

# Proposed Rules

Federal Register

Vol. 82, No. 247

Wednesday, December 27, 2017

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 573

[Docket No. FDA-2017-N-5476]

#### Akzo Nobel Surface Chemistry AB; Filing of Food Additive Petition (Animal Use); Reopening of the Comment Period

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notification; petition for rulemaking; reopening of the comment period.

**SUMMARY:** The Food and Drug Administration (FDA or the Agency) is reopening the comment period for the notice of petition that appeared in the **Federal Register** of September 21, 2017, proposing that the food additive regulations be amended to provide for the safe use of glyceryl polyethylene glycol (15) ricinoleate as an emulsifier in animal food that does not include food for cats, dogs, vitamin premixes, or aquaculture. FDA is reopening the comment period to allow additional time for comments on environmental impacts.

**DATES:** FDA is reopening the comment period on the notice of petition published in the **Federal Register** of September 21, 2017 (82 FR 44128). Submit either electronic or written comments by January 26, 2018.

**ADDRESSES:** You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before January 26, 2018. The <https://www.regulations.gov> electronic filing system will accept comments until midnight Eastern Time at the end of January 26, 2018. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery

service acceptance receipt is on or before that date.

#### Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

#### Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in "Instructions."

**Instructions:** All submissions received must include the Docket No. FDA-2017-N-5476 for "Food Additives Permitted in Feed and Drinking Water of Animals; glyceryl polyethylene glycol (15) ricinoleate." Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as "Confidential Submissions," publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff

between 9 a.m. and 4 p.m., Monday through Friday.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states "THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION." The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as "confidential." Any information marked as "confidential" will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

**Docket:** For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Chelsea Trull, Center for Veterinary Medicine (HFV-224), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240-402-6729, [Chelsea.trull@fda.hhs.gov](mailto:Chelsea.trull@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of September 21, 2017 (82 FR 44128), FDA gave notice that Akzo Nobel Surface Chemistry AB had filed a petition to amend Title 21 of the Code of Federal Regulations in part 573 Food Additives Permitted in Feed and

Drinking Water of Animals (21 CFR part 573) to provide for the safe use of glyceryl polyethylene glycol (15) ricinoleate as an emulsifier in animal food that does not include food for cats, dogs, vitamin premixes, or aquaculture.

Interested persons were originally given until October 23, 2017, to comment on the petitioner’s environmental assessment.

The environmental assessment was not placed on public display until October 13, 2017. On our own initiative, we are reopening the comment period to allow potential respondents to thoroughly evaluate and address pertinent environmental issues. The Agency believes that a 30-day extension allows adequate time for interested persons to submit comments without significantly delaying rulemaking on this important issue.

Dated: December 20, 2017.

**Leslie Kux,**

*Associate Commissioner for Policy.*

[FR Doc. 2017–27840 Filed 12–26–17; 8:45 am]

**BILLING CODE 4164–01–P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**25 CFR Part 175**

[167A2100DD/AAKC001030/  
A0A501010.999900 253G]

**RIN 1076–AF31**

**Indian Electric Power Utilities**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule revises regulations addressing electric power utilities of the Colorado River, Flathead, and San Carlos Indian irrigation projects to use plain language, update definitions, lengthen a regulatory deadline, and make other minor changes.

**DATES:** Comments must be received on or before February 26, 2018.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Federal eRulemaking Portal:*

*www.regulations.gov.* Search for Docket No. BIA–2016–0002 and follow the instructions for submitting comments.

- *Mail, Hand Delivery, or Courier:*

Elizabeth Appel, Director, Office of Regulatory Affairs and Collaborative Action—Indian Affairs, Attn: 1076–AF31, U.S. Dept. of the Interior, 1849 C Street NW, Mail Stop 3642, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Appel, Director, Office of Regulatory Affairs and Collaborative Action, Office of the Assistant Secretary—Indian Affairs; telephone (202) 273–4680, *elizabeth.appel@bia.gov.*

**SUPPLEMENTARY INFORMATION:**

- I. Background
- II. Description of Changes
- III. Procedural Requirements
  - A. Regulatory Planning and Review (E.O.s 12866 and 13563) and Reducing Regulation and Controlling Regulatory Costs (E.O. 13771)
  - B. Regulatory Flexibility Act
  - C. Small Business Regulatory Enforcement Fairness Act
  - D. Unfunded Mandates Reform Act
  - E. Takings (E.O. 12630)
  - F. Federalism (E.O. 13132)
  - G. Civil Justice Reform (E.O. 12988)
  - H. Consultation With Indian Tribes (E.O. 13175)

- I. Paperwork Reduction Act
- J. National Environmental Policy Act
- K. Effects on the Energy Supply (E.O. 13211)
- L. Clarity of This Regulation

**I. Background**

Various statutes provide the Bureau of Indian Affairs (BIA) with authority to issue this regulation and for administering electric power utilities for the Colorado River, Flathead (Mission Valley Power), and San Carlos Indian irrigation projects. For example, see 5 U.S.C. 301; 25 U.S.C. 13; 25 U.S.C. 385c; 43 Stat. 475–76; 45 Stat. 210–13; 49 Stat. 1039–40; 49 Stat. 1822–23; 54 Stat. 422; 62 Stat. 269–73; 65 Stat. 254; 99 Stat. 319–20. Each of these power projects provides energy, transmission, and distribution of electrical services to customers in their respective service areas. BIA (or the contracting/compacting Indian Tribe) provides oversight and limited technical assistance for power projects and conducts operations and maintenance of the distribution systems.

The regulations addressing BIA’s administration of the power utilities are at 25 CFR part 175, Indian Electric Power Utilities. These regulations were last updated in 1991.

**II. Description of Changes**

The revisions being proposed today are intended to make the regulations more user-friendly through plain language. The proposed rule would also update definitions, lengthen the time by which BIA must issue a decision on an appeal from 30 days to 60 days (by referring to 25 CFR 2.19(a)), and require publication of rate adjustments in the **Federal Register**. The following tables summarize the proposed changes:

Current 25 CFR section	Proposed 25 CFR section	Summary of proposed changes
175.1 Definitions .....	175.100 What terms should I know for this part?	Deletes the definitions of “appellant” and “officer-in-charge.” Adds definitions for “bill,” “CFR,” “day(s),” “delinquent,” “due date,” “electric energy,” “energy,” “fee,” “I, me, my, you, and your,” “must,” “past due bill,” “power,” “public notice,” “purchased power,” “taxpayer identification number,” “utility(ies),” and “we, us, and our.” Replaces definition of “Area Director” with a definition of “BIA.” Revises the definition of “customer,” “electric power utility,” “electric service,” “operations manual,” “service,” “service fee.” Revises the definition of “power rate” and replaces it with the terms “rate” and “electric power rate.” Revises the definition of “service agreement” and replaces it with the term “agreement.” Revises the definition of “special contract” and replaces it with the term “special agreement.”
175.2 Purpose .....	175.105 What is the purpose of this part?	Revises for plain language.
175.3 Compliance .....	175.110 Does this part apply to me?	Revises for plain language.
175.4 Authority of area director ...	N/A .....	Deletes provisions containing delegations of authority to eliminate possible conflicts with the Departmental Delegations of Authority.