptance guidelines and methods for evaluating the risk increase of proposed changes to surveillance frequencies consistent with Regulatory Guide (RG) 1.177, ''An Approach for Plant-Specific, Risk-Informed Decision-Making: Technical Specifications.''

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: William S. Blair, Managing Attorney—Nuclear, Florida Power & Light Company, 700 Universe Blvd., MS LAW/JB, Juno Beach, FL 33408–0420.

NRC Branch Chief: Shana R. Helton.

NextEra Energy Duane Arnold, LLC, Docket No. 50–331, Duane Arnold Energy Center, Linn County, Iowa

Date of amendment request: January 26, 2015. A publicly-available version is in ADAMS under Accession No. ML15029A600.

Description of amendment request: The proposed amendment would revise Technical Specifications (TS) Section 3.8.3, ''Diesel Fuel Oil, Lube Oil, and Starting Air,'' by relocating the current stored diesel fuel oil and lube oil numerical volume requirements from the TS to the TS bases so that it may be modified under licensee control. The proposed amendment would also revise TS conditions to state ''a greater than 6-day and less 7-day'' supply of stored diesel fuel oil and lube oil inventory, in place of the numerical volume requirements, to be available for each diesel generator. The requirement to maintain a 7-day supply of diesel fuel oil and lube oil is not changed and is consistent with the assumptions in the accident analyses. The changes are consistent with NRC-approved Technical Specification Task Force (TSTF) Change Traveler TSTF–501, Revision 1, ''Relocate Stored Fuel Oil and Lube Oil Volume Values to Licensee Control.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relocates the volume of diesel fuel oil and lube oil required to support 7-day operation of an onsite diesel generator; and the volume equivalent to a 6-day supply, to licensee control. The specific volume of fuel oil equivalent to a 7-day and 6-day supply is calculated using the NRC-approved methodology described in Regulatory Guide 1.137, Revision 1, ''Fuel-Oil Systems for Standby Diesel Generators,'' and ANSI N195–1976, ''Fuel Oil Systems for Standby Diesel-Generators.'' The specific volume of lube oil equivalent to a 7-day and 6-day supply is based on the diesel generator manufacturer's consumption values for the run time of the diesel generator. Because the requirement to maintain a 7-day supply of diesel fuel oil and lube oil is not changed and is consistent with the assumptions in the accident analyses, and the actions taken when the volume of fuel oil and lube oil is less than a 6-day supply have not changed, neither the probability nor the consequences of any accident previously evaluated will be affected.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The change does not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The change does not alter assumptions made in the safety analysis but ensures that the diesel generator operates as assumed in the accident analysis. The proposed change is consistent with the safety analysis assumptions.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change relocates the volume of diesel fuel oil and lube oil required to support 7-day operation of an onsite diesel generator, and the volume equivalent to a 6-day supply, to licensee control. As the bases for the existing limits on diesel fuel oil and lube oil are not changed, no change is made to the accident analysis assumptions and no margin of safety is reduced as part of this change.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Mr. James Petro, P. O. Box 14000 Juno Beach, FL 33408–0420.

NRC Branch Chief: David L. Pelton.

South Carolina Electric and Gas Company, Docket Nos.: 52–027 and 52–028, Virgil C. Summer Nuclear Station Units 2 and 3, Fairfield County, South Carolina

Date of amendment request: December 19, 2014, as supplemented by letter dated February 25, 2015. Publicly-available versions are in ADAMS under Accession Nos. ML14353A126 and ML15056A429, respectively.

Description of amendment request: The amendment request proposes changes to the Class 1E direct current and Uninterruptible Power Supply System, replacing four Spare Termination Boxes with a single Spare Battery Termination Box. Because this proposed change requires a departure from Tier 1 information in the Westinghouse Advanced Passive 1000 Design Control Document (DCD), the licensee also requested an exemption from the requirements of the Generic DCD Tier 1 in accordance with 10 CFR 52.63(b)(1).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes do not affect the operation of any systems or equipment that initiate an analyzed accident or alter any structures, systems, and components (SSC) accident initiator or initiating sequence of events. The IDS design change involves replacing the four Spare Termination Boxes with a single Spare Battery Termination Box, and minor raceway and cable routing changes. The proposed changes maintain the method used to manually connect the Spare Battery Bank and Spare Battery Bank Charger to supply loads of one of the four 24 Hour Battery Switchboards or one of the two 72 Hour Battery Switchboards at a time while maintaining the independence of the IDS divisions. Therefore, the probabilities of the accidents evaluated in the UFSAR [Updated Final Safety Analysis Report] are not affected.

The proposed changes do not have an adverse impact on the ability of the IDS equipment to perform its design functions. The design of the IDS equipment continues to meet the same regulatory acceptance criteria, electrical codes, and standards as required by the UFSAR. Therefore, the proposed changes do not affect the prevention and mitigation of other abnormal events, *e.g.,* accidents, anticipated operational occurrences, earthquakes, floods and turbine missiles, or their safety or design analyses. In addition, the proposed changes do not have an adverse effect on any safety-

related SSC or function used to mitigate an accident; therefore, the consequences of the accidents evaluated in the UFSAR are not affected.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes do not change the design functions of IDS or any of the systems or equipment in the plant. The IDS design change involves replacing the four Spare Termination Boxes with a single Spare Battery Termination Box, and minor raceway and cable routing changes, and the electrical equipment continues to perform its design functions because the same electrical codes and standards as stated in the UFSAR continue to be met. The proposed changes maintain the method used to manually connect the Spare Battery Bank and Spare Battery Bank Charger to supply loads of one of the four 24 Hour Battery Switchboards or one of the two 72 Hour Battery Switchboards at a time while maintaining the independence of the IDS divisions. These proposed changes do not adversely affect any IDS or SSC design functions or methods of operation in a manner that results in a new failure mode, malfunction, or sequence of events that affect safety-related or non-safety-related equipment. Therefore, this activity does not allow for a new fission product release path, result in a new fission product barrier failure mode, or create a new sequence of events that result in significant fuel cladding failures.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes maintain existing safety margins. The proposed changes do not result in changes to the IDS design requirements or design functions. The proposed changes maintain existing safety margin through continued application of the existing requirements of the UFSAR. Therefore, the proposed changes satisfy the same design functions in accordance with the same codes and standards as stated in the UFSAR. These proposed changes do not affect any design code, function, design analysis, safety analysis input or result, or design/safety margin.

Because no safety analysis or design basis acceptance limit/criterion is challenged or exceeded by these proposed changes, no margin of safety is reduced.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Ms. Kathryn M. Sutton, Morgan, Lewis & Bockius LLC, 1111 Pennsylvania Avenue NW., Washington, DC 20004–2514.

NRC Branch Chief: Lawrence J. Burkhart.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed no significant hazards consideration determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

Duke Energy Carolinas, LLC, Docket Nos. 50–269, 50–270 and 50–287, Oconee Nuclear Station, Units 1, 2 and 3, Oconee County, South Carolina

Date of amendment request: April 26, 2013, as supplemented by letter dated February 12, 2015.

Brief description of amendments: The amendments revised the Oconee Nuclear Station (ONS) Technical Specifications (TSs) surveillance requirement to verify that acceptable steady-state limits on the electrical frequency are achieved by the two Keowee Hydro Units, which are the emergency power sources for the ONS.

Date of Issuance: April 23, 2015.

Effective date: As of the date of issuance and shall be implemented within 30 days from the date of issuance.

Amendment Nos.: 390, 392, and 391. A publicly-available version is in ADAMS under Accession No. ML15093A349. Documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–38, DPR–47, and DPR–55: Amendments revised the Renewed Facility Operating Licenses and TSs.

Date of initial notice in ***Federal Register****:* July 9, 2013, 78 FR 41121. The supplemental letter dated February 12, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated April 23, 2015.

No significant hazards consideration comments received: No.

Entergy Nuclear Operations, Inc., Docket No. 50–255, Palisades Nuclear Plant, Van Buren County, Michigan

Date of application for amendment: June 25, 2013, as supplemented by letters dated August 7, 2013; and February 13, July 16, and December 9, 2014.

Brief description of amendment: The amendment revises the Palisades Nuclear Plant Site Emergency Plan Figure 5–2, ''Plant Staffing and Augmentation Requirements'' to increase augmentation response times for certain emergency response organization positions.

Date of issuance: April 22, 2015.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment No.: 255. A publicly-available version is in ADAMS under Accession No. ML15055A106; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. DPR–20: Amendment revised the Renewed Facility Operating License.

Date of initial notice in ***Federal Register****:* March 18, 2014 (79 FR 15148). The supplement letters dated August 7, 2013, and February 13 and July 16, 2014, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**. The Commission issued a revised no significant hazards consideration determination that was published in the **Federal Register** on January 6, 2015 (80 FR 523), to consider the aspects of the revised tasks associated with radiation protection technicians provided in the supplemental letter dated December 9, 2014.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 22, 2015.

No significant hazards consideration comments received: No.

Entergy Operations, Inc., Docket No. 50–368, Arkansas Nuclear One, Unit 2, Pope County, Arkansas

Date of application for amendment: February 6, 2015, as supplemented by letter dated February 24, 2015.

Brief description of amendment: The amendment revised a Note to Technical Specification (TS) Surveillance Requirement (SR) 4.1.3.1.2 to exclude Control Element Assembly (CEA) 18 from being exercised per the SR for the remainder of Cycle 24 due to a degrading upper gripper coil. The amendment allows the licensee to delay exercising the CEA until after repairs can be made during the upcoming fall 2015 outage.

Date of issuance: April 29, 2015.

Effective date: As of the date of issuance and shall be implemented immediately.

Amendment No.: 302. A publicly-available version is in ADAMS under Accession No. ML15096A381; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–6: Amendment revised the TSs/license.

Date of initial notice in ***Federal Register****:* March 3, 2015 (80 FR 11475). The supplemental letter dated February 24, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment and final no significant hazards consideration determination are contained in a Safety Evaluation dated April 29, 2015.

No significant hazards consideration comments received: No.

Entergy Operations, Inc., Docket No. 50–313, Arkansas Nuclear One, Unit 1, Pope County, Arkansas

Date of amendment request: November 21, 2014, as supplemented by letters dated February 6, March 10, March 25, and April 7, 2015.

Brief description of amendment: The amendment revised Technical Specification (TS) 3.4.3, ''RCS [Reactor Coolant System] Pressure and Temperature (P/T) Limits''; TS 3.4.9, ''Pressurizer''; TS 3.4.10, ''Pressurizer Safety Valves''; and TS 3.4.11, ''Low Temperature Overpressure Protection (LTOP) System,'' to update the RCS P/T limits to 54 effective full power years (EFPY). The current P/T limits are applicable up to 31 EFPY.

Date of issuance: April 24, 2015.

Effective date: As of the date of issuance and shall be implemented within 30 days from the date of issuance.

Amendment No.: 254. A publicly-available version is in ADAMS under Accession No. ML15096A324; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. DPR–51: Amendment revised the TSs/license.

Date of initial notice in ***Federal Register****:* January 6, 2015 (80 FR 524). The supplemental letters dated February 6, March 10, March 25, and April 7, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 24, 2015.

No significant hazards consideration comments received: No.

Entergy Operations, Inc., System Energy Resources, Inc., South Mississippi Electric Power Association, and Entergy Mississippi, Inc., Docket No. 50–416, Grand Gulf Nuclear Station, Unit 1, Claiborne County, Mississippi

Date of application for amendment: November 8, 2013, as supplemented by letters dated September 29, 2014; November 13 and 19, 2014; and January 20 and 27, 2015.

Brief description of amendment: The amendment revised the Technical Specifications (TSs) to risk-inform requirements regarding selected required action end states by adopting Technical Specification Task Force (TSTF) Traveler 423, Revision 1, ''Technical Specifications End States, NEDC–32988–A,'' with some deviations as approved by the NRC staff. This TS improvement is part of the consolidated line item improvement process. In addition, it approves a change to the facility operating license for the Grand Gulf Nuclear Station, Unit 1. The change adds a new license condition for maintaining commitments required for the approval of this TSTF into the Updated Final Safety Analysis Report.

Date of issuance: April 23, 2015.

Effective date: As of the date of issuance and shall be implemented 60 days from the date of issuance.

Amendment No: 201. A publicly-available version is in ADAMS under Accession No. ML15007A183; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–29: The amendment revised the Facility Operating License and TSs.

Date of initial notice in ***Federal Register****:* March 4, 2014 (79 FR 12245). The supplemental letters dated September 29, November 13, and November 19, 2014; and January 20 and January 27, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 23, 2015.

No significant hazards consideration comments received: No.

NextEra Energy Seabrook, LLC, Docket No. 50–443, Seabrook Station, Unit 1, Rockingham County, New Hampshire

Date of amendment request: July 10, 2014, as supplemented by letter dated July 22, 2014.

Description of amendment request: The amendment revised the Seabrook Station, Unit 1, Cyber Security Plan (CSP) Milestone 8 full implementation date as set forth in the Cyber Security Plan Implementation Schedule.

Date of issuance: April 22, 2015.

Effective date: As of its date of issuance, and shall be implemented within 60 days.

Amendment No.: 146. A publicly-available version is in ADAMS under Accession No. ML15058A706; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–86: The amendment revised the Facility Operating License.

Date of initial notice in ***Federal Register****:* October 7, 2014 (79 FR 60519).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 22, 2015.

No significant hazards consideration comments received: No.

NextEra Energy Seabrook, LLC, Docket No. 50–443, Seabrook Station, Unit 1, Rockingham County, New Hampshire

Date of amendment request: July 24, 2014, as supplemented by letters dated December 11, 2014, and January 9, 2015.

Description of amendment request: The amendment revised the Seabrook Technical Specifications (TS). The amendment increased the voltage limit for a full load rejection test of the emergency diesel generator specified in Surveillance Requirements 4.8.1.1.2.f.3 of TS 3.8.1.1, ''A.C. Sources—Operating.'' The amendment also revised the TS definition of the terms ''Operable—Operability.''

Date of issuance: April 24, 2015.

Effective date: As of its date of issuance, and shall be implemented within 60 days.

Amendment No.: 147. A publicly-available version is in ADAMS under Accession No. ML15082A233; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–86: The amendment revised the facility operating license and TSs.

Date of initial notice in ***Federal Register****:* September 30, 2014 (79 FR 58821). The supplemental letters dated December 11, 2014, and January 9, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 24, 2015.

No significant hazards consideration comments received: No.

South Carolina Electric & Gas Company, Docket Nos. 52–027 and 52–028, Virgil C. Summer Nuclear Station, Units 2 and 3, Fairfield County, South Carolina

Date of amendment request: May 20, 2014, and supplemented by the letters dated June 3, November 6, and November 20, 2014.

Brief description of amendment: The license amendment revised the facilities' combined operating licenses (COLs) to make changes to COL Appendix C and corresponding plant-specific Tier 1 information to correct editorial errors and/or consistency errors (*e.g.,* inconsistencies between Updated Final Safety Analysis Report (UFSAR) (Tier 2) and Tier 1 information, and inconsistencies between information from different locations within Tier 1).

Date of issuance: March 10, 2015.

Effective date: As of the date of issuance and shall be implemented within 30 days of issuance.

Amendment No.: 23. A publicly-available version is in ADAMS under Accession No. ML14345B023; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Combined Licenses Nos. NPF–93 and NPF–94: Amendment revised the facilities' COLs.

Date of initial notice in ***Federal Register****:* September 2, 2014 (79 FR 52059). The supplemental letters dated June 3, November 6, and November 20, 2014, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 10, 2015.

No significant hazards consideration comments received: No.

Southern Nuclear Operating Company, Inc. Docket Nos. 52–025 and 52–026, Vogtle Electric Generating Plant (VEGP) Units 3 and 4, Burke County, Georgia

Date of amendment request: November 20, 2014.

Brief description of amendment: The amendment is to Combined Operating License Nos. NPF–91 and NPF–92 for the VEGP Units 3 and 4. The amendment revises the VEGP Updated Final Safety Analysis Report (UFSAR) to clarify a human factors engineering operational sequence analysis related to the AP1000 Automatic Depressurization System and will delete document WCAP–15847, ''AP1000 Quality Assurance Procedures Supporting NRC Review of AP1000 DCD Sections 18.2 and 18.8,'' that is incorporated by reference into the UFSAR. Both of the amendments constitute changes to information identified as Tier 2* information as defined in 10 CFR, part 52, appendix D, section II.F.

Date of issuance: April 21, 2015.

Effective date: As of the date of issuance and shall be implemented within 30 days of issuance.

Amendment No.: 33. A publicly-available version is in ADAMS under Accession No. ML15023A563; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Combined Licenses No. NPF–91 and NPF–92: Amendment revised the Facility Combined Operating Licenses.

Date of initial notice in ***Federal Register****:* January 20, 2015 (80 FR 2752).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 21, 2015.

No significant hazards consideration comments received: No.

Virginia Electric and Power Company, Docket Nos. 50–280 and 50–281, Surry Power Station, Units 1 and 2, Surry County, Virginia

Date of amendment request: April 11, 2014, as supplemented by letter dated March 4, 2015.

Description of amendment request: The amendments revise Technical Specification (TS) 4.2, ''Augmented Inspections,'' and TS 4.15, ''Augmented Inservice Inspection Program for High Energy Lines Outside of Containment,'' by relocating them to the SPS Technical Requirements Manual (TRM), with the exception of the reactor coolant pump flywheel inspection. In addition, TS 6.4.U, ''Augmented Inspections and Examinations,'' is added to TS 6.4, ''Unit Operating Procedures and Programs.''

Date of issuance: April 28, 2015.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment Nos.: 284 and 284. A publicly-available version is in ADAMS under Accession No. ML15099A679; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–32 and DPR–37: Amendments revised the Renewed Facility Operating Licenses and Technical Specifications.

Date of initial notice in ***Federal Register***: July 22, 2014 (79 FR 42553). The supplemental letter dated March 4, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated April 28, 2015.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 1st day of May, 2015.

For the Nuclear Regulatory Commission.

George A. Wilson,

Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2015–11225 Filed 5–11–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0059]

Refining and Characterizing Heat Release Rates From Electrical Enclosures During Fire (RACHELLE–FIRE); Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft NUREG; request for comment; correction.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is correcting a notice that was published in the **Federal Register** (FR) on April 30, 2015, announcing the issuing for public comment of a draft NUREG, NUREG–2178 (EPRI 3002005578), ''Refining and Characterizing Heat Release Rates from Electrical Enclosures During Fire (RACHELLE–FIRE), Volume 1: Peak Heat Release Rates and Effect of Obstructed Plume.'' This action is necessary to correct the Agencywide Documents Access and Management (ADAMS) Accession number for NUREG–2178.

DATES: This correction is effective immediately. Submit comments by June 15, 2015. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

ADDRESSES: Please refer to Docket ID NRC–2015–0059 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0059.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select *''ADAMS Public Documents''* and then select *''Begin Web-based ADAMS Search.''* For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section. Draft NUREG–2178, ''Refining and Characterizing Heat Release Rates from Electrical Enclosures During Fire (RACHELLE–FIRE), is available in ADAMS under Accession No. ML15111A045.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: David Stroup, Office of Nuclear Regulatory Research; telephone: 301–251–7609; email: *David.Stroup@nrc.gov;* U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION: In the FR on April 30, 2015, in FR Doc. 2015–10126, on page 24290, in the second column, third paragraph under the heading ''I. Obtaining Information and Submitting Comments,'' the ADAMS Accession number ''ML15056A144'' is corrected to read ''ML15111A045.''

Dated at Rockville, Maryland, this 4 day of May, 2015.

For the Nuclear Regulatory Commission.

Mark H. Salley,

Chief, Fire Research Branch, Division of Risk Analysis, Office of Nuclear Regulatory Research.

[FR Doc. 2015–11450 Filed 5–11–15; 8:45 am]

BILLING CODE 7590–01–P

OVERSEAS PRIVATE INVESTMENT CORPORATION

Sunshine Act Meeting Notice

TIME AND DATE: 2 p.m., Wednesday, June 3, 2015.

PLACE: Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue NW., Washington, DC.

STATUS: Hearing OPEN to the Public at 2 p.m.

MATTERS TO BE CONSIDERED:

Purpose

Public Hearing in conjunction with each meeting of OPIC's Board of Directors, to afford an opportunity for any person to present views regarding the activities of the Corporation.

Procedures

Individuals wishing to address the hearing orally must provide advance notice to OPIC's Corporate Secretary no later than 5 p.m. Thursday, May 28, 2015. The notice must include the individual's name, title, organization, address, and telephone number, and a concise summary of the subject matter to be presented.

Oral presentations may not exceed ten (10) minutes. The time for individual presentations may be reduced proportionately, if necessary, to afford all participants who have submitted a timely request an opportunity to be heard.

Participants wishing to submit a written statement for the record must submit a copy of such statement to OPIC's Corporate Secretary no later than 5 p.m. Thursday, May 28, 2015. Such statement must be typewritten, double spaced, and may not exceed twenty-five (25) pages.

Upon receipt of the required notice, OPIC will prepare an agenda, which will be available at the hearing, that identifies speakers, the subject on which each participant will speak, and the time allotted for each presentation.

A written summary of the hearing will be compiled, and such summary will be made available, upon written request to OPIC's Corporate Secretary, at the cost of reproduction.

Written summaries of the projects to be presented at the June 11, 2015 Board meeting will be posted on OPIC's Web site.

CONTACT PERSON FOR MORE INFORMATION: Information on the hearing may be obtained from Catherine F.I. Andrade at (202) 336–8768, via facsimile at (202) 408–0297, or via email at *Catherine.Andrade@opic.gov.*

Dated: May 8, 2015.

Catherine F.I. Andrade,

OPIC Corporate Secretary.

[FR Doc. 2015–11541 Filed 5–8–15; 4:15 pm]

BILLING CODE 3210–01–P

POSTAL REGULATORY COMMISSION

[Docket No. CP2015–63; Order No. 2471]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing concerning an addition to Global Expedited Package Services 3 negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* May 13, 2015.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Notice of Commission Action
III. Ordering Paragraphs

I. Introduction

On May 5, 2015, the Postal Service filed notice that it has entered into an additional Global Expedited Package Services 3 (GEPS 3) negotiated service agreement (Agreement).[1]

To support its Notice, the Postal Service filed a copy of the Agreement, a copy of the Governors' Decision authorizing the product, a certification of compliance with 39 U.S.C. 3633(a), and an application for non-public treatment of certain materials. It also filed supporting financial workpapers.

II. Notice of Commission Action

The Commission establishes Docket No. CP2015–63 for consideration of matters raised by the Notice.

The Commission invites comments on whether the Postal Service's filing is consistent with 39 U.S.C. 3632, 3633, or 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comments are due no later than May 13, 2015. The public portions of the filing can be accessed via the Commission's Web site (*http://www.prc.gov*).

The Commission appoints James F. Callow to serve as Public Representative in this docket.

III. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. CP2015–63 for consideration of the matters raised by the Postal Service's Notice.

2. Pursuant to 39 U.S.C. 505, James F. Callow is appointed to serve as an officer of the Commission to represent the interests of the general public in this proceeding (Public Representative).

3. Comments are due no later than May 13, 2015.

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

By the Commission.

Shoshana M. Grove,

Secretary.

[FR Doc. 2015–11367 Filed 5–11–15; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74885; File No. SR–NYSEMKT–2015–34]

Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the Fees for NYSE MKT OpenBook To Add a Late Fee In Connection With Failure To Submit the Non-Display Use Declaration

May 6, 2015.

Pursuant to section 19(b)(1)[1] of the Securities Exchange Act of 1934 (the ''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on April 24, 2015, NYSE MKT LLC (the ''Exchange'' or ''NYSE MKT'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the fees for NYSE MKT OpenBook to add a late fee in connection with failure to submit the non-display use declaration, operative on May 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 the fees for NYSE MKT OpenBook, as set forth on the NYSE MKT Equities Proprietary Market Data Fee Schedule (''Fee Schedule''), to add a late fee in connection with failure to submit an updated non-display use declaration. The proposed change to the Fee Schedule would be operative on May 1, 2015.

The Exchange established the current fees for non-display services for NYSE MKT OpenBook in April 2013 and amended those fees in September 2014.[4] The 2013 Non-Display Filing established a requirement that data recipients that receive real-time NYSE MKT market data subject to Non-Display Use fees submit a declaration with respect to their use of non-display data.[5] In connection with the fee

[1] Notice of United States Postal Service of Filing a Functionally Equivalent Global Expedited Package Services 3 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, May 5, 2015 (Notice).

[1] 15 U.S.C.78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release Nos. 69285 (April 3, 2013), 78 FR 21172 (April 9, 2013) (SR–NYSEMKT–2013–32)(''2013 Non-Display Filing'') and 72020 (Sept. 9, 2014), 79 FR 55040 (Sept. 15, 2014) (SR–NYSEMKT–2014–72)(''2014 Non-Display Filing'').

[5] The non-display fee structure established in the 2013 Non-Display Filing replaced a monthly

Continued

changes in the 2014 Non-Display Filing, the Exchange required data recipients that receive real-time NYSE MKT market data subject to Non-Display Use fees to complete and submit an updated Non-Display Use Declaration by September 1, 2014.[6] The 2014 Non-Display Filing also established that data recipients are required to submit an updated annual Non-Display Use Declaration by January 31st of each year beginning in 2016. In addition, if a data recipient's use of real-time NYSE MKT market data changes at any time after the data recipient submits a Non-Display Use Declaration, the data recipient must inform the Exchange of the change by completing and submitting at the time of the change an updated declaration reflecting the change of use.

The Exchange notes that if a data recipient does not timely submit a Non-Display Use Declaration, the Exchange does not have up-to-date information about the data recipient's data use and therefore may not be charging the correct fees to the data recipient. In order to correctly assess fees for the non-display use of NYSE MKT OpenBook, the Exchange needs to have current and accurate information about the use of NYSE MKT OpenBook. The failure of data recipients to submit the Non-Display Use Declaration on time leads to potentially incorrect billing and administrative burdens, including tracking and obtaining late Non-Display Use Declarations and correcting customer records in connection with late Non-Display Use Declarations. The purpose of the proposed late fee is to incent data recipients to submit the Non-Display Use Declaration promptly to avoid the administrative burdens associated with the late submission of Non-Display Use Declarations.

The Exchange proposes to establish a Non-Display Declaration Late Fee of $1,000 per month. The proposed fee would be charged to any data recipient that pays an Access Fee for NYSE MKT OpenBook that has failed to timely complete and submit a Non-Display Use Declaration.

With respect to the Non-Display Use Declaration that was due by September 1, 2014, the Non-Display Declaration Late Fee would apply to NYSE MKT OpenBook data recipients that have not submitted the Non-Display Use Declaration by June 30, 2015, and would apply beginning July 1, 2015 and for each month thereafter until the data recipient has completed and submitted the Non-Display Use Declaration. With respect to the annual Non-Display Use Declaration due by January 31st of each year beginning in 2016, the Non-Display Declaration Late Fee would apply to data recipients that fail to complete and submit the annual Non-Display Use Declaration by the January 31st due date, and would apply beginning February 1st and for each month thereafter until the data recipient has completed and submitted the annual Non-Display Use Declaration.[7] A Non-Display Use Declaration that is clearly incomplete would not be considered to have been completed and submitted to the Exchange on time.

In addition to adding the Non-Display Declaration Late Fee for NYSE MKT OpenBook to the Fee Schedule, the Exchange proposes to add an endnote to the Fee Schedule that would specify the effective dates for the Non-Display Declaration Late Fee as described above, and to change the numbering for the existing endnotes as needed.

2. *Statutory Basis*

The Exchange believes that the proposed rule change is consistent with the provisions of section 6 of the Act,[8] in general, and sections 6(b)(4) and 6(b)(5) of the Act,[9] in particular, in that it provides an equitable allocation of reasonable fees among users and recipients of the data and is not designed to permit unfair discrimination among customers, issuers, and brokers.

The Exchange believes that it is reasonable to impose a late fee in connection with the submission of the Non-Display Use Declaration. In order to correctly assess fees for the non-display use of NYSE MKT OpenBook, the Exchange needs to have current and accurate information about the use of NYSE MKT OpenBook. The failure of data recipients to submit the Non-Display Use Declaration on time leads to potentially incorrect billing and administrative burdens, including tracking and obtaining late Non-Display Use Declarations and correcting and following up on payments owed in connection with late Non-Display Use Declarations. The purpose of the late fee is to incent data recipients to submit the Non-Display Use Declaration promptly to avoid the administrative burdens associated with the late submission of Non-Display Use Declarations. The Non-Display Declaration Late Fee is equitable and not unfairly discriminatory because it will apply to all data recipients that choose to subscribe to the NYSE MKT OpenBook feed.

The Non-Display Declaration Late Fee is also consistent with similar pricing adopted in 2013 by the Consolidated Tape Association (''CTA'').[10] The CTA imposes a monthly fee of $2,500 for each of Network A and Network B for firms that fail to comply with their reporting obligations in a timely manner.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. An exchange's ability to price its proprietary market data feed products is constrained by actual competition for the sale of proprietary market data products, the joint product nature of exchange platforms, and the existence of alternatives to the Exchange's proprietary data. In addition to being able to choose which proprietary data products (if any) to use and how to use them, a user can avoid the late fees that are the subject of this filing entirely by simply complying with the requisite deadlines.

In setting the proposed fees, the Exchange considered the competitiveness of the market for proprietary data and all of the implications of that competition. The Exchange believes that it has considered all relevant factors and has not considered irrelevant factors in order to establish fair, reasonable, and not unreasonably discriminatory fees and an equitable allocation of fees among all users. The existence of fierce competition to sell proprietary data products and for order flow, as well as numerous alternatives to the Exchange's products, including proprietary data from other sources, ensures that the Exchange cannot set unreasonable fees, or fees that are unreasonably discriminatory, when vendors and subscribers can elect these alternatives

reporting obligation with respect to non-display devices with the requirement to submit the non-display use declaration. The Exchange also notes that if a data recipient only subscribes to products for which there are no non-display usage fees, *e.g.,* NYSE MKT Realtime Reference Prices, then no declaration is required.

[6] The current form of the Non-Display Use Declaration reflected the changes to the non-display fees set forth in the 2014 Non-Display Filing and replaced the NYSE Euronext Non-Display Use Declaration established in connection with the 2013 Non-Display Filing.

[7] The Exchange will be proposing to establish the Non-Display Declaration Late Fee with respect to each Market Data product on the Fee Schedule that includes Non-Display Fees.

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(4), (5).

[10] *See* Securities Exchange Act Release No. 70010 (July 19, 2013), 78 FR 44984 (July 25, 2013) (SR–CTA/CQ–2013–04).

or choose not to purchase a specific proprietary data product if the attendant fees are not justified by the returns that any particular vendor or data recipient would achieve through the purchase (the returns on use being a particularly important aspect of non-display uses of proprietary data).

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to section 19(b)(3)(A) [11] of the Act and subparagraph (f)(2) of Rule 19b–4 [12] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under section 19(b)(2)(B) [13] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSEMKT–2015–34 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–2015–34. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet 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 the filing will also be available for inspection and copying at the NYSE's principal office and on its Internet Web site at *www.nyse.com.* 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–2015–34 and should be submitted on or before June 2, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11375 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(2).

[13] 15 U.S.C. 78s(b)(2)(B).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74880; File No. SR–NASDAQ–2015–045]

Self-Regulatory Organizations; The NASDAQ Stock Market, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to the Listing and Trading of the Shares of the First Trust Low Beta Income ETF, a Series of First Trust Exchange-Traded Fund VI

May 6, 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 April 24, 2015, The NASDAQ Stock Market LLC (''Nasdaq'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in in Items I, II, and III below, which Items have been prepared by Nasdaq. The Exchange has designated the proposed rule change as constituting a non-controversial rule change under Rule 19b–4(f)(6) under the Act,[3] which renders the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Nasdaq proposes a rule change with respect to the First Trust Low Beta Income ETF (the ''Fund'') of First Trust Exchange-Traded Fund VI (the ''Trust''), the shares of which have been approved by the Commission for listing and trading under NASDAQ Rule 5735 (''Managed Fund Shares''). The shares of the Fund are collectively referred to herein as the ''Shares.''

The text of the proposed rule change is available at *http://nasdaq.cchwallstreet.com/,* at Nasdaq's principal office, 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, Nasdaq included statements concerning the purpose of, and basis for, the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Nasdaq has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to reflect changes to the means of achieving the Fund's investment objective. The Commission has approved the listing and trading of Shares under NASDAQ Rule 5735, which governs the listing and trading of Managed Fund Shares on

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.19b–4(f)(6).

the Exchange.[4] The Exchange believes the proposed rule change reflects no significant issues not previously addressed in the Prior Release. The Fund is an actively managed exchange-traded fund (''ETF''). The Shares are offered by the Trust, which was organized as a Massachusetts business trust on June 4, 2012. The Trust, which is registered with the Commission as an investment company, has filed a registration statement on Form N–1A (''Registration Statement'') relating to the Fund with the Commission.[5] First Trust Advisors L.P. (''First Trust Advisors'') is the investment adviser (''Adviser'') to the Fund.

The Prior Release provided that the Fund's investment objective would be to provide current income and that the Fund would pursue its objective by investing in large-cap U.S. exchange-traded equity securities and by utilizing an ''option strategy'' consisting of buying U.S. exchange-traded put options on the Standard & Poor's 500 Index (the ''Index'') and writing (selling) U.S. exchange-traded covered call options on the Index.

The Exchange now proposes three modifications to the description of the measures utilized by the Adviser to implement the Fund's investment objective. As described in further detail below, these pertain to the following: (1) The Fund's investment primarily in large-cap U.S. exchange-traded equity securities; (2) the permissible terms to expiration for the U.S. exchange-traded covered call options written (sold) by the Fund; and (3) the permissible terms to expiration for the U.S. exchange-traded put options purchased by the Fund. These modifications are being proposed to enhance the Adviser's flexibility in pursuing the Fund's investment objective. However, the equity securities in which the Fund would invest and the options which the Fund would buy and write would continue to be limited to U.S. exchange-traded securities and options, respectively. The Adviser represents that there would be no change to the Fund's investment objective. Except as provided herein, all other facts presented and representations made in the Prior Release would remain unchanged. The Fund and the Shares would continue to comply with all initial and continued listing requirements under NASDAQ Rule 5735.

The Fund's Investments Primarily in Large-Cap U.S. Exchange-Traded Equity Securities

The Prior Release stated that in pursuing its investment objective, under normal market conditions,[6] the Fund would invest primarily in large-cap U.S. exchange-traded equity securities. The Exchange proposes to amend this statement in the Prior Release by deleting the term ''large-cap.'' [7] Therefore, going forward, in pursuing its investment objective, under normal market conditions, while the Fund would continue to invest primarily in U.S. exchange-traded equity securities, it would not be required to invest primarily in ''large-cap'' U.S. exchange-traded equity securities. The Adviser believes that the ability to invest primarily in U.S. exchange-traded equity securities of any market capitalization would, by expanding the range of potential investments, provide it with additional flexibility to pursue, and enhance its ability to achieve, the Fund's investment objective.

Permissible Terms to Expiration for Call Options

As provided in the Prior Release, a component of the option portion of the Fund's portfolio consists of U.S. exchange-traded covered calls or covered call spreads on the Index that are written by the Fund. The Prior Release provided that the call options written by the Fund would typically be a laddered portfolio of one-week, one-month, two-month and three-month call options written at-the-money to slightly out-of-the-money. The Exchange is now proposing a change that would increase flexibility with respect to the permissible term for call option expirations. In this regard, the Exchange proposes to modify the foregoing to provide that, going forward, the call options written by the Fund would be a laddered portfolio of call options with expirations of less than one year, written at-the-money to slightly out-of-the-money.

Permissible Terms to Expiration for Put Options

As provided in the Prior Release, a component of the Fund's option strategy consists of U.S. exchange-traded puts on the Index that are bought by the Fund. The Prior Release provided that the put positions held by the Fund would generally average two to three months to expiration (calculated at the time of purchase) and consist of out-of-the-money Index put options. The Exchange is now proposing a change that would increase flexibility with respect to the permissible term for put option expirations. In this regard, the Exchange proposes to modify the foregoing to provide that, going forward, the put positions held by the Fund would be less than one year to expiration (calculated at the time of purchase) and would consist of out-of-the-money Index put options.

Surveillance

The Exchange represents that trading in the Shares would continue to be subject to the existing trading surveillances, administered by both NASDAQ and also the Financial Industry Regulatory Authority (''FINRA'') on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws.[8] The Exchange represents that these procedures are adequate to properly monitor Exchange trading of the Shares in all trading

[4] The Commission approved NASDAQ Rule 5735 (formerly NASDAQ Rule 4420(o)) in Securities Exchange Act Release No. 57962 (June 13, 2008), 73 FR 35175 (June 20, 2008) (SR–NASDAQ–2008–039). The Commission previously approved the listing and trading of the Shares of the Fund. *See* Securities Exchange Act Release No. 70828 (November 7, 2013), 78 FR 68490 (November 14, 2013) (SR–NASDAQ–2013–121) (''Prior Order''). *See also* Securities Exchange Act Release No. 70459 (September 20, 2013), 78 FR 59394 (September 26, 2013) (SR–NASDAQ–2013–121) (''Prior Notice,'' and together with the Prior Order, the ''Prior Release''). The Fund and the Shares are currently in compliance with the requirements set forth in the Prior Release.

[5] *See* Post-Effective Amendment No. 51 to Registration Statement on Form N–1A for the Trust, dated January 21, 2015 (File Nos. 333–182308 and 811–22717). The descriptions of the Shares and the Fund contained herein are based, in part, on information in the Registration Statement. In addition, the Commission has issued an order, upon which the Trust may rely, granting certain exemptive relief under the Investment Company Act of 1940 (the ''1940 Act''). *See* Investment Company Act Release No. 28468 (October 27, 2008) (File No. 812–13477).

[6] According to the Prior Release, the term ''under normal market conditions'' as used therein included, but was not limited to, the absence of adverse market, economic, political or other conditions, including extreme volatility or trading halts in the securities 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. The Prior Release also provided that in periods of extreme market disturbance, the Fund may take temporary defensive positions, by overweighting its portfolio in cash/cash-like instruments; however, to the extent possible, the Adviser would continue to seek to achieve the Fund's investment objective.

[7] To the extent necessary to make them consistent, additional statements and representations included in the Prior Release would also be deemed to be similarly modified.

[8] FINRA surveils trading on the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

sessions and to deter and detect violations of Exchange rules and applicable federal securities laws.

FINRA, on behalf of the Exchange, will communicate as needed regarding trading in the Shares, in the U.S. exchange-traded equity securities in which the Fund invests, and in the U.S. exchange-traded options which the Fund buys and writes with other markets or other entities that are members of the Intermarket Surveillance Group (''ISG'') or with which the Exchange has in place a comprehensive surveillance sharing agreement,[9] and FINRA may obtain trading information regarding trading in the Shares and such equity securities and options from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and in such equity securities and options from markets and other entities that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.

2. Statutory Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act [10] in general and Section 6(b)(5) of the Act [11] in particular in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares would continue to be listed and traded on the Exchange pursuant to the initial and continued listing criteria in NASDAQ Rule 5735. Consistent with the Prior Release, the Exchange represents that trading in the Shares would continue be subject to the existing trading surveillances, administered by both NASDAQ and also FINRA on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws and 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. In addition, the equity securities in which the Fund would invest and the options which the Fund would buy and write would continue to be limited to U.S. exchange-traded securities and options, respectively, that trade in markets that are members of ISG or are parties to a comprehensive surveillance sharing agreement with the Exchange. The Exchange would continue to be able to obtain information regarding trading in the Shares and in such equity securities and options from markets and other entities that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.

The proposed rule change is designed to promote just and equitable principles of trade and to protect investors and the public interest in that the Adviser represents that there is no change to the Fund's investment objective. The Adviser represents that the purpose of the proposed changes is to provide it with greater flexibility in meeting the Fund's investment objective by permitting: (1) The Fund to invest primarily in U.S. exchange-traded equity securities of any market capitalization; (2) the covered call options written by the Fund to be a laddered portfolio of call options with expirations of less than one year, written at-the-money to slightly out-of-the-money; and (3) the put positions held by the Fund to be less than one year to expiration (calculated at the time of purchase) and to consist of out-of-the-money Index put options. In addition, consistent with the Prior Release, net asset value (''NAV'') per Share would continue to be calculated daily and the NAV and Disclosed Portfolio (as defined in the Prior Release) would continue to be made available to all market participants at the same time. Further, a large amount of information would continue to be publicly available regarding the Fund and the Shares, thereby promoting market transparency. The Intraday indicative Value (as defined in the Prior Release), available on NASDAQ OMX Information LLC proprietary index data service, would continue to be updated and widely disseminated and broadly displayed at least every 15 seconds during the Regular Market Session.[12] Moreover, on each business day, before commencement of trading on the Shares in the Regular Market Session on the Exchange, the Fund would continue to disclose on the Distributor's Web site the Disclosed Portfolio that will form the basis for the Fund's calculation of NAV at the end of the business day.

The proposed rule change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest. As noted above, the additional flexibility to be afforded to the Adviser under the proposed rule change is intended to enhance the Adviser's ability to meet the Fund's investment objective. Further, as noted above, the Exchange represents that trading in the Shares would continue to be subject to the existing trading surveillances, administered by both NASDAQ and also FINRA on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws. In addition, as indicated in the Prior Release, investors would continue to have ready access to information regarding the Fund's holdings, the Intraday Indicative Value, the Disclosed Portfolio, and quotation and last sale information for the Shares. The Adviser represents that the proposed rule change, as described above, is consistent with the Fund's investment objective, and would further assist the Adviser in achieving such investment objective.

For the above reasons, the Exchange believes the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes the proposed rule change will permit the Adviser additional flexibility, thereby helping the Fund to achieve its investment objective and enhancing competition among issues of Managed Fund Shares.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [13] and Rule 19b–4(f)(6) [14]

[9] For a list of the current members of ISG, *see www.isgportal.org.*

[10] 15 U.S.C. 78f.

[11] 15 U.S.C. 78f(b)(5).

[12] *See* Nasdaq Rule 4120(b)(4) (describing the three trading sessions on the Exchange: (1) Pre-Market Session from 4 a.m. to 9:30 a.m. E.T.; (2) Regular Market Session from 9:30 a.m. to 4 p.m. or 4:15 p.m. E.T.; and (3) Post-Market Session from 4 p.m. or 4:15 p.m. to 8 p.m. E.T.).

[13] 15 U.S.C. 78s(b)(3)(A).

[14] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file

Continued

thereunder in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2015–045 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, Station Place, 100 F Street NE., Washington, DC 20549–9303.

All submissions should refer to File Number SR–NASDAQ–2015–045. 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 the filing also will be available for inspection and copying at the principal office of Nasdaq. 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–NASDAQ–2015–045 and should be submitted on or before June 2, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11371 Filed 5–11–15; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74882; File No. SR–NYSEMKT–2015–36]

Self-Regulatory Organizations; NYSE MKT, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the Fees for NYSE MKT BBO and NYSE MKT Trades To Add a Late Fee In Connection With Failure To Submit the Non-Display Use Declaration

May 6, 2015.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (the ''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on April 27, 2015, NYSE MKT LLC (the ''Exchange'' or ''NYSE MKT'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the fees for NYSE MKT BBO and NYSE MKT Trades to add a late fee in connection with failure to submit the non-display use declaration, operative on May 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 the fees for NYSE MKT BBO and NYSE MKT Trades, as set forth on the NYSE MKT Equities Proprietary Market Data Fee Schedule (''Fee Schedule''), to add a late fee in connection with failure to submit an updated non-display use declaration. The proposed change to the Fee Schedule would be operative on May 1, 2015.

The Exchange established the current fees for non-display services for NYSE MKT BBO and NYSE MKT Trades in April 2013 and amended those fees in September 2014.[4] The 2013 Non-Display Filing established a requirement that data recipients that receive real-time NYSE MKT market data subject to Non-Display Use fees submit a declaration with respect to their use of non-display data.[5] In connection with

the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[15] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release Nos. 69285 (April 3, 2013), 78 FR 21172 (April 9, 2013) (SR–NYSEMKT–2013–32)(''2013 Non-Display Filing'') and 72020 (Sept. 9, 2014), 79 FR 55040 (Sept. 15, 2014) (SR–NYSEMKT–2014–72)(''2014 Non-Display Filing'').

[5] The non-display fee structure established in the 2013 Non-Display Filing replaced a monthly reporting obligation with respect to non-display devices with the requirement to submit the non-display use declaration. The Exchange also notes

the fee changes in the 2014 Non-Display Filing, the Exchange required data recipients that receive real-time NYSE MKT market data subject to Non-Display Use fees to complete and submit an updated Non-Display Use Declaration by September 1, 2014.[6] The 2014 Non-Display Filing also established that data recipients are required to submit an updated annual Non-Display Use Declaration by January 31st of each year beginning in 2016. In addition, if a data recipient's use of real-time NYSE MKT market data changes at any time after the data recipient submits a Non-Display Use Declaration, the data recipient must inform the Exchange of the change by completing and submitting at the time of the change an updated declaration reflecting the change of use.

The Exchange notes that if a data recipient does not timely submit a Non-Display Use Declaration, the Exchange does not have up-to-date information about the data recipient's data use and therefore may not be charging the correct fees to the data recipient. In order to correctly assess fees for the non-display use of NYSE MKT BBO and NYSE MKT Trades, the Exchange needs to have current and accurate information about the use of NYSE MKT BBO and NYSE MKT Trades. The failure of data recipients to submit the Non-Display Use Declaration on time leads to potentially incorrect billing and administrative burdens, including tracking and obtaining late Non-Display Use Declarations and correcting customer records in connection with late Non-Display Use Declarations. The purpose of the proposed late fee is to incent data recipients to submit the Non-Display Use Declaration promptly to avoid the administrative burdens associated with the late submission of Non-Display Use Declarations.

The Exchange proposes to establish a Non-Display Declaration Late Fee of $1,000 per month. The proposed fee would be charged to any data recipient that pays an Access Fee for NYSE MKT BBO and NYSE MKT Trades that has failed to timely complete and submit a Non-Display Use Declaration.

With respect to the Non-Display Use Declaration that was due by September 1, 2014, the Non-Display Declaration Late Fee would apply to NYSE MKT BBO and NYSE MKT Trades data recipients that have not submitted the Non-Display Use Declaration by June 30, 2015, and would apply beginning July 1, 2015 and for each month thereafter until the data recipient has completed and submitted the Non-Display Use Declaration. With respect to the annual Non-Display Use Declaration due by January 31st of each year beginning in 2016, the Non-Display Declaration Late Fee would apply to data recipients that fail to complete and submit the annual Non-Display Use Declaration by the January 31st due date, and would apply beginning February 1st and for each month thereafter until the data recipient has completed and submitted the annual Non-Display Use Declaration.[7] A Non-Display Use Declaration that is clearly incomplete would not be considered to have been completed and submitted to the Exchange on time.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[8] in general, and Sections 6(b)(4) and 6(b)(5) of the Act,[9] in particular, in that it provides an equitable allocation of reasonable fees among users and recipients of the data and is not designed to permit unfair discrimination among customers, issuers, and brokers.

The Exchange believes that it is reasonable to impose a late fee in connection with the submission of the Non-Display Use Declaration. In order to correctly assess fees for the non-display use of NYSE MKT BBO and NYSE MKT Trades, the Exchange needs to have current and accurate information about the use of NYSE MKT BBO and NYSE MKT Trades. The failure of data recipients to submit the Non-Display Use Declaration on time leads to potentially incorrect billing and administrative burdens, including tracking and obtaining late Non-Display Use Declarations and correcting and following up on payments owed in connection with late Non-Display Use Declarations. The purpose of the late fee is to incent data recipients to submit the Non-Display Use Declaration promptly to avoid the administrative burdens associated with the late submission of Non-Display Use Declarations. The Non-Display Declaration Late Fee is equitable and not unfairly discriminatory because it will apply to all data recipients that choose to subscribe to the NYSE MKT BBO and NYSE MKT Trades feed.

The Non-Display Declaration Late Fee is also consistent with similar pricing adopted in 2013 by the Consolidated Tape Association (''CTA'').[10] The CTA imposes a monthly fee of $2,500 for each of Network A and Network B for firms that fail to comply with their reporting obligations in a timely manner.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. An exchange's ability to price its proprietary market data feed products is constrained by actual competition for the sale of proprietary market data products, the joint product nature of exchange platforms, and the existence of alternatives to the Exchange's proprietary data. In addition to being able to choose which proprietary data products (if any) to use and how to use them, a user can avoid the late fees that are the subject of this filing entirely by simply complying with the requisite deadlines.

In setting the proposed fees, the Exchange considered the competitiveness of the market for proprietary data and all of the implications of that competition. The Exchange believes that it has considered all relevant factors and has not considered irrelevant factors in order to establish fair, reasonable, and not unreasonably discriminatory fees and an equitable allocation of fees among all users. The existence of fierce competition to sell proprietary data products and for order flow, as well as numerous alternatives to the Exchange's products, including proprietary data from other sources, ensures that the Exchange cannot set unreasonable fees, or fees that are unreasonably discriminatory, when vendors and subscribers can elect these alternatives or choose not to purchase a specific proprietary data product if the attendant fees are not justified by the returns that any particular vendor or data recipient would achieve through the purchase (the returns on use being a particularly

that if a data recipient only subscribes to products for which there are no non-display usage fees, *e.g.,* NYSE MKT Realtime Reference Prices, then no declaration is required.

[6] The current form of the Non-Display Use Declaration reflected the changes to the non-display fees set forth in the 2014 Non-Display Filing and replaced the NYSE Euronext Non-Display Use Declaration established in connection with the 2013 Non-Display Filing.

[7] The Exchange has established the Non-Display Declaration Late Fee with respect to NYSE MKT OpenBook and in that filing adopted endnote 2, which specifies the effective dates for the Non-Display Declaration Late Fee as described above. *See* SR–NYSEMKT–2015–34.

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(4), (5).

[10] *See* Securities Exchange Act Release No. 70010 (July 19, 2013), 78 FR 44984 (July 25, 2013)(SR–CTA/CQ–2013–04).

important aspect of non-display uses of proprietary data).

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A) [11] of the Act and subparagraph (f)(2) of Rule 19b–4 [12] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [13] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSEMKT–2015–36 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–2015–36. 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 the filing will also be available for inspection and copying at the NYSE's principal office and on its Internet Web site at *www.nyse.com.* 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–2015–36 and should be submitted on or before June 2, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11373 Filed 5–11–15; 8:45 am]

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[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(2).

[13] 15 U.S.C. 78s(b)(2)(B).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74884; File No. SR–NYSEMKT–2015–35]

Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the Fees for NYSE MKT Order Imbalances to Add a Late Fee In Connection With Failure To Submit the Non-Display Use Declaration

May 6, 2015.

Pursuant to section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on April 27, 2015, NYSE MKT LLC (the ''Exchange'' or ''NYSE MKT'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the fees for NYSE MKT Order Imbalances to add a late fee in connection with failure to submit the non-display use declaration, operative on May 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 the fees for NYSE MKT Order Imbalances, as set forth on the NYSE MKT Equities Proprietary Market Data Fee Schedule (''Fee Schedule''), to add a late fee in connection with failure to submit an updated non-display use declaration. The proposed change to the Fee Schedule would be operative on May 1, 2015.

The Exchange established the current fees for non-display services for NYSE MKT OpenBook, NYSE MKT Trades and NYSE MKT BBO in April 2013 and amended those fees and added non-display fees for NYSE MKT Order Imbalances in September 2014.[4] The

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release Nos. 69285 (April 3, 2013), 78 FR 21172 (April 9, 2013) (SR–NYSEMKT–2013–32) (''2013 Non-Display Filing'') and 72020 (Sept. 9, 2014), 79 FR 55040 (Sept. 15, 2014) (SR–NYSEMKT–2014–72) (''2014 Non-Display Filing'').

2013 Non-Display Filing established a requirement that data recipients that receive real-time NYSE MKT market data subject to Non-Display Use fees submit a declaration with respect to their use of non-display data.[5] In connection with the fee changes in the 2014 Non-Display Filing, the Exchange required data recipients that receive real-time NYSE MKT market data subject to Non-Display Use fees to complete and submit an updated Non-Display Use Declaration by September 1, 2014.[6] The 2014 Non-Display Filing also established that data recipients are required to submit an updated annual Non-Display Use Declaration by January 31st of each year beginning in 2016. In addition, if a data recipient's use of real-time NYSE MKT market data changes at any time after the data recipient submits a Non-Display Use Declaration, the data recipient must inform the Exchange of the change by completing and submitting at the time of the change an updated declaration reflecting the change of use.

The Exchange notes that if a data recipient does not timely submit a Non-Display Use Declaration, the Exchange does not have up-to-date information about the data recipient's data use and therefore may not be charging the correct fees to the data recipient. In order to correctly assess fees for the non-display use of NYSE MKT Order Imbalances, the Exchange needs to have current and accurate information about the use of NYSE MKT Order Imbalances. The failure of data recipients to submit the Non-Display Use Declaration on time leads to potentially incorrect billing and administrative burdens, including tracking and obtaining late Non-Display Use Declarations and correcting customer records in connection with late Non-Display Use Declarations. The purpose of the proposed late fee is to incent data recipients to submit the Non-Display Use Declaration promptly to avoid the administrative burdens associated with the late submission of Non-Display Use Declarations.

The Exchange proposes to establish a Non-Display Declaration Late Fee of $1,000 per month. The proposed fee would be charged to any data recipient that pays an Access Fee for NYSE MKT Order Imbalances that has failed to timely complete and submit a Non-Display Use Declaration.

With respect to the Non-Display Use Declaration that was due by September 1, 2014, the Non-Display Declaration Late Fee would apply to NYSE MKT Order Imbalances data recipients that have not submitted the Non-Display Use Declaration by June 30, 2015, and would apply beginning July 1, 2015 and for each month thereafter until the data recipient has completed and submitted the Non-Display Use Declaration. With respect to the annual Non-Display Use Declaration due by January 31st of each year beginning in 2016, the Non-Display Declaration Late Fee would apply to data recipients that fail to complete and submit the annual Non-Display Use Declaration by the January 31st due date, and would apply beginning February 1st and for each month thereafter until the data recipient has completed and submitted the annual Non-Display Use Declaration.[7] A Non-Display Use Declaration that is clearly incomplete would not be considered to have been completed and submitted to the Exchange on time.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of section 6 of the Act,[8] in general, and sections 6(b)(4) and 6(b)(5) of the Act,[9] in particular, in that it provides an equitable allocation of reasonable fees among users and recipients of the data and is not designed to permit unfair discrimination among customers, issuers, and brokers.

The Exchange believes that it is reasonable to impose a late fee in connection with the submission of the Non-Display Use Declaration. In order to correctly assess fees for the non-display use of NYSE MKT Order Imbalances, the Exchange needs to have current and accurate information about the use of NYSE MKT Order Imbalances. The failure of data recipients to submit the Non-Display Use Declaration on time leads to potentially incorrect billing and administrative burdens, including tracking and obtaining late Non-Display Use Declarations and correcting and following up on payments owed in connection with late Non-Display Use Declarations. The purpose of the late fee is to incent data recipients to submit the Non-Display Use Declaration promptly to avoid the administrative burdens associated with the late submission of Non-Display Use Declarations. The Non-Display Declaration Late Fee is equitable and not unfairly discriminatory because it will apply to all data recipients that choose to subscribe to the NYSE MKT Order Imbalances feed.

The Non-Display Declaration Late Fee is also consistent with similar pricing adopted in 2013 by the Consolidated Tape Association (''CTA'').[10] The CTA imposes a monthly fee of $2,500 for each of Network A and Network B for firms that fail to comply with their reporting obligations in a timely manner.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. An exchange's ability to price its proprietary market data feed products is constrained by actual competition for the sale of proprietary market data products, the joint product nature of exchange platforms, and the existence of alternatives to the Exchange's proprietary data. In addition to being able to choose which proprietary data products (if any) to use and how to use them, a user can avoid the late fees that are the subject of this filing entirely by simply complying with the requisite deadlines.

In setting the proposed fees, the Exchange considered the competitiveness of the market for proprietary data and all of the implications of that competition. The Exchange believes that it has considered all relevant factors and has not considered irrelevant factors in order to establish fair, reasonable, and not unreasonably discriminatory fees and an equitable allocation of fees among all users. The existence of fierce competition to sell proprietary data products and for order flow, as well as numerous alternatives to the Exchange's products, including proprietary data from other sources, ensures that the Exchange cannot set unreasonable fees, or fees that are unreasonably

[5] The non-display fee structure established in the 2013 Non-Display Filing replaced a monthly reporting obligation with respect to non-display devices with the requirement to submit the non-display use declaration. The Exchange also notes that if a data recipient only subscribes to products for which there are no non-display usage fees, *e.g.,* NYSE MKT Realtime Reference Prices, then no declaration is required.

[6] The current form of the Non-Display Use Declaration reflected the changes to the non-display fees set forth in the 2014 Non-Display Filing and replaced the NYSE Euronext Non-Display Use Declaration established in connection with the 2013 Non-Display Filing.

[7] The Exchange has established the Non-Display Declaration Late Fee with respect to NYSE MKT OpenBook and in that filing adopted endnote 2, which specifies the effective dates for the Non-Display Declaration Late Fee as described above. *See* SR–NYSEMKT–2015–34.

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(4), (5).

[10] *See* Securities Exchange Act Release No. 70010 (July 19, 2013), 78 FR 44984 (July 25, 2013)(SR–CTA/CQ–2013–04).

discriminatory, when vendors and subscribers can elect these alternatives or choose not to purchase a specific proprietary data product if the attendant fees are not justified by the returns that any particular vendor or data recipient would achieve through the purchase (the returns on use being a particularly important aspect of non-display uses of proprietary data).

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to section 19(b)(3)(A) [11] of the Act and subparagraph (f)(2) of Rule 19b–4 [12] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under section 19(b)(2)(B) [13] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSEMKT–2015–35 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–2015–35. 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 the filing will also be available for inspection and copying at the NYSE's principal office and on its Internet Web site at *www.nyse.com.* 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–2015–35 and should be submitted on or before June 2, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11374 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(2).

[13] 15 U.S.C. 78s(b)(2)(B).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74888; File No. SR–C2–2015–011]

Self-Regulatory Organizations; C2 Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to the Effectiveness of a Permit Holder

May 6, 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 May 5, 2015, C2 Options Exchange, Incorporated (the ''Exchange'' or ''C2'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to adopt a rule relating to the effectiveness of a Permit Holder. The text of the proposed rule change is available on the Exchange's Web site (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to adopt a rule governing the effectiveness of Permit Holder status. In particular, the Exchange proposes to add language to its rules to codify the requirement that each applicant, to be a Permit Holder, must become effective in that status within 90 days of the date of the applicant's approval. The Exchange also proposes to clarify that a Permit Holder shall become effective upon (i) satisfying applicable requirements to obtain a Trading Permit and (ii) the release of a Trading Permit to that Permit Holder by the Registration Services Department (''RSD'').

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

By way of background, pursuant to C2 Rule 3.1 (Trading Permits), if an applicant to become a C2 Permit Holder is already a Trading Permit Holder of the Chicago Board Options Exchange, Incorporated (''CBOE TPH''), that applicant can take advantage of a streamlined process to become a Permit Holder on C2 as compared to an applicant that is not already a CBOE TPH. Specifically, a CBOE TPH applicant would need to submit certain Exchange forms which indicate its intention to trade on the Exchange and which submits it to Exchange jurisdiction, as well as complete other operational matters as determined by the Exchange (*e.g.*, complete connectivity testing).[3] If an applicant is not already a CBOE Trading Permit Holder (a ''Non-CBOE TPH''), the applicant must complete a more involved application process which includes, among other things, the submission of an application to the Exchange and payment of any applicable application fees.[4] Additionally, the Exchange will investigate each Non-CBOE TPH applicant (with the exception of any applicant that was a Permit Holder or that was investigated by the Exchange within 9 months prior to the date of receipt of that applicant's application). Upon completion of the application process for either a CBOE TPH or Non-CBOE TPH applicant, RSD determines whether to approve or disapprove the application. The Exchange notes however, that even if RSD determines to approve a CBOE or Non-CBOE TPH applicant to become a C2 Permit Holder upon completion of this process, that applicant is not automatically considered an ''effective'' Permit Holder (*i.e.*, the applicant is not yet permitted to participate on the Exchange in the capacity in which they applied and have been approved to act in). Rather, in order to be considered an effective Permit Holder, the applicant must satisfy applicable requirements to obtain a Trading Permit (*i.e.*, submission of all required forms, fees and documentation prescribed by the Exchange, completion of any required investigation, satisfaction of applicable orientation and/or exam requirements established by the Exchange and any other registration and qualification requirements and completion of connectivity testing) and (ii) RSD must release a Trading Permit to that Permit Holder. In order to provide further transparency in the rules, the Exchange proposes to codify these requirements in the rules and make it explicitly clear that any applicant to become a C2 Permit Holder shall become an effective Permit Holder upon (i) satisfying the applicable requirements to obtain a Trading Permit and (ii) the release of a Trading Permit to that Permit Holder by RSD (*i.e.*, RSD assigns via its Trading Permit System (''TPS'') a permit number to the applicant Permit Holder). The Exchange believes the proposed rule change will provide additional clarity to the rules and reduce confusion regarding the application process.

The Exchange next notes that there are instances in which an applicant (either a CBOE TPH or Non-CBOE TPH) has completed the application process and RSD is ready to approve the application, but the applicant needs more time before it is ready to become effective (*i.e.*, before it is ready to participate on the Exchange in the capacity in which they applied and have been approved to act in). For example, an applicant may have completed the application process but requires more time to resolve logistical issues relating to their systems or connectivity before it can participate on the Exchange and therefore wishes to hold off on requesting a Trading Permit. As such, the Exchange proposes to permit a Permit Holder to become effective as a Permit Holder within 90 days from the date RSD approved the applicant to become a C2 Permit Holder. If the Permit Holder does not become effective within 90 days, the applicant's application will expire. The Exchange notes that providing a deadline to become effective also obligates applicants to be diligent in resolving any open issues they have and ensures finality to the application process. Lastly, the Exchange notes that the requirement to go effective within 90 days of the date of approval of an application exists on other exchanges as well.[5]

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[6] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[7] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[8] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes it would be beneficial to market participants to expressly state in the rules that any applicant to become a C2 Permit Holder shall become an effective Permit Holder upon (i) satisfying the applicable requirements to obtain a Trading Permit and (ii) the release of a Trading Permit to that Permit Holder by RSD. The Exchange believes the proposed rule change will provide additional clarity to the rules and reduce confusion regarding the application process, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system. The Exchange also believes the proposed rule change is beneficial in that it provides applicants seeking to become a Permit Holder a reasonable time frame to resolve any open issues prior to becoming effective, while also requiring applicants to be diligent in resolving such open issues in a timely matter and ensuring finality to the application process. Additionally, the Exchange believes that the proposed rule changes are designed to not permit unfair discrimination among market participants, as the proposed changes are applicable to all applicants to become Permit Holders.

B. Self-Regulatory Organization's Statement on Burden on Competition

C2 does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed change does not impose any burden on intramarket competition because it applies to all applicants to become C2 Permit Holders. The Exchange also does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Specifically, the Exchange is merely attempting to

[3] *See* C2 Rule 3.1(c)(1).

[4] *See* C2 Rule 3.1(c)(2).

[5] *See*, CBOE Rule 3.10 and ISE Rule 306(g).

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] *Id.*

add additional transparency to its rules relating to the application process as well as provide for a reasonable time frame for C2 Permit Holder applicants to become effective on C2 as Permit Holders. The Exchange notes that, to the extent that the proposed changes make C2 more attractive for trading, market participants trading on other exchanges are welcome to become Permit Holders and trade at C2 if they determine that this proposed rule change has made C2 more attractive or favorable.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [9] and Rule 19b–4(f)(6) [10] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is 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 will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form *http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–C2–2015–011 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–C2–2015–011. 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–C2–2015–011, and should be submitted on or before June 2, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11379 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

[9] 15 U.S.C. 78s(b)(3)(A).

[10] 17 CFR 240.19b–4(f)(6). As required under Rule 19b–4(f)(6)(iii), the Exchange provided the Commission with written notice of its intent to file the proposed rule change, along with a brief description and the text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission.

[11] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74881; File No. SR–NASDAQ–2015–024]

Self-Regulatory Organizations; The NASDAQ Stock Market, LLC; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change To Amend and Restate Certain Nasdaq Rules That Govern the Nasdaq Market Center

May 6, 2015.

On March 16, 2015, The NASDAQ Stock Market LLC (''NASDAQ'' or the ''Exchange'') 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 and restate certain Nasdaq rules that govern the Nasdaq Market Center in order to provide a clearer and more detailed description of certain aspects of its functionality. The proposed rule change was published for comment in the **Federal Register** on March 26, 2015.[3] The Commission received no comment letters regarding the proposed rule change.

Section 19(b)(2) of the Act [4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day for this filing is May 10, 2015.

The Commission is extending the 45-day time period for Commission action on the proposed rule change. The Commission finds that it is 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.

Accordingly, pursuant to Section 19(b)(2) of the Act [5] and for the reasons stated above, the Commission designates June 24, 2015, as the date by which the Commission should either approve or disapprove, or institute

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 74558 (March 20, 2015), 80 FR 16050 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

proceedings to determine whether to disapprove, the proposed rule change.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11372 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74889; File No. SR–NYSE–2015–23]

Self-Regulatory Organizations; New York Stock Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Deleting Rules 16 and 17T Related to the Terminated Intermarket Trading System, NMS Linkage Plans, and Amending Rules 45, 47, 52, 54, 93, 94, 95, 104A.50 and 123 To Remove Outdated References to the ITS Plan

May 6, 2015.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on May 4, 2015, New York Stock Exchange LLC (''NYSE'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange proposes to (1) delete Rules 16 and 17T related to the terminated Intermarket Trading System (''ITS'') and NMS Linkage Plans, respectively, and (2) amend Rules 45, 47, 52, 54, 93, 94, 95, 104A.50 and 123 to remove outdated references to the ITS Plan. 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 Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to (1) delete Rules 16 and 17T related to the terminated *ITS* and NMS Linkage Plans, respectively, and (2) amend Rules 45, 47, 52, 54, 93, 94, 95, 104A.50 and 123 to remove outdated references to the ITS Plan.

First, the Exchange proposes to delete Rules 16 and 17T in their entirety. Rule 16 governs Exchange liability for use of ITS [4] and the ITS Pre-Opening Application.[5] ITS was eliminated on June 30, 2007. Similarly, Rule 17T was adopted in October 2006 as an interim measure in order to provide member access to other market center participants in the NMS Linkage Plan. The NMS Linkage Plan became effective on October 1, 2006 and ran concurrently with the ITS Plan until March 5, 2007, at which time the Order Protection Rule of Reg. NMS became operative. The NMS Linkage Plan terminated on June 30, 2007.[6] Rules 16 and 17T are accordingly obsolete.

Second, the Exchange proposes to remove the following outdated references to the ITS Plan in Rules 45, 47, 52, 54, 93, 94, 95, 104A.50 and 123: [7]

- Rule 45 governs the application of Exchange Rules 46 to 294 to contracts made on the Exchange. Rule 45 would be amended to remove the second paragraph carving out transactions effected pursuant to ITS, which are subject to the Rules specified in Rule 15. Rule 15 was amended in 2007, which had been rendered obsolete following adoption of the NMS Linkage Plan.[8]
- Rule 47, which provides that Floor Officials have the power to supervise and regulate active openings and unusual situations, would be amended to delete the second sentence of the Rule providing that Floor Officials can also supervise and regulate the operation of ITS during active openings and unusual situations.
- Rule 52, which provides that dealings on the Exchange are limited to business hours, would be amended to remove the clause prohibiting members from issuing a commitment to trade through ITS outside of business hours and the clause relating to DMM pre-opening notifications and pre-opening responses sent pursuant to ITS.
- Rule 54 provides that only members can make or accept bids and offers, consummate transactions or otherwise transact business on the Exchange trading Floor. Rule 54 would be amended to delete the second sentence of subpart (a) to remove the exception for commitments or obligations to trade through ITS.
- Rule 93 prohibits members from directly or indirectly holding any interest or participation in an unreported joint account. Rule 93 would be amended to remove Supplementary Material .10, which provides that members issuing ITS commitments or obligations to trade are deemed to be initiating a purchase or a sale of a security on the Exchange for purposes of Rule 93. Rule 93 would also be amended to remove the explanatory note that certain portions of the Rule were repositioned from Rule 423 effective April 27, 1983.
- Rule 94 prohibits DMMs from directly or indirectly acquiring or

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C.78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] Between 1978 and 1997, ITS was the principal means of electronically transmitting orders between market centers to avoid trading through superior quotes in those markets. When the Commission adopted Regulation National Market System (''Reg. NMS''), the ITS Plan participants terminated the governing agreement, the ITS Plan, and replaced it with the NMS Linkage Plan. *See* Securities Exchange Act Release No. 54551 (September 29, 2006), 71 FR 194 (October 6, 2006). The purpose of the NMS Linkage Plan was to enable the plan participants to act jointly in planning, developing, operating and regulating the NMS Linkage System that would electronically link the participant markets to one another.

[5] Prior to its amendment in 2007, Rule 15 defined an ''Pre-Opening Application'' as ''the application of the System that permits a market-maker in one Participant market who wishes to open his market in an Eligible Listed Security to obtain from other market-makers registered in that security in other Participant markets any pre-opening interests such other market-makers might decide to disclose as set forth in the ITS Plan.''

[6] *See* Securities Exchange Act Release No. 57003 (December 20, 2007), 72 FR 73949, 73950 (December 28, 2007) (SR–NYSE–2007–112) (''Rule 15 Amendment'').

[7] In 2014, the Exchange amended Rules 15A and 123D to remove outdated references to the ITS Plan. *See* Securities Exchange Act Release No. 72916 (August 26, 2014), 79 FR 52094 (September 2, 2014) (SR–NYSE–2014–44).

[8] *See* Rule 15 Amendment, 72 FR at 73950.

holding any interest or participation in an joint account for buying or selling on the Exchange ''or any other Application of the System''. Rule 94 would be amended to delete the clause ''or any other Application of the System'', which is a reference to ITS.

• Rule 95 prohibits members on the Floor from executing or causing to be executed discretionary transaction on the Exchange and through ITS ''or any application of the System''. Rule 95 would be amended to remove the references to ITS.

• Rule 104A.50 requires DMMs to maintain record of purchases and sales initiated on the Floor, including purchases and sales resulting from commitments or obligations to trade issued through ITS. Rule 104A.50 would be amended to remove the references to ITS. The Rule also provides that price designations for transactions made in another market center through ITS are to be determined from the immediately preceding transaction price on the Exchange ''at the time the commitment or obligation to trade is issued.'' Rule 104A.50 would also be amended to remove these additional references to commitments or obligations to trade through ITS.

• Rule 123(a) provides that every member must maintain for at least three years a record of every order originated by the member on the Floor and given to another member for execution. The record keeping requirement includes ''every commitment or obligation to trade issued from the Floor through ITS or any other Application of the System''. Rule 123(d) requires that before any order is executed, including where an order is to be executed by issuance from the Floor of a commitment or obligation to trade through ITS, the account name or designation for the order must be recorded. Rule 123(a) and (d) would be amended to delete these references to commitments or obligations to trade through ITS.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[9] in general, and furthers the objectives of Section 6(b)(5) of the Act,[10] in particular, in that it in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, help to protect investors and the public interest. Specifically, the Exchange believes that deleting rule text relating to routing arrangements that have been superseded by Reg. NMS removes impediments to and perfects the mechanism of a free and open market by simplifying its rulebook and removing confusion that may result from having obsolete rules in the Exchange's rulebook. The Exchange further believes that the proposal removes impediments to and perfects the mechanism of a free and open market by ensuring that persons subject to the Exchange's jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange's rulebook. The Exchange also believes that eliminating obsolete rules would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from increased transparency as to which rules are operable, thereby reducing potential confusion. Similarly, the Exchange believes that removing cross-references to obsolete rules would remove impediments to and perfect the mechanism of a free and open market because it would reduce potential confusion that may result from having such cross references in the Exchange's rulebook. Removing such obsolete cross references will also further the goal of transparency and add clarity to the Exchange's rules.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed change is not designed to address any competitive issue but rather to delete obsolete rules and references to obsolete rules, thereby increasing transparency, reducing confusion, and making the Exchange's rules easier to understand and navigate.

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

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act[11] and subparagraph (f)(6) of Rule 19b–4 thereunder.[12]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

• Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or

• Send an email to *rule-comments@sec.gov.* Please include File Number SR–NYSE–2015–23 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–2015–23. 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

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] 15 U.S.C. 78s(b)(3)(a)(iii).

[12] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange satisfied this requirement.

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–2015–23, and should be submitted on or before June 2, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11380 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–560, OMB Control No. 3235–0622]

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Interagency Statement on Sound Practices, SEC File No. 270–560, OMB Control No. 3235–0622.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in the proposed Interagency Statement on Sound Practices Concerning Elevated Risk Complex Structured Finance Activities (''Statement'') under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (''Exchange Act'') and the Investment Advisers Act of 1940 (15 U.S.C. 80b *et seq.*) (''Advisers Act''). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

The Statement was issued by the Commission, together with the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision (together, the ''Agencies''), in May 2006. The Statement describes the types of internal controls and risk management procedures that the Agencies believe are particularly effective in assisting financial institutions to identify and address the reputational, legal, and other risks associated with elevated risk complex structured finance transactions.

The primary purpose of the Statement is to ensure that these transactions receive enhanced scrutiny by the institution and to ensure that the institution does not participate in illegal or inappropriate transactions.

The Commission estimates that approximately 5 registered broker-dealers or investment advisers will spend an average of approximately 25 hours per year complying with the Statement. Thus, the total compliance burden is estimated to be approximately 125 burden-hours per year.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

Please direct your written comments to: Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549, or send an email to: *PRA_Mailbox@sec.gov.*

Dated: May 6, 2015.

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11368 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold a closed meeting on Thursday, May 14, 2015, at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matter at the closed meeting.

Commissioner Piwowar, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting will be:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Formal order of investigation; and

Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted, or postponed, please contact the Office of the Secretary at (202) 551–5400.

Dated: May 7, 2015.

Brent J. Fields,

Secretary.

[FR Doc. 2015–11508 Filed 5–8–15; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services,

[13] 17 CFR 200.30–3(a)(12).

100 F Street NE., Washington, DC 20549–2736.

Extension:

Rule 30e–2, SEC File No. 270–437, OMB Control No. 3235–0494.

Notice is hereby given that, under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), (''Paperwork Reduction Act'') the Securities and Exchange Commission (the ''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for extension of the previously approved collection of information discussed below.

Rule 30e–2 (17 CFR 270.30e–2) under the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) (''Investment Company Act'') requires registered unit investment trusts (''UITs'') that invest substantially all of their assets in shares of a management investment company (''fund'') to send their unitholders annual and semiannual reports containing financial information on the underlying company. Specifically, rule 30e–2 requires that the report contain all the applicable information and financial statements or their equivalent, required by rule 30e–1 under the Investment Company Act (17 CFR 270.30e–1) to be included in reports of the underlying fund for the same fiscal period. Rule 30e–1 requires that the underlying fund's report contain, among other things, the information that is required to be included in such reports by the fund's registration statement form under the Investment Company Act. The purpose of this requirement is to apprise current shareholders of the operational and financial condition of the UIT. Absent the requirement to disclose all material information in reports, investors would be unable to obtain accurate information upon which to base investment decisions and consumer confidence in the securities industry might be adversely affected. Requiring the submission of these reports to the Commission permits us to verify compliance with securities law requirements.

Rule 30e–2, however, permits, under certain conditions, delivery of a single shareholder report to investors who share an address (''householding''). Specifically, rule 30e–2 permits householding of annual and semi-annual reports by UITs to satisfy the delivery requirements of rule 30e–2 if, in addition to the other conditions set forth in the rule, the UIT has obtained from each applicable investor written or implied consent to the householding of shareholder reports at such address. The rule requires UITs that wish to household shareholder reports with implied consent to send a notice to each applicable investor stating that the investors in the household will receive one report in the future unless the investors provide contrary instructions. In addition, at least once a year, UITs relying on the rule for householding must explain to investors who have provided written or implied consent how they can revoke their consent. The purpose of the notice and annual explanation requirements associated with the householding provisions of the rule is to ensure that investors who wish to receive individual copies of shareholder reports are able to do so.

The Commission estimates that the annual burden associated with rule 30e–2 is 121 hours per respondent, including an estimated 20 hours associated with the notice requirement for householding and an estimated 1 hour associated with the explanation of the right to revoke consent to householding. The Commission estimates that there are currently approximately 700 UITs. Therefore, the Commission estimates that the total hour burden is approximately 84,700 hours. In addition to the burden hours, the Commission estimates that the annual cost of contracting for outside services associated with rule 30e–2 is $20,000 per respondent, for a total cost of approximately $14,000,000.

Estimates of average burden hours are made solely for the purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even representative survey or study of the costs of Commission rules and forms. The collection of information under rule 30e–2 is mandatory. The information provided under rule 30e–2 will not be kept confidential. 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 public may view the background documentation for this information collection at the following Web site, *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: May 6, 2015.

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11370 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74890; File No. SR–FINRA–2015–009]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing of a Proposed Rule Change To Adopt FINRA Rule 2272 To Govern Sales or Offers of Sales of Securities on the Premises of Any Military Installation to Members of the U.S. Armed Forces or Their Dependents

May 6, 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 April 23, 2015, Financial Industry Regulatory Authority, Inc. (''FINRA'') 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 substantially prepared by FINRA. 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

FINRA is proposing to adopt FINRA Rule 2272, which would govern sales or offers of sales of securities on the premises of any military installation to members of the U.S. Armed Forces or their dependents.

The text of the proposed rule change is available on FINRA's Web site at *http://www.finra.org,* at the principal office of FINRA 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, FINRA 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. FINRA has prepared summaries, set forth in sections A, B,

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Background

The proposed rule change would adopt FINRA Rule 2272, which would govern sales or offers of sales of securities on the premises of any military installation to members of the U.S. Armed Forces or their dependents.

Statutory Requirement

The Military Personnel Financial Services Protection Act (''Military Act'') was enacted to protect members of the U.S. Armed Forces from unscrupulous practices regarding sales of insurance, financial and investment products.[3] Congress amended Section 15A(b) of the Exchange Act with the enactment of the Military Act to require FINRA, as a registered securities association, to adopt rules governing the sales or offers of sales of securities on the premises of any military installation to members of the U.S. Armed Forces or their dependents.[4] Such rules must require: (1) The broker-dealer performing brokerage services to clearly and conspicuously disclose to potential investors (a) that the securities offered are not being offered or provided by the broker-dealer on behalf of the federal government, and that its offer is not sanctioned, recommended, or encouraged by the federal government and (b) the identity of the registered broker-dealer offering the securities; (2) such broker-dealer to perform an appropriate suitability determination, including consideration of costs and knowledge about securities, prior to making a recommendation of a security to a member of the U.S. Armed Forces or a dependent thereof; and (3) that no person receive any referral fee or incentive compensation in connection with a sale or offer of sale of securities, unless such person is an associated person of a registered broker-dealer and is qualified pursuant to the rules of a self-regulatory organization.[5]

Proposal

FINRA, as a registered securities association, is proposing to adopt Rule 2272 to comply with the statutory requirements of the Military Act. Proposed Rule 2272 would require that any member engaging in sales or offers of sales of securities on the premises of a military installation to any member of the U.S. Armed Forces or a dependent thereof shall clearly and conspicuously disclose in writing, which may be electronic, to such potential investor prior to engaging in sales or offers of sales of securities to such investor: (1) The identity of the member offering the securities; and (2) that the securities offered are not being offered or provided by the member on behalf of the federal government, and that the offer of such securities is not sanctioned, recommended or encouraged by the federal government.[6] Electronic delivery of the disclosures required by proposed Rule 2272 must be consistent with SEC guidance on the use of electronic media to satisfy delivery obligations which, among other things, requires affirmative consent of the customer for delivery of certain documents.[7]

Proposed Rule 2272 also would incorporate the suitability obligations under FINRA Rule 2111. Specifically, the proposed rule would explicitly provide that a member must satisfy the suitability obligations imposed by Rule 2111 when making a recommendation on the premises of a military installation to any member of the U.S. Armed Forces or a dependent thereof.[8] FINRA believes that the suitability obligations imposed by Rule 2111 satisfy the statutory requirement that FINRA adopt rules requiring its members to perform an appropriate suitability determination, including consideration of costs and knowledge about securities, prior to making a recommendation to a member of the U.S. Armed Forces or a dependent thereof. FINRA has previously stated that the cost associated with a recommendation is one factor for a member or an associated person to consider when determining whether a security or investment strategy is suitable for a customer pursuant to Rule 2111.[9] Further, Rule 2111 requires a member or associated person to use reasonable diligence to obtain and consider, among other things, the customer's investment experience.[10]

Proposed Rule 2272 also would provide that no member shall cause a person to receive a referral fee or incentive compensation in connection with sales or offers of sales of securities on the premises of a military installation with any member of the U.S. Armed Forces or a dependent thereof, unless such person is an associated person of a registered broker-dealer who is appropriately qualified consistent with FINRA rules, and the payment complies with applicable federal securities laws and FINRA rules.[11]

For purposes of the proposed rule change, FINRA proposes to define ''military installation'' to include ''any federally owned, leased or operated base, reservation, post, camp, building or other facility to which members of the U.S. Armed Forces are assigned for duty, including barracks, transient housing and family quarters.'' [12] FINRA will read with interest comments as to whether proposed Rule 2272 should be broadened to apply to sales or offers of sales of securities both on and *off* the premises of a military installation to any member of the U.S. Armed Forces or a dependent thereof. In this regard, FINRA reminds members that any such sales or offers of sales of securities off the premises of a military installation must comply with applicable FINRA rules, including suitability requirements, and that any misleading representation made to a member of the U.S. Armed Forces or a dependent thereof off the premises of a military installation that the securities are being offered or provided on behalf of, or sanctioned, recommended, or encouraged by the federal government would be otherwise prohibited by FINRA rules.[13]

FINRA will announce the effective date of the proposed rule change in a *Regulatory Notice* to be published no later than 60 days following Commission approval. The effective date will be no later than 180 days following publication of the *Regulatory Notice* announcing Commission approval.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions

[3] Public Law 109–290, 120 Stat. 1317.

[4] 15 U.S.C. 78*o*–3(b).

[5] 15 U.S.C. 78*o*–3(b)(14).

[6] *See* proposed Rule 2272(b).

[7] *See* Securities Exchange Act Release No. 37182 (May 6, 1996); 61 FR 24644 (May 15, 1996). *See also* Securities Exchange Act Release No. 42728 (April 28, 2000); 65 FR 25843 (May 4, 2000).

[8] *See* proposed Rule 2272(c).

[9] *See Regulatory Notice* 12–25 (May 2012). FINRA stated that the cost associated with a recommendation is one of many important factors to consider when determining whether the subject security or investment strategy involving a security or securities is suitable.

[10] *See* Rule 2111(a) (requiring that a member or associated person use reasonable diligence to obtain and consider a customer's investment profile, which includes the customer's investment experience). *See also Regulatory Notice* 12–25.

[11] *See* proposed Rule 2272(d).

[12] *See* proposed Rule 2272(a). The proposed definition is consistent with the definition included in the Military Sales Practices Model Regulation adopted by the National Association of Insurance Commissioners. *See http://www.naic.org/store/free/MDL–568.pdf.*

[13] *See, e.g.,* Rules 2010, 2020, and 2210.

of Section 15A(b)(6) of the Act,[14] which requires, among other things, that FINRA rules must 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. FINRA believes that the proposed rule change will further the purposes of the Act by providing members of the U.S. Armed Forces and their dependents on the premises of military installations with clear disclosure that the securities offered are not being offered or provided by the member on behalf of the federal government, and that the offer of such securities is not sanctioned, recommended or encouraged by the federal government. The proposed rule change also would require persons receiving referral fees or other incentive compensation in connection with such sales to be appropriately qualified associated persons of a broker-dealer so as to mitigate potentially abusive and unscrupulous sales practices.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Proposed Rule 2272 is intended to benefit members of the U.S. Armed Forces and their dependents on the premises of military installations by providing enhanced disclosure about securities investments and limiting compensation for referrals.

According to the 2012 National Financial Capability Study's Military Report,[15] approximately half of the survey respondents hold non-retirement investments and approximately 65% have self-directed retirement plans. In addition, approximately two-thirds of respondents indicated that they have consulted with a financial professional outside the military over the past five years.

The Department of Defense has separately imposed requirements for personal commercial solicitations, including offers and sales of securities, on the premises of military installations. Among other things, the Department of Defense has required: (i) Registering persons seeking to solicit on the premises of military installations with the installation's commander prior to soliciting on the premises; (ii) checking the person's license status and complaint history prior to granting permission for soliciting on the premises; (iii) permitting only previously scheduled meetings in a location designated by the commander or in family quarters; and (iv) maintaining a list of persons and companies who have had their commercial solicitation privileges withdrawn.[16] The Department of Defense's requirements have the practical effect of limiting access to the premises of military installations for the purpose of commercial solicitations.

The proposed rule change would impose additional costs on members that offer to sell securities on the premises of U.S. military installations to members of the U.S. Armed Forces and their dependents. Specifically, members would be required to provide additional disclosure and to adopt supervisory policies and procedures reasonably designed to ensure that the disclosure is provided where required. FINRA anticipates that the disclosure required by proposed Rule 2272 would be provided with other materials and disclosures typically provided to potential investors.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be 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–FINRA–2015–009 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–FINRA–2015–009. 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 FINRA. 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–FINRA–2015–009 and should be submitted on or before June 2, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11381 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

[14] 15 U.S.C. 78*o*–3(b)(6).

[15] The report and related materials can be found at: *http://www.usfinancialcapability.org/resultsm.php*. The report is based on a survey of 1,000 members of the U.S. Armed Forces, including active duty personnel, activated Reserve and National Guard personnel, and Reserve and National Guard personnel not currently on active duty.

[16] *See* Department of Defense Instruction No. 1344.07 (March 30, 2006).

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Form 1–E, Regulation E, SEC File No. 270–221, OMB Control No. 3235–0232.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

Form 1–E (17 CFR 239.200) under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*) (''Securities Act'') is the form that a small business investment company (''SBIC'') or business development company (''BDC'') uses to notify the Commission that it is claiming an exemption under Regulation E from registering its securities under the Securities Act. Rule 605 of Regulation E (17 CFR 230.605) under the Securities Act requires an SBIC or BDC claiming such an exemption to file an offering circular with the Commission that must also be provided to persons to whom an offer is made. Form 1–E requires an issuer to provide the names and addresses of the issuer, its affiliates, directors, officers, and counsel; a description of events which would make the exemption unavailable; the jurisdictions in which the issuer intends to offer the securities; information about unregistered securities issued or sold by the issuer within one year before filing the notification on Form 1–E; information as to whether the issuer is presently offering or contemplating offering any other securities; and exhibits, including copies of the rule 605 offering circular and any underwriting contracts.

The Commission uses the information provided in the notification on Form 1–E and the offering circular to determine whether an offering qualifies for the exemption under Regulation E. The Commission estimates that, each year, one issuer files one notification on Form 1–E, together with offering circulars, with the Commission.[1] Based on the Commission's experience with disclosure documents, we estimate that the burden from compliance with Form 1–E and the offering circular requires approximately 100 hours per filing. The annual burden hours for compliance with Form 1–E and the offering circular would be 100 hours (1 response × 100 hours per response). Estimates of the burden hours are made solely for the purposes of the PRA, and are not derived from a comprehensive or even a representative survey or study of the costs of SEC rules and forms.

Compliance with the information collection requirements of the rules is necessary to obtain the benefit of relying on the rules. The information provided on Form 1–E and in the offering circular will not be kept confidential. 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 public may view the background documentation for this information collection at the following Web site, *www.reginfo.gov*. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov*. Comments must be submitted to OMB within 30 days of this notice.

Dated: May 6, 2015.

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–11369 Filed 5–11–15; 8:45 am]

BILLING CODE 8011–01–P

[1] According to Commission records, one issuer filed two notifications on Form 1–E, together with offering circulars, during 2013 and 2014.

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #14248 and #14249]

Maine Disaster Number ME–00043

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of MAINE (FEMA–4208–DR), dated 03/12/2015.

Incident: Severe Winter Storm, Snowstorm, and Flooding

Incident Period: 01/26/2015 through 01/28/2015

Effective Date: 05/04/2015

Physical Loan Application Deadline Date: 05/11/2015

Economic Injury (EIDL) Loan Application Deadline Date: 12/14/2015

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing And Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of MAINE, dated 03/12/2015, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Sagadahoc.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

James E. Rivera,

Associate Administrator for Disaster Assistance.

[FR Doc. 2015–11354 Filed 5–11–15; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #14293 and #14294]

Federated States of Micronesia Disaster #FM–00003

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a disaster for the Federated States of Micronesia, dated 04/28/2015.

Incident: Typhoon Maysak.

Incident Period: 03/29/2015 through 04/01/2015.

DATES:

Effective Date: 04/28/2015.

Physical Loan Application Deadline Date: 06/29/2015.

Economic Injury (EIDL) Loan Application Deadline Date: 01/28/2016.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing AND Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's disaster declaration on 04/28/2015, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary States (Physical Damage and Economic Injury Loans): Chuuk, Yap.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	3.625
Homeowners Without Credit Available Elsewhere	1.813
Businesses With Credit Available Elsewhere	6.000
Businesses Without Credit Available Elsewhere	4.000
Non-Profit Organizations With Credit Available Elsewhere	2.625
Non-Profit Organizations Without Credit Available Elsewhere	2.625
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Non-Profit Organizations Without Credit Available Elsewhere	2.625

The number assigned to this disaster for physical damage is 142938 and for economic injury is 142940.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

James E. Rivera,

Associate Administrator for Disaster Assistance.

[FR Doc. 2015–11363 Filed 5–11–15; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice: 9126]

Culturally Significant Objects Imported for Exhibition Determinations: ''Andrea del Sarto: The Renaissance Workshop in Action''

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Andrea del Sarto: The Renaissance Workshop in Action,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the J. Paul Getty Museum, Los Angeles, California, from on or about June 23, 2015, until on or about September 13, 2015, The Frick Collection, New York, New York, from on or about October 6, 2015, until on or about January 10, 2016, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the imported objects, contact the Office of the Legal Adviser, U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505, telephone (202–632–6471), or email at *section2459@state.gov*.

Dated: May 1, 2015.

Kelly Keiderling,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2015–11439 Filed 5–11–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9130]

U.S. National Commission for UNESCO Notice of Teleconference Meeting

The U.S. National Commission for UNESCO will hold a conference call on Friday, June 12, 2015, from 11:00 a.m. until 12:00 p.m. Eastern Time. The purpose of the teleconference meeting is to consider the recommendations of the Commission's National Committee for the Intergovernmental Oceanographic Commission (IOC). The call will also be an opportunity to provide an update on recent and upcoming Commission and UNESCO activities. The Commission will accept brief oral comments during a portion of this conference call. The public comment period will be limited to approximately 10 minutes in total, with two minutes allowed per speaker. For more information or to arrange to participate in the conference call, individuals must make arrangements with the Executive Director of the National Commission by June 10.

The National Commission, Washington, DC 20037 may be contacted via email *DCUNESCO@state.gov* or Telephone (202) 663–0026; Fax (202) 663–0035. The Web site can be accessed at: *http://www.state.gov/p/io/unesco/*.

Dated: May 6, 2015.

Allison Wright,

Executive Director, U.S. National Commission for UNESCO, Department of State.

[FR Doc. 2015–11458 Filed 5–11–15; 8:45 am]

BILLING CODE 4710–19–P

DEPARTMENT OF STATE

[Public Notice: 9129]

Overseas Schools Advisory Council Notice of Meeting

The Overseas Schools Advisory Council, Department of State, will hold its Executive Committee Meeting on Thursday, June 11, 2015, at 9:30 a.m. in Conference Room 1107, Department of State Building, 2201 C Street NW., Washington, DC. The meeting is open to the public and will last until approximately 12:00 p.m.

The Overseas Schools Advisory Council works closely with the U.S. business community to improve American-sponsored schools overseas that are assisted by the Department of State and attended by dependents of U.S. government employees, and children of employees of U.S. corporations and foundations abroad.

This meeting will deal with issues related to the work and support provided by the Overseas Schools Advisory Council to the American-sponsored overseas schools. There will be a report and discussion about the status of the Council-sponsored projects such as The World Virtual School and The Child Protection Project. The Regional Education Officers in the Office of Overseas Schools will make presentations on the activities and initiatives in the American-sponsored overseas schools.

Members of the public may attend the meeting and join in the discussion, subject to the instructions of the Chair. Admittance of public members will be limited to the seating available. Access to the State Department is controlled, and individual building passes are required for all attendees. Persons who plan to attend should advise the office of Dr. Keith D. Miller, Department of State, Office of Overseas Schools, telephone 202–261–8200, prior to June 11, 2015. Each visitor will be asked to provide his/her date of birth and either a driver's license or passport number at

the time of registration and attendance, and must carry a valid photo ID to the meeting.

Personal data is requested pursuant to Public Law 99–399 (Omnibus Diplomatic Security and Antiterrorism Act of 1986), as amended; Public Law 107–56 (USA PATRIOT Act); and E. O. 13356. The purpose of the collection is to validate the identity of individuals who enter Department facilities. The data will be entered into the Visitor Access Control System (VACS–D) database. Please see the Security Records System of Records Notice (State-36) at *http://www.state.gov/documents/organization/103419.pdf* for additional information.

Any requests for reasonable accommodation should be made at the time of registration. All such requests will be considered, however, requests made after June 4, 2015, might not be possible to fill. All attendees must use the C Street entrance to the building.

Keith D. Miller,

Executive Secretary, Overseas Schools Advisory Council.

[FR Doc. 2015–11436 Filed 5–11–15; 8:45 am]

BILLING CODE 4710–24–P

DEPARTMENT OF STATE

[Public Notice: 9128]

Overseas Security Advisory Council (OSAC) Meeting Notice; Closed Meeting

The Department of State announces a meeting of the U.S. State Department—Overseas Security Advisory Council on June 2 and 3, 2015. Pursuant to section 10(d) of the Federal Advisory Committee Act (5 U.S.C. Appendix), and 5 U.S.C. 552b(c)(4), and 5 U.S.C. 552b(c)(7)(E), it has been determined that the meeting will be closed to the public. The meeting will focus on an examination of corporate security policies and procedures and will involve extensive discussion of trade secrets and proprietary commercial information that is privileged and confidential, and will discuss law enforcement investigative techniques and procedures. The agenda will include updated committee reports, a global threat overview, and other matters relating to private sector security policies and protective programs and the protection of U.S. business information overseas.

For more information, contact Marsha Thurman, Overseas Security Advisory Council, U.S. Department of State, Washington, DC 20522–2008, phone: 571–345–2214.

Dated: April 23, 2015.

Bill A. Miller,

Director of the Diplomatic Security Service, U.S. Department of State.

[FR Doc. 2015–11437 Filed 5–11–15; 8:45 am]

BILLING CODE 4710–24–P

DEPARTMENT OF STATE

[Public Notice 9127]

Plenary Meeting of the Binational Bridges and Border Crossings Group in Washington, DC

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Delegates from the United States and Mexican Governments, the states of Arizona, California, New Mexico, and Texas, the Mexican states of Baja California, Chihuahua, Coahuila, Nuevo Leon, Sonora, and Tamaulipas, will participate in the Plenary Meeting of the U.S.-Mexico Binational Bridges and Border Crossings Group on May 21, 2015, in Washington, DC. The purpose of this meeting is to discuss operational matters involving existing and proposed international bridges and border crossings and their related infrastructure, and to exchange views on policy as well as technical information. This meeting includes a public session on Thursday, May 21, 2015, from 8:30 a.m. until 12:00 p.m. This session allows proponents of proposed bridges and border crossings and related projects to make presentations to the delegations and members of the public.

FOR FURTHER INFORMATION CONTACT: For further information on the meeting and to attend the public session, please contact the Mexico Desk's Border Affairs Unit, via email at *WHABorderAffairs@state.gov,* by phone at 202–647–9895, or by mail at Office of Mexican Affairs—Room 3924, Department of State, 2201 C St. NW., Washington, DC 20520.

Dated: May 4, 2015.

Rachel M. Poynter,

Acting Director, Office of Mexican Affairs, Department of State.

[FR Doc. 2015–11440 Filed 5–11–15; 8:45 am]

BILLING CODE 4710–29–P

STATE JUSTICE INSTITUTE

SJI Board of Directors Meeting, Notice

AGENCY: State Justice Institute.

ACTION: Notice of meeting.

SUMMARY: The SJI Board of Directors will be meeting on Monday, June 29, 2015 at 1:00 p.m. The meeting will be held at the Supreme Court of Maine in Portland, Maine. The purpose of this meeting is to consider grant applications for the 3rd quarter of FY 2015, and other business. All portions of this meeting are open to the public.

ADDRESSES: Supreme Court of Maine, 205 Newbury Street, Portland, ME 04101.

FOR FURTHER INFORMATION CONTACT: Jonathan Mattiello, Executive Director, State Justice Institute, 11951 Freedom Drive, Suite 1020, Reston, VA 20190, 571–313–8843, *contact@sji.gov.*

Jonathan D. Mattiello,

Executive Director.

[FR Doc. 2015–11418 Filed 5–11–15; 8:45 am]

BILLING CODE P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Dispute No. WT/DS489]

WTO Dispute Settlement Proceeding Regarding Certain Measures Providing Export-Contingent Subsidies to Enterprises in Several Industrial Sectors in China

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (''USTR'') is providing notice that the United States has requested the establishment of a dispute settlement panel under the *Marrakesh Agreement Establishing the World Trade Organization* (''WTO Agreement''). That request may be found at *www.wto.org* contained in a document designated as WT/DS489/6. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before May 12, 2015, to be assured of timely consideration by USTR.

ADDRESSES: Public comments should be submitted electronically to *www.regulations.gov,* docket number USTR–2015–0004. If you are unable to provide submissions by *www.regulations.gov,* please contact Sandy McKinzy at (202) 395–9483 to arrange for an alternative method of transmission.

If (as explained below) the comment contains confidential information, then the comment should be submitted by

fax only to Sandy McKinzy at (202) 395–3640.

FOR FURTHER INFORMATION CONTACT: Arthur Tsao, Assistant General Counsel, Office of the United States Trade Representative, Office of the United States Trade Representative, 600 17th Street NW., Washington, DC 20508, (202) 395–3150.

SUPPLEMENTARY INFORMATION: Section 127(b) of the Uruguay Round Agreements Act (''URAA'') (19 U.S.C. 3537(b)(1)) requires that notice and opportunity for comment be provided after the United States submits or receives a request for the establishment of a WTO dispute settlement panel. USTR is providing notice that a dispute settlement panel has been requested pursuant to the WTO Dispute Settlement Understanding (''DSU'') and has been established by the WTO. The panel will hold its meetings in Geneva, Switzerland.

Major Issues Raised by the United States

The United States has requested the establishment of a panel to examine whether certain Chinese measures are providing export-contingent subsidies to enterprises in several industrial sectors in China. It appears that China provides export-contingent subsidies through a program establishing ''Foreign Trade Transformation and Upgrading Demonstration Bases'' (''Demonstration Bases'') and ''Common Service Platforms''. Demonstration Bases are industrial clusters of enterprises in several Chinese industries, including the textiles, agriculture, medical products, light industry, special chemical engineering, new materials, and hardware and building materials industries. Common Service Platforms are service suppliers designated by China to provide services to enterprises in Demonstration Bases. China designates an industrial cluster of enterprises in a particular industry as a Demonstration Base and then provides subsidies to the enterprises located in the Demonstration Base. These subsidies include the provision of discounted or free services through Common Service Platforms or the provision of grants.

The Demonstration Base/Common Service Platform program and the grants at issue are reflected in legal instruments that include, but are not limited to, the instruments set out in the panel request.

Because the Demonstration Base/Common Service Platform program and the grants at issue provide subsidies contingent upon export performance to enterprises located in China, the measures appear to be inconsistent with Article 3.1(a) of the SCM Agreement, and China appears to have acted inconsistently with Article 3.2 of the SCM Agreement.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Persons may submit public comments electronically to *www.regulations.gov* docket number USTR–2015–0004. If you are unable to provide submissions by *www.regulations.gov,* please contact Sandy McKinzy at (202) 395–9483 to arrange for an alternative method of transmission.

To submit comments via *www.regulations.gov,* enter docket number USTR–2015–0004 on the home page and click ''search''. The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting ''Notice'' under ''Document Type'' on the left side of the search-results page, and click on the link entitled ''Submit a Comment.'' (For further information on using the *www.regulations.gov* Web site, please consult the resources provided on the Web site by clicking on ''How to Use This Site'' on the left side of the home page.)

The *www.regulations.gov* site provides the option of providing comments by filling in a ''Type Comments'' field, or by attaching a document using an ''Upload File'' field. It is expected that most comments will be provided in an attached document. If a document is attached, it is sufficient to type ''See attached'' in the ''Type Comments'' field.

A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly designated as such and the submission must be marked ''BUSINESS CONFIDENTIAL'' at the top and bottom of the cover page and each succeeding page. Any comment containing business confidential information must be submitted by fax to Sandy McKinzy at (202) 395–3640. A non-confidential summary of the confidential information must be submitted to *www.regulations.gov.* The non-confidential summary will be placed in the docket and will be open to public inspection.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with Section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must clearly so designate the information or advice;

(2) Must clearly mark the material as ''SUBMITTED IN CONFIDENCE'' at the top and bottom of the cover page and each succeeding page; and

(3) Must provide a non-confidential summary of the information or advice.

Any comment containing confidential information must be submitted by fax. A non-confidential summary of the confidential information must be submitted to *www.regulations.gov.* The non-confidential summary will be placed in the docket and open to public inspection.

Pursuant to section 127(e) of the Uruguay Round Agreements Act (19 U.S.C. 3537(e)), USTR will maintain a docket on this dispute settlement proceeding, accessible to the public at *www.regulations.gov,* docket number USTR–2015–0004. The public file will include non-confidential comments received by USTR from the public regarding the dispute. If a dispute settlement panel is composed, or in the event of an appeal of any report circulated by such a panel, the U.S. submissions, any non-confidential submissions, or non-confidential summaries of submissions, received from other participants in the dispute, will be made available to the public on USTR's Web site at *www.ustr.gov.* The report of the panel, and, if applicable, the report of the Appellate Body, will be available on the Web site of the World Trade Organization, *www.wto.org.* Comments open to public inspection may be viewed on the *www.regulations.gov* Web site.

Juan A. Millán,

Acting Assistant United States Trade Representative for Monitoring and Enforcement.

[FR Doc. 2015–11382 Filed 5–11–15; 8:45 am]

BILLING CODE 3290–F5–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2015–0026]

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

In accordance with Part 235 of Title 49 Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated February 12, 2015, BNSF Railway (BNSF) petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA–2015–0026.

Applicant: BNSF Railway, Mr. Ralph E. Young, General Director Signals, 8310 Nieman Road, Lenexa, KS 66214.

BNSF seeks approval of the discontinuance of the Traffic Control System (TCS) between Milepost (MP) 302 and MP 303.12, and the removal of an intermediate signal at MP 302.30 on the St. Croix Subdivision, Chicago Division. The signal was previously located on mainline TCS that is now other-than-main track. The reason for the discontinuance is the installation of double-track TCS and the associated track changes.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulatons.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (*e.g.,* Waiver Petition Docket Number FRA–2015–0026) and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by June 26, 2015 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.* See also *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on May 6, 2015.

Ron Hynes,

Director, Office of Technical Oversight.

[FR Doc. 2015–11447 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2014–0103]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a document dated September 26, 2014, the Ohi-Rail Corporation (OHIC) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 223.11—*Requirements for existing locomotives.* FRA assigned the petition Docket Number FRA–2014–0103. OHIC, categorized as a Railroad Switching and Terminal Establishment and headquartered in Steubenville, Ohio, has petitioned for a permanent waiver of compliance for its ALCO S–2 locomotive, Number AOSX 84, from the requirements of the Railroad Safety Glazing Standards, 49 CFR part 223, that require certified glazing in all windows and a minimum of four emergency windows. The locomotive was built in 1943. OHIC is a Class III railroad operating on a single and non-signaled line (approximately 40 miles long) in Ohio between Bayard and Hopedale. The line passes through mainly rural areas with Minerva, Ohio, approximate population 3,700, being the largest populated area on the line. There is no record of incidents of stoning or other acts of vandalism to OHIC trains in recent memory. OHIC plans to use the locomotive in work-train service for interchanges with Columbus and Ohio River Railroad, Norfolk Southern Railway, and Wheeling & Lake Erie Railway.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (*e.g.,* Waiver Petition Docket Number FRA–2014–0103) and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by June 26, 2015 will be considered by FRA before final action is taken. Comments received

after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.* See also *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on May 6, 2015.

Ron Hynes,

Director, Office of Technical Oversight.

[FR Doc. 2015–11445 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA 2015–0007–N–10]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Requests (ICRs) abstracted below are being forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describes the nature of the information collections and their expected burdens. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collections of information was published on March 3, 2015 (80 FR 11518).

DATES: Comments must be submitted on or before June 11, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493–6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501–3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On March 3, 2015, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICR that the agency was seeking OMB approval. *See* 80 FR 11518. FRA received no comments after issuing this notice. Accordingly, these information collection activities have been re-evaluated and certified under 5 CFR 1320.5(a) and are being forwarded to OMB for review and approval pursuant to 5 CFR 1320.12(c).

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507 (b)–(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

Below is a brief summary of the information collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: Railroad Rehabilitation and Improvement Financing Program (RRIF).

OMB Control Number: 2130–0548.

Abstract: Title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (Act), 45 U.S.C. 821 *et seq.,* authorized FRA to provide railroads financial assistance through the purchase of preference shares, and the issuance of loan guarantees. Section 7203 of the Transportation Equity Act for the 21st Century of 1998, Public Law 105–178 (1998) (TEA 21), and subsequent amendments in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Public Law 109–59 (2005) SAFETEA–LU and the Rail Safety Improvement Act of 2008 (RSIA), Division A of Public Law 110–432 have since replaced the previous Title V financing program. On July 6, 2000, FRA published a final rule with procedures and requirements to cover applications of financial assistance in the form of direct loans and loan guarantees consistent with the changes made to Title V of the Act by section 7203 of TEA 21. On September 29, 2010, FRA published a Notice Regarding Consideration and Processing of Applications for Financial Assistance Under the RRIF Program. The collection of information is used by FRA staff to determine the legal and financial eligibility of applicants for direct loans regarding eligible projects. Eligible projects include: (1) Acquisition, improvement or rehabilitation of intermodal or rail equipment or facilities (including tracks, components of tracks, bridges, yards, buildings, and shops); (2) Refinancing outstanding debt incurred for these purposes; or (3) Development or establishment of new intermodal or railroad facilities. The aggregate unpaid principal amounts of obligations cannot exceed $35.0 billion at any one time, and not less than $7.0 billion is to be available solely for projects benefitting freight railroads other than Class I carriers. The Secretary of Transportation has delegated his authority under the RRIF Program to the FRA Administrator in 1 CFR 1.89. On September 29, 2010, FRA published a Notice Regarding Consideration and Processing of Applications for Financial Assistance Under the RRIF Program. As explained in the notice, FRA's RRIF Buy America policy furthers two of the RRIF program's eight priorities described in 45 U.S.C. 822(c): (3) Promote economic development, and (4) Enable U.S. companies to be more competitive in international markets.

Form Number(s): FRA Forms 217, 219 and 229.

Affected Public: State and local governments, government sponsored authorities and corporations, railroads, and joint ventures that include at least one railroad.

Total Estimated Annual Burden: 40,865 hours.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Rebecca Pennington,

Chief Financial Officer.

[FR Doc. 2015–11391 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2015–0023]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated March 9, 2015, DPS Electronics has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 221.13(d). FRA assigned the petition Docket Number FRA–2015–0023.

DPS Electronics is seeking a waiver of compliance from 49 CFR 221.13(d), *Marking device display,* which requires that the centroid of the marking device be located a minimum of 48 inches above the top of the rail. DPS would like to propose a marking device that will be located 41.3 to 44.3 inches (depending on final design) above the top of the rail.

DPS is currently working on a new end-of-train device (ETD) design, the DPS 2020–He2. DPS's plan is to reduce weight to well under 15 pounds. They propose doing so by reducing the enclosure size of the ETD to about 16 inches in height. DPS states that a 15 pound or less ETD will enhance railroad safety for all North American railways by reducing the risk of injuries to employees.

A copy of the petition, technical attachments, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received by June 26, 2015 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.* See also *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on May 6, 2015.

Ron Hynes,

Director, Office of Technical Oversight.

[FR Doc. 2015–11446 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2015–0035; Notice 1]

General Motors, LLC; Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation, DOT.

ACTION: Receipt of petition.

SUMMARY: General Motors, LLC, (GM) has determined that certain Model Year (MY) 2012–2015 Chevrolet Sonic passenger vehicles do not fully comply with paragraph S6.5.3.4.1 of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices and Associated Equipment.* GM has filed an appropriate report dated March 2, 2015, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.*

DATES: The closing date for comments on the petition is June 11, 2015.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to: 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 Deliver:* Deliver comments by hand to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by: logging onto the Federal Docket Management System (FDMS) Web site at *http://www.regulations.gov/.* Follow the online instructions for submitting comments. Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *http://www.regulations.gov* by following the online instructions for accessing the dockets. DOT's complete Privacy Act

Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477–78).

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

SUPPLEMENTARY INFORMATION:

I. GM's Petition: Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), GM submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of GM's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Affected are approximately 310,243 MY 2012–2015 Chevrolet Sonic passenger cars manufactured between May 5, 2011 and February 4, 2015.

III. Noncompliance: GM explains that the noncompliance is that the high-beam headlamp lenses on the subject vehicles are not marked with ''HB3'' (the HB bulb type) as required by paragraph S6.5.3.4.1 of FMVSS No. 108.

IV. Rule Text: Paragraph S6.5.3.4.1 of FMVSS No. 108 requires in pertinent part:

> S6.5.3.4.1 The lens of each replaceable bulb headlamp must bear permanent marking in front of each replaceable light source with which it is equipped that states either: The HB Type, if the light source conforms to S11 of this standard for filament light sources, . . .

V. Summary of GM's Analyses: GM stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

(A) The high-beam headlamp lenses in question are clearly marked ''9005'' (the ANSI designation), which GM believes to be a well-known alternative designation recognized throughout the automotive industry and used by lighting manufacturers interchangeably with HB3 the lamp's HB type. GM also verified that the vehicle owner's manuals identify the high beam replacement bulb as 9005.

(B) That the mismarked high-beam headlamps are the correct headlamps for the subject vehicles and that they conform to all other requirements including photometric as required by FMVSS No. 108.

(C) The risk of customer confusion when selecting a correct replacement bulb is remote. Both the HB3 type and the 9005 ANSI designation are marked on the vehicles' headlamp bulb sockets, and packaging for replacement bulbs is commonly marked with both the HB type and the ANSI designation. GM searched a number of national automotive parts stores (Autozone, O'Reilly, Advanced Auto Parts, and Pep Boys), and found that all HB3 replacement bulbs in these stores were marked with the 9005 ANSI designation. Should a consumer attempt to install an incorrect bulb into the headlamp sockets, the bulb could not be successfully installed because of the unique nature of the socket hardware.

(D) GM also cited several previous petitions that NHTSA has granted dealing with noncompliances that GM believes are similar to the noncompliance that is the subject of its petition. Based on these decisions, GM believes that there is also precedent to support granting its petition.

GM is not aware of any VOQ or field data in which a consumer has complained of not being able to identify the proper replacement headlamp bulb for the affected vehicles, which GM believes to be evidence that this noncompliance is not impacting consumers.

GM has additionally informed NHTSA that it has corrected the noncompliance by adding the HB3 designation bulb type to the high-beam headlamp lens in all vehicles produced on or after February 21, 2015.

In summation, GM believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt GM from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that GM no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after GM notified them that the subject noncompliance existed.

Authority: 49 U.S.C. 30118, 30120: Delegations of authority at 49 CFR 1.95 and 501.8.

Jeffrey Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2015–11395 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35924]

Boot Hill & Western Railway Holding Co., Inc.—Acquisition and Operation Exemption—Boot Hill & Western Railway Co., LC

Boot Hill & Western Railway Holding Co., Inc. (Holding), a noncarrier holding company, has filed a verified notice of exemption pursuant to 49 CFR 1150.31, to acquire and operate approximately 10.2 miles of rail line owned by Boot Hill & Western Railway Co., LC (BHWR), a Class III rail carrier, extending between milepost 15.8, at or near Wilroads, and milepost 26.0, at Dodge City, in Ford County, Kan. Holding also seeks Board approval to acquire from BHWR the right to reactive common carrier rail service on an approximately 15.8-mile contiguous railbanked rail line, extending between milepost 0.0, at or near Bucklin, and milepost 15.8, at or near Wilroads, in Ford County, Kan.[1] In a prior notice, BHWR was issued a notice of interim trail use or abandonment (NITU) over this portion of the line.

This transaction is related to a concurrently filed verified notice of exemption in *Michael Williams—Continuance in Control Exemption—Boot Hill & W. Ry. Co., LC,* Docket No. FD 35925. Holding may not consummate this transaction until that notice also becomes effective.

According to Holding, the acquisition will allow continued rail operations

[1] *Boot Hill & W. Ry.—Aban. Exemption—In Ford Cnty., Kan.,* AB 927X (STB served Feb. 13, 2006). On April 24, 2015, BHWR and Holding jointly filed a motion to substitute Holding as the interim trail sponsor and remove BHWR. That motion will be addressed in a separate decision.

over the remaining 10.2 miles of active rail line and will not result in significant changes to carrier operations. Holding states that the thresholds of 49 CFR 1105.7(e)(5)(ii) will not be exceeded, therefore no environmental documentation is required.

Holding certifies that the projected annual revenues as a result of this transaction will not result in Holding becoming a Class II or Class I rail carrier and that its annual revenue will not exceed $5 million.

The earliest the transaction could be consummated is May 24, 2014, the effective date of the exemption (30 days after the exemption was filed). The parties expect to consummate the transaction on the later of May 27, 2015, or the effective date of the exemption.

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 by May 18, 2015 (at least seven days before the exemption becomes effective).

An original and ten copies of all pleadings, referring to Docket No. FD 35924, 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: Charles H. Montange, Law Offices of Charles H. Montange, 426 NW 162d St., Seattle, WA 98177.

Board decisions and notices are available on our Web site at ''*WWW.STB.DOT.GOV*.''

Decided: May 7, 2015.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Brendetta S. Jones,

Clearance Clerk.

[FR Doc. 2015–11429 Filed 5–11–15; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Intelligent Transportation Systems Connected Vehicle Reference Implementation Architecture Workshop; Notice of Public Meeting

AGENCY: ITS Joint Program Office, Office of the Assistant Secretary for Research and Technology, U.S. Department of Transportation.

ACTION: Notice.

In continuation of ITS Connected Vehicle Reference Implementation Architecture (CVRIA) efforts, the U.S. Department of Transportation (USDOT) Intelligent Transportation System Joint Program Office (ITS JPO) will present and seek input on the latest results of its Connected Vehicle architecture developments and standards analysis at a workshop in Cambridge, Massachusetts, June 10–12, 2015.

The event will be held at Draper Laboratory, located in the Kendall Square technology innovation area, and near USDOT's Volpe National Transportation Systems Center. The event will be presented in two parts:

- June 10: A training session on:
  - The CVRIA, a consistent framework to guide the planning and deployment of connected vehicle technologies. The architecture identifies options for interoperable deployment of technologies from an enterprise, physical, logical, and communications perspective. It also facilitates the ability of jurisdictions to operate collaboratively and to harness the benefits of a regional approach to transportation challenges.
  - The Systems Engineering Tool for Intelligent Transportation (SET-IT) Version 1.1, which allows implementers and decision makers to develop their own architectures for deployment.

Both are available at: *http://www.its.dot.gov/arch/index.htm* and *www.iteris.com/cvria*.

- June 11–12: A workshop that will provide implementers and decision makers with:
  - An update on the changes to CVRIA and SET-IT as they move toward the release of version 2.0 in late June 2015.
  - An update on the standards analysis that was performed using the CVRIA to identify interfaces that are candidates for standardization.

To register for the CVRIA workshop, please visit: *www.itsa.org/cvriaregistration.*

For further information, please contact Carlos Alban, Transportation Program Specialist, Intelligent Transportation Society of America, 1100 New Jersey Ave. SE., Suite 850 Washington, DC 20003, 202–721–4223, *calban@itsa.org*.

Updates will be available on the ITS Program Web site at: *http://www.its.dot.gov/* under Press Room: Public Meetings and Events, and on the ITS Standards Web site at: *http://www.standards.its.dot.gov/DevelopmentActivities/CVReference*.

SUPPLEMENTARY INFORMATION: The CVRIA training will be conducted on Wednesday, June 10, 2015 from 9:00–16:00. The workshop will be conducted on Thursday, June 11, 2015 from 9:00–16:30 and on Friday, June 12, 2015 from 9:00–13:00. It will take place at Draper Laboratory, 555 Technology Square, Cambridge, MA 02139. Directions to Kendall Square, local hotel options, and information for access to Draper Laboratory will be provided to registrants.

As the results of the CVRIA, interface analysis, and standardization efforts are expected to affect a wide range of public and private organizations, it is important that the analyses incorporate, as appropriate, the needs and requirements of the CV community. This workshop is an appropriate opportunity for external stakeholders to engage in the standards discussion.

Issued in Washington, DC, on the 7th day of May 2015.

Stephen Glasscock,

Program Analyst, ITS Joint Program Office.

[FR Doc. 2015–11428 Filed 5–11–15; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Designation of 3 Individuals Pursuant to Executive Order 13581, ''Blocking Property of Transnational Criminal Organizations''

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Treasury Department's Office of Foreign Assets Control (''OFAC'') is publishing the names of 3 individuals whose property and interests in property are blocked pursuant to Executive Order 13581 of July 24, 2011, ''Blocking Property of Transnational Criminal Organizations.''

DATES: The designations by the Director of OFAC, pursuant to Executive Order 13581, of the 3 individuals identified in this notice were effective on April 16, 2015.

FOR FURTHER INFORMATION CONTACT: Assistant Director, Sanctions Compliance and Evaluation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622–2490.

SUPPLEMENTARY INFORMATION:

Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site (*www.treas.gov/ofac*). Certain general information pertaining to OFAC's sanctions programs is available via facsimile through a 24-hour fax-on-demand service, tel.: 202/622–0077.

Background

On July 24, 2011, the President issued Executive Order 13581, ''Blocking Property of Transnational Criminal Organizations'' (the ''Order''), pursuant to, *inter alia,* the International Emergency Economic Powers Act (50 U.S.C. 1701–06). The Order was effective at 12:01 a.m. eastern daylight time on July 25, 2011. In the Order, the President declared a national emergency to deal with the threat that significant transnational criminal organizations pose to the national security, foreign policy, and economy of the United States.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person, of persons listed in the Annex to the Order and of persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to satisfy certain criteria set forth in the Order.

On April 16, 2015, the Director of OFAC, in consultation with the Attorney General and the Secretary of State, designated, pursuant to one or more of the criteria set forth in subparagraphs (a)(ii)(A) through (a)(ii)(C) of Section 1 of the Order, 3 individual(s) and 0 entity(-ies) whose property and interests in property are blocked pursuant to the Order.

The listings for these individuals on OFAC's List of Specially Designated Nationals and Blocked Persons appear as follows:

Individual(s)

1. CANALES RIVERA, Élmer (a.k.a. CROOCK; a.k.a. CROOK; a.k.a. CRUCK; a.k.a. Ladron); DOB 26 Jan 1978; POB San Salvador, El Salvador; citizen El Salvador (individual) [TCO].

2. ERAZO NOLASCO, Eduardo (a.k.a. COLOCHO DE WESTER); DOB 09 Jul 1972; POB San Salvador, El Salvador; citizen El Salvador (individual) [TCO].

3. MENDOZA FIGUEROA, José Luis (a.k.a. VIEJO PAVAS); DOB 12 Nov 1964; POB El Salvador; citizen El Salvador (individual) [TCO].

Dated: April 16, 2015.

Andrea Gacki,

Acting Deputy Director, Office of Foreign Assets Control.

[FR Doc. 2015–11427 Filed 5–11–15; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF VETERANS AFFAIRS

Veterans' Advisory Committee on Rehabilitation, Notice of Charter Renewal

This gives notice under the Federal Advisory Committee Act, 5 U.S.C., dated October 6, 1972, that the Veterans' Advisory Committee on Rehabilitation has been renewed for a 2-year period beginning April 20, 2015, through April 20, 2017.

Dated: April 20, 2015.

Rebecca Schiller,

Committee Management Officer.

[FR Doc. 2015–11390 Filed 5–11–15; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 80 Tuesday,
No. 91 May 12, 2015

Part II

The President

Proclamation 9275—Military Spouse Appreciation Day, 2015

Federal Register
Vol. 80, No. 91
Tuesday, May 12, 2015

Presidential Documents

Title 3—

The President

Proclamation 9275 of May 7, 2015

Military Spouse Appreciation Day, 2015

By the President of the United States of America

A Proclamation

The strength of our Nation's military comes not just from the brave women and men who defend the values we cherish, but also from their families, who serve alongside them and make great sacrifices in service to our country. With determination and unshakable resolve, military spouses endure long absences and shoulder the burdens of war, constantly wondering what kind of dangers lie ahead for their loved ones. Through numerous moves and difficult deployments—often as they uproot their lives and families and restart their careers—their steadfast devotion to their spouses and to our Nation represents the best our country has to offer. On Military Spouse Appreciation Day, we recognize the selfless heroes who stand with the finest fighting force the world has ever known, and we honor their relentless courage and commitment.

To fulfill our sacred promise to our service members and their loved ones, my Administration has made supporting our military families a top priority. We are working to make consistent and effective family services available, including mental health care and counseling, deployment and relocation assistance, and child care and youth programs. Through programs like the Post-9/11 GI Bill, we are investing in the education and skills of our military families, and with my Executive authority, I have taken action to protect those who have earned these benefits from abuse by fraudulent actors and unscrupulous practices, ensuring they have the proper information and support they need to make informed decisions about their education.

The wives, husbands, and partners of our service members bring adaptability, creativity, resilience, and leadership—skills they demonstrate every day—to the workforce, and it is unacceptable when any military spouse struggles to find work and support their family. That is why we launched the Military Spouse Employment Partnership, an online resource to connect military spouses with meaningful career opportunities and companies that are eager to hire them. And we are reminding businesses across our country that if they want the job done right, they should hire a military spouse.

Four years ago, First Lady Michelle Obama and Dr. Jill Biden launched the Joining Forces initiative, calling on Americans across our country to rally around service members, veterans, and their spouses. By raising awareness about the unique aspects of military life, they are helping ensure military spouses have all the opportunities and benefits they deserve. To learn more and get involved, visit www.JoiningForces.gov.

Military spouses serve alongside our troops through trial and triumph, and in their example, we see the bravery and pride that reflect who we are as a Nation. These homefront heroes deserve respect and support worthy of their sacrifice and grace—every day, they should know their country supports them, is there for them, and is grateful for all they do on our behalf.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 8, 2015, as

Military Spouse Appreciation Day. I call upon the people of the United States to honor military spouses with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of May, in the year of our Lord two thousand fifteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

[FR Doc. 2015–11616
Filed 5–11–15; 11:15 am]
Billing code 3295–F5

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Vol. 80, No. 91

Tuesday, May 12, 2015

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FEDERAL REGISTER PAGES AND DATE, MAY

24779–25206 1
25207–25570 4
25571–25896 5
25897–26180 6
26181–26436 7
26437–26816 8
26817–27068 11
27069–27236 12

CFR PARTS AFFECTED DURING MAY

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:
9261 25571
9262 25573
9263 25575
9264 25577
9265 25579
9266 25889
9267 25891
9268 25893
9269 25895
9270 26177
9271 26179
9272 26433
9273 26435
9274 26817
9275 27235

Administrative Orders:
Memorandums:
Memorandum of April 16, 2015 25207
Notices:
Notice of May 6, 2015 26815
Notice of May 8, 2015 27067

5 CFR

2418 24779

7 CFR

Ch. 0 25901
205 25897
210 26181
235 26181
4284 26788

Proposed Rules:
210 26846
215 26846
220 26846
235 26846
319 24838
900 25969
1218 26469

9 CFR

107 26819

Proposed Rules:
3 24840

10 CFR

Proposed Rules:
50 25237
430 26198
431 ..... 24841, 26199, 26475

12 CFR

620 26822
701 25924
704 25932
1207 25209
1806 25581

Proposed Rules:
704 27108
745 27109

13 CFR

Proposed Rules:
127 24846

14 CFR

39 ..... 24789, 24791, 25589, 25591, 27069, 27072, 27074, 27077, 27081
71 24793
91 26822
97 ..... 25594, 25595
121 25215
135 25215

Proposed Rules:
39 ..... 24850, 24852, 24854, 24856, 25247, 25249, 25254, 25627, 25630, 26484, 26487, 26490, 26492, 27114, 27116
71 ..... 24858, 24860, 24861, 26496, 26497, 26870, 26872, 27119

15 CFR

Proposed Rules:
4 26499
734 25798
740 25798
742 25798
744 25798
772 25798
774 25798

16 CFR

3 25940
4 25940
1120 25216

17 CFR

Proposed Rules:
32 26200
229 26330
240 26330

18 CFR

Proposed Rules:
352 25633

19 CFR

181 26828

20 CFR

Proposed Rules:
655 25633

21 CFR

890 25226

Proposed Rules:
310 25166

22 CFR

Proposed Rules:
121.....25821

24 CFR

91.....25901
93.....25901

25 CFR

226.....26994

26 CFR

1.....25230, 26437
53.....25230
602.....25230
Proposed Rules:
1 .....25970, 26500, 26873

29 CFR

1926.....25366

30 CFR

1206.....24794
1210.....24794

32 CFR

320.....25230
Proposed Rules:
2002.....26501

33 CFR

100.....27086, 27087
117 .....24814, 24815, 25232, 25233, 25598, 26182, 26183, 26442, 27099
165 .....24816, 25599, 26443, 26445, 27087, 27100
Proposed Rules:
147.....24863, 25256
165 .....24866, 24869, 25634, 26511, 26514

34 CFR

Ch. III.....26830
Ch. VI.....27036

38 CFR

63.....24819
77.....25233

39 CFR

20.....26447
111.....25528
Proposed Rules:
3001.....26517

40 CFR

9.....26448
49.....25068
52 .....24821, 26183, 26189, 26461, 27102
80.....26191, 26463
174 .....25601, 25943, 25946
180 .....24824, 25950, 25953
450.....25235
721.....26448
Proposed Rules:
52 .....24872, 24874, 26210, 27121, 27127
80.....26212
81.....24874
704.....26518

42 CFR

86.....26464
121.....26464
423.....25958
Proposed Rules:
412.....25012, 25637
418.....25832

43 CFR

Proposed Rules:
47.....27134
48.....27134

44 CFR

64.....24830

45 CFR

Proposed Rules:
98.....25260
170.....25637
1206.....25637
1210.....25637
1211.....25637
1216.....25637
1217.....25637
1218.....25637
1220.....25637
1222.....25637
1226.....25637
2556.....25637

47 CFR

2.....27107
90.....25604
Proposed Rules:
20.....25977
36.....25989
42.....25989
54.....25989
63.....25989
64.....25989

48 CFR

Ch. 1.....26422, 26429
1.....26423
4.....26427
15.....26424
22.....26423, 26427
39.....26427
42.....26426
52.....26423, 26427
Proposed Rules:
1.....26883
2.....26883
7.....26883
11.....26883
23.....26883
25.....26883
52.....26883
501.....25994
516.....25994
538.....25994
552.....25994
1823.....26519
1846.....26519
1852.....26519

49 CFR

27.....26196
37.....26196
171.....26644
172.....26644
173.....26644
174.....26644
179.....26644
Proposed Rules:
391.....25260

50 CFR

10.....26467
86.....26150
402.....26832
622.....24832, 25966
635 .....24836, 25609, 26196
648 .....25110, 25143, 25160
660.....25611
679.....25625, 25967
Proposed Rules:
223.....25272
224.....25272
648.....25656

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List May 4, 2015

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