



FEDERAL REGISTER

Vol. 82

Tuesday,

No. 185

September 26, 2017

Pages 44711–44878

OFFICE OF THE FEDERAL REGISTER



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2017-0241; Product Identifier 2017-NE-09-AD; Amendment 39-19045; AD 2017-19-15]

RIN 2120-AA64

Airworthiness Directives; Technify Motors GmbH Reciprocating Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Technify Motors GmbH TAE 125-02 reciprocating engines. This AD requires replacement of the clutch with a dual mass flywheel. This AD was prompted by a loss of engine power in flight caused by oil leaking from the gearbox radial shaft sealing ring that contaminated the clutch. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD becomes effective October 31, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 31, 2017.

ADDRESSES: For service information identified in this final rule, contact Technify Motors GmbH, Platanenstrasse 14, D-09356 Sankt Egidien, Germany; phone: +49 37204 696 0; fax: +49 37204 696 29125; email: info@centurion-engines.com. You may view this service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125. It is also available on the Internet at

<http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0241.

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-2017-0241; 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 mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Robert Green, Aerospace Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7754; fax: 781-238-7199; email: robert.green@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 the specified products. The NPRM was published in the **Federal Register** on May 5, 2017 (82 FR 21144). The NPRM proposed to correct an unsafe condition for the specified products. The mandatory continuing airworthiness information (MCAI) states:

A temporary power loss occurred during flight on a TAE 125-02-powered aeroplane. Following investigation, it was determined that an improper lapping of the gearbox driveshaft led to insufficient sealing of the gearbox radial shaft sealing ring, eventually resulting in oil leakage and oil contamination of the clutch.

This condition, if not detected and corrected, could lead to permanent engine power loss, possibly resulting in reduced control of the aeroplane.

You may obtain further information by examining the MCAI in the AD

docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0241.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Revision to Economic Estimate

We corrected the estimate of work hours from 0 in the NPRM to 4 in this final rule. This revision increases the estimate of the cost per product from \$5,805 in the NPRM to \$6,145 in this final rule. The total cost was correctly estimated at \$24,580 in the NPRM and is therefore unchanged in this final rule.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this final rule as proposed except for minor editorial changes and the minor revisions to the costs of compliance section noted above. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

Related Service Information Under 14 CFR Part 51

Technify Motors GmbH has issued Service Bulletin (SB) No. SB TMG 125-1020 P1, Initial Issue, dated January 27, 2016. The SB describes procedures for replacing the clutch with a dual mass flywheel. 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.

Costs of Compliance

We estimate that this AD affects 4 engines installed on 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 |
|--------------------------------|--|------------|------------------|------------------------|
| Replace clutch and gearbox ... | 4 work-hours × \$85 per hour = \$340 | \$5,805 | \$6,145 | \$24,580 |

Authority for This Rulemaking

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

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

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to engines, propellers, and

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

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 to the extent that it justifies making a regulatory distinction, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2017–19–15 Technify Motors GmbH:
Amendment 39–19045; Docket No. FAA–2017–0241; Product Identifier 2017–NE–09–AD.

(a) Effective Date

This AD becomes effective October 31, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Technify Motors GmbH TAE 125–02–99 (commercial designation CD–135, formerly Centurion 2.0) and TAE 125–02–114 (commercial designation CD–155, formerly Centurion 2.0S) reciprocating engines with a gearbox serial number (S/N) listed in Figure 1 to paragraph (c) of this AD.

FIGURE 1 TO PARAGRAPH (c) OF THIS AD—GEARBOX S/NS

| | | | | | | | | |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 00095 | 00107 | 00139 | 00160 | 00171 | 00172 | 00179 | 00189 | 00224 |
| 00327 | 00396 | 00432 | 00459 | 00481 | 00564 | 00688 | 00697 | 00884 |
| 00923 | 00957 | 01019 | 01048 | 01081 | 01082 | 01106 | 01125 | 01236 |
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| 01977 | 01978 | 01986 | 02026 | 02040 | 02041 | 02127 | 02141 | 02167 |
| 02189 | 02228 | 02289 | 02298 | 02304 | 02314 | 02316 | 02354 | 02432 |

(d) Subject

Joint Aircraft System Component (JASC) Code 8510, Reciprocating Engine Front Section.

(e) Reason

This AD was prompted by a loss of engine power in flight caused by oil leaking from the gearbox radial shaft sealing ring that contaminated the clutch. We are issuing this AD to prevent failure of the clutch, loss of engine power in flight, and reduced control of the airplane.

(f) Compliance

- (1) Comply with this AD within the compliance times specified, unless already done.
- (2) Within 55 flight hours after the effective date of this AD:
 - (i) Replace the clutch with a dual mass flywheel. Use Technify Motors Service Bulletin (SB) No. SB TMG 125–1020 P1, Initial Issue, dated January 27, 2016, to do the replacement.

(ii) Install a start phase monitoring system and software mapping in accordance with the requirements of FAA AD 2015–21–01 (80 FR 64314, October 23, 2015); and

(iii) Inspect the rear radial shaft sealing ring on the gearbox for oil leakage in accordance with Figures 2 and 3 of Technify Motors SB No. SB TMG 125–1020 P1, Initial Issue, dated January 27, 2016. If an oil leak is detected, replace the gearbox with a part eligible for installation before the next flight.

(g) Installation Prohibition

After the effective date of this AD:

(1) Do not install an engine that is equipped with a clutch and has an affected gearbox listed in Figure 1 to paragraph (c) of this AD;

(2) Do not install an affected gearbox on an engine unless it has passed the inspection required by paragraph (f)(2)(iii) of this AD; and

(3) Do not install a clutch on an engine previously modified in accordance with the requirements of paragraph (f)(2) of this AD or already incorporating a dual mass flywheel.

(h) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(i) Related Information

(1) For more information about this AD, contact Robert Green, Aerospace Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7754; fax: 781-238-7199; email: robert.green@faa.gov.

(2) Refer to MCAI European Aviation Safety Agency AD 2017-0034, dated February 20, 2017, for more information. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA-2017-0241.

(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) Technify Motors GmbH Service Bulletin No. SB TMG 125-1020 P1, Initial Issue, dated January 27, 2016.

(ii) Reserved.

(3) For Technify Motors GmbH service information identified in this AD, contact Technify Motors GmbH, Platanenstrasse 14, D-09356 Sankt Egidien, Germany; phone: +49 37204 696 0; fax: +49 37204 696 29125; email: info@centurion-engines.com. You may view this referenced service information at FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

(4) You may view this service information 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 Burlington, Massachusetts, on September 13, 2017.

Robert J. Ganley,

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

[FR Doc. 2017-20419 Filed 9-25-17; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2017-0140; Product Identifier 2017-NE-05-AD; Amendment 39-19048; AD 2017-19-18]

RIN 2120-AA64

Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Rolls-Royce Deutschland Ltd & Co KG (RRD) model Tay 620-15 turbofan engines. This AD requires reducing the maximum approved life limit. This AD was prompted by RRD recalculating the life limit for certain high-pressure compressor (HPC) stage 12 rotor disks. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD becomes effective October 31, 2017.

ADDRESSES: For service information identified in this final rule, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11-15827 Dahlewitz, Blankenfelde-Mahlow, Germany; phone: +49 0 33-7086-1944; fax: +49 0 33-7086-3276. You may view this service information at the FAA, Engine and Propeller Standards Branch, Policy and Innovation Division, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781-238-7125. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0140.

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-2017-0140; 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 mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Robert Green, Aerospace Engineer, FAA, ECO Branch, Compliance and Airworthiness Division, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7754; fax: 781-238-7199; email: robert.green@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 the specified products. The NPRM was published in the **Federal Register** on May 26, 2017 (82 FR 24257). The NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Based on revised stress analysis and life calculation, Rolls-Royce Deutschland (RRD) determined new provisional life limits for HPC stage 12 rotor disc Part Number (P/N) JR18449, reducing the maximum approved life limit defined in the Tay 620-15 and Tay 620-15/20 engine Time Limits Manual (TLM), Chapter 05-10-01, Task 05-10-01-800-000, currently at revision dated 15 September 2014. Failure to replace a HPC stage 12 rotor disc P/N JR18449, before exceeding the thresholds defined by this AD, could lead to an uncontained HPC stage 12 rotor disc failure, possibly resulting in damage to, and/or reduced control of, the aeroplane.

You may obtain further information by examining the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0140.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (82 FR 24257, May 26, 2017) or on the determination of the cost to the public.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting this AD as proposed.

Related Service Information

RRD has issued Alert Non-Modification Service Bulletin (NMSB) TAY-72-A1813, Revision 1, dated January 27, 2017. The Alert NMSB provides instructions to determine or re-

calculate the consumed and remaining service life. 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.

Costs of Compliance

We estimate that this AD affects 25 engines installed on 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 |
|----------------------|--|------------|------------------|------------------------|
| Pro-rated life | 1 work-hour × \$85 per hour = \$85 | \$3,858 | \$3,943 | \$98,575 |

Authority for This Rulemaking

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

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

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to engines, propellers, and associated appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

Regulatory Findings

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 to the extent that it justifies making a regulatory distinction, and
 - (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:
Authority: 49 U.S.C. 106(g), 40113, 44701.
- **§ 39.13 [Amended]**
- 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):
2017–19–18 Rolls-Royce Deutschland Ltd & Co KG: Amendment 39–19048; Docket No. FAA–2017–0140; Product Identifier 2017–NE–05–AD.
- (a) **Effective Date**
This AD becomes effective October 31, 2017.
- (b) **Affected ADs**
None.

(c) Applicability

This AD applies to Rolls-Royce Deutschland Ltd & Co KG (RRD) model Tay 620–15 turbofan engines with high-pressure compressor (HPC) modules M03100AA, or M03100AB, or M03100AC and HPC stage 12 rotor disk, part number (P/N) JR18449, installed.

(d) Subject

Joint Aircraft System Component (JASC) 7230, Turbine Engine Compressor Section.

(e) Reason

This AD was prompted by RRD recalculating the life limit for HPC stage 12 rotor disk, P/N JR18449. We are issuing this AD to prevent failure of the HPC stage 12 rotor disk, uncontained HPC stage 12 rotor disk release, damage to the engine, and damage to the airplane.

(f) Compliance

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

(g) Required Actions

- (1) Within 30 days after the effective date of this AD, determine whether the HPC stage 12 rotor disk has operated in both flight profiles A and B. If the rotor disk was operated, or is operating, in both flight profiles A and B, re-calculate the consumed cyclic life using 16,700 flight cycles (FC) as the maximum approved life limit for flight profile B.
- (2) After the effective date of this AD, the maximum approved life limit for affected rotor disks operating in flight profile B is 16,700 FC. Calculate the consumed cyclic life accumulated since new using 16,700 FC as the maximum approved life limit for flight profile B.
- (3) For those engines operating in flight profile B with an HPC stage 12 rotor disk, P/N JR18449, installed, that do not have an engine shop visit after the effective date of this AD before the re-calculated consumed cyclic life of the HPC stage 12 disk exceeds 16,700 FC, remove the affected rotor disk from service before the re-calculated consumed cyclic life exceeds the threshold(s) defined in Figure 1 to paragraph (g) of this AD.

FIGURE 1 TO PARAGRAPH (g)—REMOVE AFFECTED ROTOR DISKS FROM SERVICE

| Recalculated consumed cyclic life on the effective date of this AD | Remove affected rotor disks from service |
|--|---|
| (i) less than 15,700 FC | Before exceeding 16,700 FC since new |
| (ii) 15,700 FC or more, but less than 16,700 FC. | Either: (A) Within 1,000 FC or 19 months after the effective date of this AD, whichever occurs first; or (B) Before exceeding 16,700 FC since new, whichever occurs later. |
| (iii) 16,700 FC or more | Either: (A) Within 1,000 FC after the effective date of this AD, or (B) Before exceeding 20,000 FC since new, or (C) Within 19 months after the effective date of this AD, whichever occurs first. |

(h) Installation Prohibition

After the effective date of this AD, installation of a serviceable spare engine or release to service of an engine after any shop visit, is allowed, provided the installed HPC stage 12 rotor disk, P/N JR18449, is a serviceable part.

(i) Definition

For the purpose of this AD, a serviceable part is an HPC stage 12 rotor disk, P/N JR18449, that has not exceeded 20,500 FC for flight profile A or 16,700 FC for flight profile B, as applicable to engine operation.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, FAA, ECO Branch, Compliance and Airworthiness Division, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: ANE-AD-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

(1) For more information about this AD, contact Robert Green, Aerospace Engineer, FAA, ECO Branch, Compliance and Airworthiness Division, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7754; fax: 781-238-7199; email: Robert.Green@faa.gov.

(2) Refer to MCAI European Aviation Safety Agency AD 2017-0010, dated January 16, 2017, for more information. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA-2017-0140.

(3) RRD Alert Non-Modification Service Bulletin TAY-72-A1813, Revision 1, dated January 27, 2017, which is not incorporated by reference in this AD, can be obtained from RRD, using the contact information in paragraph (k)(4) of this AD.

(4) For service information identified in this AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11-15827 Dahlewitz, Blankenfelde-Mahlow, Germany; phone: +49 0 33-7086-1944; fax: +49 0 33-7086-3276.

(5) You may view this service information at the FAA, Engine and Propeller Standards Branch, Policy and Innovation Division, 1200

District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

(l) Material Incorporated by Reference

None.

Issued in Burlington, Massachusetts, on September 13, 2017.

Robert J. Ganley,

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

[FR Doc. 2017-20531 Filed 9-25-17; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2017-0767; Product Identifier 2017-NE-26-AD; Amendment 39-19049; AD 2017-19-19]

RIN 2120-AA64

Airworthiness Directives; Rolls-Royce plc Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Rolls-Royce plc (RR) Trent XWB-75, Trent XWB-79, Trent XWB-79B, and Trent XWB-84, turbofan engines. This AD requires replacement of the low-pressure compressor (LPC) case support inboard pins. This AD was prompted by LPC case support inboard pins that may have reduced integrity due to incorrect heat treatment. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD becomes effective October 11, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publications listed in this AD as of October 11, 2017.

We must receive comments on this AD by November 13, 2017.

ADDRESSES: You may send comments by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- **Mail:** U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** 202-493-2251.

For service information identified in this AD, contact Rolls-Royce plc, Corporate Communications, P.O. Box 31, Derby, England, DE24 8BJ; phone: 011-44-1332-242424; fax: 011-44-1332-249936; email: http://www.rolls-royce.com/contact/civil_team.jsp; Internet: <https://customers.rolls-royce.com/public/rollsroycecare>. You may view this service information at the FAA, Engine and Propeller Standards Branch, Policy and Innovation Division, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781-238-7125. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0767.

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-2017-0767; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the mandatory continuing airworthiness information (MCAI), regulatory evaluation, any comments received, and other information. The address for the Docket

Office (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Robert Green, Aerospace Engineer, FAA, ECO Branch, Compliance and Airworthiness Division, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7754; fax: 781-238-7199; email: robert.green@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2017-0767; Directorate Identifier 2017-NE-26-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 with FAA personnel concerning this AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD 2016-0242, dated December 7, 2016 (referred to hereinafter as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

It has recently been established that a certain population of low pressure (LP) compressor case support pins and hollow dowels have insufficient material properties and do not meet specification requirements. This condition, if not corrected, could result in loss of core to fan case concentricity, LP compressor blade rubs and possible blade release, or engine under cowl fire. To address this unsafe condition, RR published Alert NMSB TRENT XWB 72-AJ443 to provide instructions to inspect and replace the affected non-conforming components.

You may obtain further information by examining the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0767.

Related Service Information Under 1 CFR Part 51

RR has issued Alert Non-Modification Service Bulletin (NMSB) No. TRENT XWB 72-AJ443, Revision 1, dated December 21, 2016. The Alert NMSB describes procedures for replacement of all non-conforming LPC case support inboard pins. 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.

FAA’s Determination and Requirements of This AD

This product has been approved by EASA, and is approved for operation in the United States. Pursuant to our bilateral agreement with the European Community, EASA has notified us of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design. This AD requires replacement of all non-conforming LPC case support inboard pins.

FAA’s Determination of the Effective Date

No domestic operators use this product. 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.

Costs of Compliance

We estimate that this AD affects no engines installed on 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 |
|-------------------------------|--|------------|------------------|------------------------|
| Inboard pin replacement | 18 work-hours × \$85 per hour = \$1,530.00 | \$0 | \$1,530.00 | \$0 |

Authority for This Rulemaking

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

We are issuing this rulemaking under the authority described in “Subtitle VII, Part A, Subpart III, Section 44701: General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority

because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to engines, propellers, and appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

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 to the extent that it justifies making a regulatory distinction, and

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2017–19–19 Rolls-Royce plc: Amendment 39–19049; Docket No. FAA–2017–0767; Product Identifier 2017–NE–26–AD.

(a) Effective Date

This AD is effective October 11, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Rolls-Royce plc (RR) Trent XWB–75, Trent XWB–79, Trent XWB–79B, and Trent XWB–84 turbofan engines with an engine serial number (ESN) listed in Appendix 1 of RR Alert Non Modification Service Bulletin (NMSB) Trent XWB 72–AJ443, Revision 1, dated December 21, 2016.

(d) Subject

Joint Aircraft System Component (JASC) Code 7230, Turbine Engine Compressor Section.

(e) Reason

This AD was prompted by low-pressure compressor (LPC) case support inboard pins that may have reduced integrity due to incorrect heat treatment. We are issuing this AD to prevent failure of the LPC case support inboard pins, loss of core to fan case concentricity, LPC blade rubs and possible blade release, or an engine under cowl fire.

(f) Compliance

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

(g) Required Actions

(1) Before exceeding 1,500 flight cycles since new, or within 4 months after the

effective date of this AD, whichever occurs later, inspect each LPC case support inboard pin to identify the serial number (S/N) using Section 3, the Accomplishment Instructions, of RR Alert NMSB Trent XWB 72–AJ443, Revision 1, dated December 21, 2016.

(i) If a pin having a S/N that begins with 235338 is installed, replace the LPC case support inboard pin, and outboard hollow dowels, nuts and bolts using Section 3, the Accomplishment Instructions of RR Alert NMSB Trent XWB 72–AJ443, Revision 1, dated December 21, 2016.

(ii) If a pin having a S/N that begins with 237746 or 204520 is installed, replace the LPC case support outboard hollow dowel, nuts and bolts, using Section 3, the Accomplishment Instructions of RR Alert NMSB Trent XWB 72–AJ443, Revision 1, dated December 21, 2016.

(h) Installation Prohibition

After the effective date of this AD, do not install an engine affected by this AD, unless it has been inspected in accordance with the Accomplishment Instructions of RR Alert NMSB Trent XWB 72–AJ443, Revision 1, dated December 21, 2016.

(i) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Related Information

(1) For more information about this AD, contact Robert Green, Aerospace Engineer, FAA, ECO Branch, Compliance and Airworthiness Division, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7754; fax: 781–238–7199; email: Robert.Green@faa.gov.

(2) Refer to MCAI European Aviation Safety Agency (EASA) AD 2017–0242, dated December 7, 2016, for more information. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA–2017–0767.

(k) 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) Rolls-Royce plc (RR) Alert Non-Modification Service Bulletin Trent XWB 72–AJ443, Revision 1, dated December 21, 2016.

(ii) Reserved.

(3) For RR service information identified in this AD, contact Rolls-Royce plc, Corporate Communications, P.O. Box 31, Derby, England, DE24 8BJ; phone: 011–44–1332–242424; fax: 011–44–1332–249936; email: http://www.rolls-royce.com/contact/civil_team.jsp; Internet: <https://customers.rolls-royce.com/public/rollsroycecare>.

(4) You may view this service information at FAA, Engine and Propeller Standards Branch, Policy and Innovation Division, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7125.

(5) You may view this service information 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 Burlington, Massachusetts, on September 13, 2017.

Robert J. Ganley,

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

[FR Doc. 2017–20420 Filed 9–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0099; Product Identifier 2017–NE–02–AD; Amendment 39–19035; AD 2017–19–05]

RIN 2120–AA64

Airworthiness Directives; Siemens S.A.S. Smoke Detectors

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Siemens S.A.S. smoke detectors installed on various transport category airplanes. This AD requires inspection and replacement of the affected smoke detectors. This AD was prompted by a report that the affected smoke detectors failed an acceptance test. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD becomes effective October 31, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 31, 2017.

ADDRESSES: For service information identified in this final rule, contact Siemens, Aviation Customer Support, 697 Rue Fourny, 78530 Buc, France; phone: (33) 1 3084 6650; fax: (33) 1 3956

1364. You may view this service information at the FAA, Engine and Propeller Standards Branch, Policy and Innovation Division, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0099.

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-2017-0099; 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 mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Erin Hulverson, Aerospace Engineer, FAA, Boston ACO Branch, Compliance and Airworthiness Division, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7655; fax: 781-238-7199; email: erin.hulverson@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 the specified products. The NPRM was published in the **Federal Register** on April 20, 2017 (82 FR 18588). The NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

During a maintenance operation, some smoke detectors P/N PMC1102-02 failed an acceptance test, due to a significant degraded optical sensitivity. Investigation results concluded that light-emitting diodes (LED) were abnormally degraded, affecting specific batches where changes occurred in the LED manufacturer production process. Further investigation has determined that the affected LED have been installed on smoke detectors manufactured between November 2010 and January 2013, and on certain repaired units.

This condition, if not corrected, will generate an abnormal ageing of the smoke detector, leading to a decrease of the light intensity capability, possibly resulting in failure to detect smoke and consequent risk of an on-board uncontrolled fire.

You may obtain further information by examining the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0099.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Comment on Certifying Authority

The European Aviation Safety Agency (EASA) commented that the affected smoke detectors were approved by EASA rather than by France.

We agree. These smoke detectors were approved by EASA. We did not change this AD because this AD does not reference the certifying authority for these smoke detectors. The section commented on by EASA exists only in the "Determination and Requirements of This Proposed AD" section of the NPRM. We did not change this AD.

Request To Revise Applicability

Delta Air Lines (Delta) requested that we revise the Applicability section of this AD to remove the reference to the date range when certain affected smoke detectors were produced. Delta indicated that the NPRM may be interpreted as implying that there are more affected smoke detector serial numbers than those identified in paragraph 1/D/of Siemens Service Information Letter (SIL) PMC-26-002, Revision No. 1, dated January 2016, and of SIL PMC-26-003, Revision No. 2, dated February, 2016. Delta commented that removing the date range from the Applicability section of this AD would clarify applicability for operators.

We agree. We find that providing the part numbers (P/Ns) and serial numbers (S/Ns) for the affected smoke detectors sufficiently identifies all affected detectors. We revised this AD by removing the reference to the production date range from the Applicability section of this AD.

Request To Revise Compliance Schedule

Delta requested that we revise paragraph (f)(2) in the compliance section of this AD to indicate that

repaired units identified in Figure (1) to paragraph (c) of this AD should be replaced within 5 months after the effective date of this AD. Delta commented that the NPRM does not specify when these affected detectors are to be replaced.

We agree. We revised the compliance section of this AD to specify that smoke detectors identified in paragraph (c)(2) of this AD must be replaced within 5 months after the effective date of this AD.

Support for This AD

The Air Line Pilots Association, International, commented that it supports the intent of this AD to correct the unsafe condition on the affected products.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting this AD with the changes described previously. We determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

Related Service Information Under 14 CFR Part 51

Siemens has issued SIL No. PMC-26-002, Revision No. 1, dated January 2016 and SIL No. PMC-26-003, Revision No. 2, dated February 2016. SIL No. PMC 26-002 provides a list of S/Ns for affected smoke detectors, P/Ns PMC1102-02, PMC3100-00, and GMC1102-02, known to be installed on Airbus A330 passenger, A330 freighter, and A380 airplanes. SIL No. PMC 26-003 provides a list of S/Ns for affected smoke detectors, P/N PMC1102, known to be installed on Boeing B737-400 airplanes that have been converted via supplemental type certificate from a passenger to a freighter airplane. 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.

Costs of Compliance

We estimate that this AD affects an unknown number of smoke detectors installed on, but not limited to, various aircraft of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

| Action | Labor cost | Parts cost | Cost per product |
|-------------------|--|------------|------------------|
| Inspection | 0.2 work-hours × \$85 per hour = \$17 | \$0 | \$17 |
| Replacement | 0.8 work-hours × \$85 per hours = \$68 | 1,285 | 1,353 |

Authority for This Rulemaking

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

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

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to engines, propellers, and appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

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 to the extent that it justifies making a regulatory distinction, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2017–19–05 Siemens S.A.S.: Amendment 39–19035; Docket No. FAA–2017–0099; Product Identifier 2017–NE–02–AD.

(a) Effective Date

This AD becomes effective October 31, 2017.

(b) Affected ADs

None.

(c) Applicability

(1) This AD applies to Siemens S.A.S. smoke detectors, part numbers (P/Ns) PMC1102–02, PMC3100–00, and GMC1102–02, with serial numbers (S/Ns) listed in paragraph 1/D/of Siemens Service Information Letter (SIL) No. PMC–26–002, Revision No. 1, dated January 2016; or paragraph 1/D/of Siemens SIL No. PMC–26–003, Revision No. 2, dated February 2016.

(2) This AD also applies to those smoke detectors with P/Ns and S/Ns listed in Figure 1 to paragraph (c) of this AD; installed on, but not limited to, any airplane, certificated in any category, listed in paragraphs (c)(2)(i) or (ii) of this AD.

FIGURE 1 TO PARAGRAPH (c) OF THIS AD—P/N AND S/Ns OF REPAIRED SMOKE DETECTORS

| P/N | S/N |
|------------------|--|
| PMC1102–2 | 2129, 2281, 2335, 2343, 2356, 2399, 2411, 2428, 2588, 2731, 2851, 2888, 3658, 3696, 3710, 3729, 3731, 5032, 5039, 5040, 5107, 5216, 5233, 50069, 50075, 50087, 50122, 50204, 50250, 50264, 50268, 50270, 50272, 50366 and 50386. |
| PMC3100–00 | 201, 208, 213 227, 260, 268, 312, 528, 588, 592, 606, 652, 655, 660, 667, 50037, 50046, 50058, 50060, 50062, 50067, 50070, 50072 and 50090. |

(i) in production on Airbus A330, A330 freighter, and A380 airplanes;

(ii) in service by supplemental type certificate modification on:

(A) Airbus A319 and A320, and Bombardier CL–600–2B19 (Challenger 850), Boeing (formerly McDonnell Douglas) DC–9 series 80 airplanes; and

(B) Boeing 737–400 (BDSF), 767, and 747–8 airplanes.

(d) Subject

Joint Aircraft System Component (JASC) Code 2611, Smoke Detection.

(e) Reason

This AD was prompted by a report that the affected smoke detectors failed an acceptance test. We are issuing this AD to prevent failure of the smoke detector, on-board uncontrolled fire, and damage to the airplane.

(f) Compliance

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

(1) Within 30 days after the effective date of this AD, inspect each Siemens smoke detector, or review your maintenance records, to determine if an affected detector is installed.

(2) For smoke detectors identified in paragraph (c)(1) of this AD, replace the

detectors within the compliance times specified in Figures 2, 3, and 4 to paragraph (f) of this AD.

FIGURE 2 TO PARAGRAPH (f) OF THIS AD—P/N PMC1102–02
[Cargo compartments]

| Manufacturing date (month/year) | Compliance time (after the effective date of this AD) |
|------------------------------------|--|
| 122010 to 112011 inclusive. | Within 5 months. |
| 122011 to 012013 inclusive. | Within 11 months. |

FIGURE 3 TO PARAGRAPH (f) OF THIS AD—P/N PMC310–00 DETECTORS
[Cargo compartments]

| Manufacturing date (month/year) | Compliance time (after the effective date of this AD) |
|------------------------------------|--|
| 032011 to 012012 inclusive. | Within 5 months. |
| 022012 to 012013 inclusive. | Within 11 months. |

FIGURE 4 TO PARAGRAPH (f) OF THIS AD—P/N GMC1102–02
[Passenger cabin or any other location]

| Manufacturing date (month/year) | Compliance time (after the effective date of this AD) |
|------------------------------------|--|
| 112010 to 022012 inclusive. | Within 24 months. |
| 032012 to 122012 inclusive. | Within 36 months. |

(3) For smoke detectors identified in paragraph (c)(2) of this AD, replace the detectors within 5 months after the effective date of this AD.

(g) Installation Prohibition

After the effective date of this AD, do not install on any airplane a smoke detector:

- (1) With a manufacturing date and P/N listed in Figure 2 or 3 to paragraph (f) of this AD;
- (2) listed in Figure 4 to paragraph (f) of this AD unless the detector is marked 'SIL PMC–26–002'.

(h) Alternative Methods of Compliance (AMOCs)

- (1) The Manager, FAA, Boston ACO Branch, Compliance and Airworthiness Division, 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 Boston ACO Branch, send it to the attention of the person identified in paragraph (i)(1) of this AD.
- (2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager

of the local flight standards district office/certificate holding district office.

(i) Related Information

(1) For more information about this AD, contact Erin Hulverson, Aerospace Engineer, FAA, Boston ACO Branch, Compliance and Airworthiness Division, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7655; fax: 781–238–7199; email: erin.hulverson@faa.gov.

(2) Refer to MCAI European Aviation Safety Agency AD 2016–0024, dated January 26, 2016, for more information. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA–2017–0099.

(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) Siemens Service Information Letter (SIL) No. PMC–26–002, Revision No. 1, dated January 2016.

(ii) Siemens SIL No. PMC–26–003, Revision No. 2, dated February 2016.

(3) For Siemens service information identified in this AD, contact Siemens, Aviation Customer Support, 697 Rue Fourny, 78530 Buc, France; phone: (33) 1 3084 6650; fax: (33) 1 3956 1364.

(4) You may view this service information at FAA, Engine and Propeller Standards Branch, Policy and Innovation Division, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

(5) You may view this service information 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 Burlington, Massachusetts, on September 20, 2017.

Robert J. Ganley,

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

[FR Doc. 2017–20425 Filed 9–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2017–0287; Airspace Docket No. 17–ACE–6]

Amendment of Class E Airspace; Wayne, NE

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E airspace extending up to 700 feet above the surface at Wayne Municipal/Stan Morris Field (formally the Wayne Municipal Airport), Wayne, NE, to accommodate new standard instrument approach procedures for instrument flight rules (IFR) operations at the airport. This action is necessary due to the decommissioning of the Wayne non-directional radio beacon (NDB) serving the airport, and cancellation of the NDB approach. This action enhances the safety and management of IFR operations at the airport. The new airport name was not included in the NPRM and is being corrected. The geographic coordinates of the airport also are updated to be in concert with the FAA's aeronautical database.

DATES: Effective 0901 UTC, December 7, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

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

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT:

Walter Tweedy, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5900.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. 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 modify Class E airspace extending up to and including 700 feet above the surface area at Wayne Municipal/Stan Morris Field, Wayne, NE, in support of the instrument approach procedures for IFR operations at the airport. The geographic coordinates of the airport also will be updated to be in concert with the FAA's aeronautical database.

History

The FAA published in the **Federal Register** (82 FR 22924, May 19, 2017) Docket No. FAA-2017-0287 a notice of proposed rulemaking (NPRM) to modify Class E airspace extending upward from 700 feet above the surface at Wayne Municipal/Stan Morris Field (formally the Wayne Municipal Airport), Wayne, NE. Subsequent to the publication of the NPRM, the FAA found that the airport name had a name change to Wayne Municipal/Stan Morris Field from the Wayne Municipal Airport. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

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

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 amends Class E airspace extending upward from 700 feet above the surface within a 6.5-mile radius (reduced from a 7.5-mile radius) of Wayne Municipal/Stan Morris Field, Wayne, NE. Airspace redesign of standard instrument

approach procedures is necessary for IFR operations at the airport due to the decommissioning of the Wayne NDB, and cancellation of the NDB approach. The name and geographic coordinates of the airport also are updated to be in concert with the FAA's aeronautical database. This action enhances the safety and management of the standard instrument approach procedures for IFR operations at the airport.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. 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, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 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 14 CFR 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 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ACE NE E5 Wayne, NE [Amended]

Wayne Municipal/Stan Morris Field, NE
(Lat. 42°14'30" N., long. 96°58'56" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Wayne Municipal/Stan Morris Field.

Issued in Fort Worth, Texas, on September 15, 2017.

Vonnie Royal,

*Acting Manager, Operations Support Group,
ATO Central Service Center.*

[FR Doc. 2017-20433 Filed 9-25-17; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA-2016-7055; Airspace
Docket No. 15-AWP-11]

Establishment of Restricted Area R-2306F; Yuma Proving Ground, AZ

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes restricted area R-2306F in the vicinity of Laguna Army Airfield (LGF) at Yuma Proving Ground, AZ. The restricted area allows Yuma Proving Ground (YPG) to maximize the existing fixed infrastructure to support current and future hazardous test programs while minimizing the risk to public and non-participating aircraft. These programs involve ground and airborne testing of non-eye-safe lasers, high energy radars and the development of unproven weapon systems and this ensures the safer testing and evaluation of these programs without impacting non-participating aircraft and general public.
DATES: Effective date 0901 UTC, December 7, 2017.

FOR FURTHER INFORMATION CONTACT: Kenneth Ready, Airspace Policy Group, Office of Airspace Services, Federal

Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. 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 the 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 modifies the air traffic service route structure in the north central United States to maintain the efficient flow of air traffic.

History

On July 25, 2016, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) (81 FR 48364), Docket No. FAA-2016-7055, to establish restricted area R-2306F, Yuma Proving Ground, AZ.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Differences From the NPRM

Subsequent to publication of the NPRM, the FAA identified geographic coordinates to more accurately reflect the existing boundaries using digital charting capabilities. The geographic coordinates identifying Laguna Army Airfield required a slight adjustment to accurately reflect the exact location. The geographic coordinates before and after Laguna Army Airfield needed to be corrected to ensure the FAA digital database meet tolerances of gap analysis.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 73 to establish a new restricted area (R-2306F) in the vicinity of Laguna Army Airfield (LGF) at Yuma Proving Ground, AZ. This action also incorporates the restricted area updates noted in the "Differences from the NPRM" section of this final rule. The FAA is taking this action for testing that includes both ground and air-to-ground propagation of non-eye-safe lasers, high power radars and developmental, unproven weapons

systems. Testing includes the actual operation of these systems using various proven and unproven aircraft platforms. Due to the hazards of these systems, it is imperative that these activities be segregated within a restricted area. The changes from the NPRM are as follows:

R-2306F: The geographic coordinates proposed as "lat. 32°51'18" N., long. 114°19'29" W." in the boundaries description are changed to "lat. 32°51'19" N., long. 114°19'29" W." Additionally, the geographic coordinates proposed as "lat. 32°51'52" N., long. 114°23'34" W." in the boundaries description are changed to "lat. 32°51'53" N., long. 114°23'35" W." Lastly, the geographic coordinates proposed as "lat. 32°49'30" N., long. 114°26'39" W." in the boundaries description are changed to "lat. 32°49'30" N., long. 114°26'38" W." These coordinates are changed from the NPRM to ensure the FAA digital database meet tolerances of gap analysis.

Regulatory Notices and Analyses

The FAA has determined that this 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 Department of Transportation (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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of establishing a new restricted area (R-2306F) in the vicinity of Laguna Army Airfield (LGF) at Yuma Proving Ground, AZ, qualifies for FAA adoption as authorized under 40 CFR 1506.3, and in accordance with FAA Order 1050.1F, paragraphs 8-2 and 9-2, *Adoption of Other Agencies' National Environmental Policy Act Documents, and Written Re-evaluations*, and 7400.2L, paragraph 32-2-3.

FAA's environmental impact review included an independent evaluation and adoption of the Army's Supplemental Environmental Assessment (SEA) for Proposed Special

Use Airspace at Laguna Army Airfield, Yuma, Arizona which included the establishment of Restricted Area Airspace R-2306F. The Army's SEA, for which the FAA was a cooperating agency, was published July 2015 with issuance of its Finding of No Significant Impact (FONSI) on September 28, 2015.

The FAA has carefully considered its statutory mandate under 49 U.S.C. 40103 to ensure the safe and efficient use of the National Airspace System as well as the other aeronautical goals and objectives discussed in the Army's SEA, and has determined that the Army's Proposed Action provides the best airspace combination for meeting the needs stipulated in its SEA, that the SEA adequately assesses and discloses the environmental impacts of the Proposed Action, and that all practicable means to avoid or minimize environmental harm from that alternative have been adopted. Additionally, the FAA has determined that there have not been substantial changes to the Army's Proposed Action relevant to environmental concerns, and that there are no significant new circumstances or information relevant to environmental concerns and bearing on the Proposed Action or its impacts. Therefore, the FAA has concluded that an additional supplement to the Supplemental EA is not required.

A copy of the FAA's Adoption EA and FONSI/ROD document is available at <https://www.regulations.gov/> by referencing this docket number.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

- 1. The authority citation for part 73 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.

§ 73.23 [Amended]

- 2. Section 73.23 is amended as follows:

* * * * *

R-2306F, Yuma West, AZ [New]

Boundaries: Beginning at latitude 32°51'52" N., longitude 114°26'52" W.; to latitude 32°52'30" N., longitude 114°21'03" W.; to latitude 32°51'15" N., longitude 114°21'03" W.; to latitude 32°51'19" N., longitude 114°19'29" W.;

then clockwise along a 3.5 NM arc centered at latitude 32°51'53" N., longitude 114°23'35" W.; to latitude 32°49'30" N., longitude 114°26'38" W.; to latitude 32°49'51" N., longitude 114°26'38" W.; to latitude 32°50'08" N., longitude 114°26'3" W.; to latitude 32°50'17" N., longitude 114°26'19" W.; to latitude 32°50'31" N., longitude 114°26'17" W.; to latitude 32°50'42" N., longitude 114°26'9" W.; to latitude 32°51'11" N., longitude 114°26'34" W.; to the point of beginning.

Designated altitudes: Surface to and including 1,700 feet MSL.

Time of Designation: Intermittent, 0600–1800 local time, Monday–Saturday; other times by NOTAM.

Controlling Agency: Yuma Approach Control, MCAS Yuma, AZ.

Using Agency: U.S. Army, Commanding Officer, Yuma Proving Ground, Yuma, AZ.

Issued in Washington, DC, on September 20, 2017.

Rodger A. Dean Jr.,

Manager, Airspace Policy Group.

[FR Doc. 2017–20590 Filed 9–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 40

[Docket No. RM16–13–000; Order No. 836]

Balancing Authority Control, Inadvertent Interchange, and Facility Interconnection Reliability Standards

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission (Commission) approves Reliability Standards BAL–005–1 (Balancing Authority Control) and FAC–001–3 (Facility Interconnection Requirements), submitted by the North American Electric Reliability Corporation, as well as the retirement of Reliability Standards BAL–005–0.2b (Automatic Generation Control), FAC–001–2 (Facility Interconnection Requirements), and BAL–006–2 (Inadvertent Interchange).

DATES: This rule will become effective November 27, 2017.

FOR FURTHER INFORMATION CONTACT:

Syed Ahmad (Technical Information), Office of Electric Reliability, Division of Reliability Standards, Federal Energy Regulatory Commission, 888

First Street NE., Washington, DC 20426, Telephone: (202) 502–8718, *Syed.Ahmad@ferc.gov*

Julie Greenisen (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (202) 502–6362, *Julie.Greenisen@ferc.gov*.

SUPPLEMENTARY INFORMATION:

ORDER NO. 836

FINAL RULE

1. Pursuant to section 215 of the Federal Power Act (FPA),¹ the Commission approves Reliability Standards BAL–005–1 (Balancing Authority Control) and FAC–001–3 (Facility Interconnection Requirements), submitted by the North American Electric Reliability Corporation (NERC), as well as the retirement of Reliability Standards BAL–005–0.2b (Automatic Generation Control), FAC–001–2 (Facility Interconnection Requirements), and BAL–006–2 (Inadvertent Interchange). The Commission also approves the associated implementation plans, violation risk factors, and violation severity levels for Reliability Standards BAL–005–1 and FAC–001–3. Finally, the Commission approves three revised definitions for the glossary of terms used in NERC's Reliability Standards (NERC Glossary).

2. The Commission determines that Reliability Standards BAL–005–1 and FAC–001–3 will enhance the reliability of the Bulk-Power System, as compared to currently-effective Reliability Standards BAL–005–0.2b and FAC–001–2, by clarifying and consolidating existing requirements related to frequency control. In addition, the Commission determines that the revised Reliability Standards support more accurate and comprehensive calculation of Reporting Area Control Error (Reporting ACE), by requiring timely reporting of an inability to calculate Reporting ACE and by requiring balancing authorities to maintain minimum levels of annual availability of 99.5 percent for each balancing authority's system for calculating Reporting ACE. Based on the information received in the comments on the Notice of Proposed Rulemaking in this proceeding,² as well as in response to a subsequent data request

issued to NERC,³ the Commission has determined that it will not, at this time, direct NERC to restore existing requirements in Requirement R15 of Reliability Standard BAL–005–0.2b related to maintaining and testing backup power supplies at primary control centers and other critical locations. We also approve NERC's request to retire Reliability Standard BAL–006–2, BAL–005–0.2b and FAC–001–2 upon the effective date of Reliability Standard BAL–005–1.

I. Background

A. Mandatory Reliability Standards and Order No. 693

3. Section 215 of the FPA requires a Commission-certified Electric Reliability Organization (ERO) to develop mandatory and enforceable Reliability Standards that are subject to Commission review and approval. Specifically, the Commission may approve, by rule or order, a proposed Reliability Standard or modification to a Reliability Standard if it determines that the Reliability Standard is just, reasonable, not unduly discriminatory or preferential and in the public interest.⁴ Once approved, the Reliability Standards may be enforced by NERC, subject to Commission oversight, or by the Commission independently.⁵

4. Pursuant to section 215 of the FPA, the Commission established a process to select and certify an ERO,⁶ and subsequently certified NERC as the ERO.⁷ On March 16, 2007, the Commission issued Order No. 693, approving 83 of the initial 107 Reliability Standards filed by NERC, including Reliability Standards BAL–005–0 (Automatic Generation Control), FAC–001–0 (Facility Interconnection Requirements), and BAL–006–1 (Inadvertent Interchange).⁸ In addition to approving Reliability Standards BAL–005–0 and BAL–006–1, the Commission directed NERC to develop modifications to those Reliability Standards through

³ See Response of the North American Electric Corporation to Data Request, Docket No. RM16–13–000 (April 7, 2017).

⁴ 16 U.S.C. 824o(d)(2).

⁵ *Id.* 824o(e).

⁶ *Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards*, Order No. 672, FERC Stats. & Regs. ¶ 31,204, *order on reh'g*, Order No. 672–A, FERC Stats. & Regs. ¶ 31,212 (2006).

⁷ *North American Electric Reliability Corp.*, 116 FERC ¶ 61,062, *order on reh'g and compliance*, 117 FERC ¶ 61,126 (2006), *aff'd sub nom. Alcoa, Inc. v. FERC*, 564 F.3d 1342 (D.C. Cir. 2009).

⁸ *Mandatory Reliability Standards for the Bulk-Power System*, Order No. 693, FERC Stats. & Regs. ¶ 31,242 at PP 420, 439, and 680, *order on reh'g*, Order No. 693–A, 120 FERC ¶ 61,053 (2007).

¹ 16 U.S.C. 824(o).

² *Balancing Authority Control, Inadvertent Interchange, and Facility Interconnection Reliability Standards*, Notice of Proposed Rulemaking, 81 FR 66,555 (Sept. 28, 2016), 156 FERC ¶ 61,210 (2016) (NOPR).

the NERC standards development process.

5. With respect to Reliability Standard BAL-005-0, the Commission directed NERC to develop a modification that:

(1) develops a process to calculate the minimum regulating reserve a balancing authority must have at any given time taking into account expected load and generation variation and transactions being ramped into or out of the balancing authority; (2) changes the title of the Reliability Standard to be neutral as to the source of regulating reserves and to allow the inclusion of technically qualified DSM and direct control load management; (3) clarifies Requirement R5 of this Reliability Standard to specify the required type of transmission or backup plans when receiving regulation from outside the balancing authority when using non-firm service; and (4) includes Levels of Non-Compliance and a Measure that provides for a verification process over the minimum required automatic generation control or regulating reserves a balancing authority must maintain.⁹

Subsequently, the Commission approved one interpretation of Reliability Standard BAL-005-0 and two errata filings.¹⁰ The currently-effective version of the Reliability Standard is BAL-005-0.2b.

6. With respect to Reliability Standard BAL-006-1, the Commission directed NERC to develop a modification “that adds Measures concerning the accumulation of large inadvertent imbalances and Levels of Non-Compliance.”¹¹ The Commission explained the need for such a modification as follows:

While we agree that inadvertent imbalances do not normally affect the real-time operations of the Bulk-Power System and pose no immediate threat to reliability, we are concerned that large imbalances represent dependence by some balancing authorities on their neighbors and are an indication of less than desirable balancing of generation with load. The Commission also notes that the stated purpose of this Reliability Standard is to define a process for monitoring balancing authorities to ensure that, over the long

term, balancing authorities do not excessively depend on other balancing authorities in the Interconnection for meeting their demand or interchange obligations.¹²

Since then, the Commission has approved one revision to Reliability Standard BAL-006-1 to remove the regional waiver of certain requirements for the Midcontinent ISO, following the Midcontinent ISO’s transition to a single balancing authority model.¹³ The currently-effective version of the Reliability Standard is BAL-006-2.

B. NERC Petition

7. On April 20, 2016, NERC filed a petition seeking approval of Reliability Standards BAL-005-1 (Balancing Authority Control) and FAC-001-3 (Facility Interconnection Requirements), nine new or revised definitions associated with the Reliability Standards, and retirement of currently-effective Reliability Standards BAL-005-0.2b (Automatic Generation Control), FAC-001-2 (Facility Interconnection Requirements), and BAL-006-2 (Inadvertent Interchange).

8. In its petition, NERC requested that the two modified Reliability Standards and the revised definitions of Automatic Generation Control, Pseudo-Tie, and Balancing Authority become effective on the first day of the first calendar quarter twelve months from the effective date of the applicable governmental authority’s approval of NERC’s petition. NERC also requested that the retirement of Reliability Standard BAL-006-2 become effective upon the latter of the effective date of proposed Reliability Standard BAL-005-1 and the NERC Operating Committee’s approval of an Inadvertent Interchange Guideline document.

9. For the six remaining definitions (Reporting ACE¹⁴ and its component definitions: Actual Frequency, Actual Net Interchange, Scheduled Net Interchange, Interchange Meter Error, and Automatic Time Error Correction), NERC initially requested an effective date of July 1, 2016, to coincide with the effective date for Reliability Standard BAL-001-2. However, NERC subsequently withdrew its request for

approval of the six Reporting ACE-related definitions from the instant docket, and filed for expedited approval of the six definitions in a separate docket. The six definitions were approved by delegated letter order on June 23, 2016, and are no longer at issue in the instant proceeding.¹⁵

10. NERC explained in its petition that Reliability Standards BAL-005-1 and FAC-001-3, and the proposed retirement of Reliability Standard BAL-006-2, came about as part of the second phase of NERC’s project to “clarify, consolidate, streamline, and enhance the Reliability Standards addressing frequency control.”¹⁶ NERC indicated in its petition that the standard drafting team developed the proposed revisions after reviewing applicable Commission directives, “Paragraph 81” criteria, and the recommendations of the periodic review team that examined Reliability Standards BAL-005-0.2b and BAL-006-2.¹⁷

11. NERC described the revisions to Reliability Standard BAL-005-0.2b as clarifying and refining the current requirements “for accurate, consistent, and complete” reporting of Reporting ACE, which is a key frequency control and reliability indicator.¹⁸ These revisions include relocating some of the current requirements of Reliability Standard BAL-005-0.2b, which relate to confirming that facilities are within a balancing authority’s metered boundary, into Reliability Standard FAC-001-3. In addition, NERC proposed to relocate Requirement R3 of currently-effective Reliability Standard BAL-006-2 into Reliability Standard BAL-005-1, explaining that the requirement relates to ensuring that balancing authorities use consistent data sources to calculate Reporting ACE, and therefore more properly belongs in Reliability Standard BAL-005.

12. NERC explained that the revised Reliability Standards “represent substantial improvements over existing Reliability Standards by helping to support more accurate and comprehensive calculation of Reporting

¹⁵ *North American Electric Reliability Corp.*, Docket No. RD16-7-000 (June 23, 2016) (delegated letter order).

¹⁶ NERC Petition at 2 (referencing Project 2010-14.2.1 Phase 2 of Balancing Authority Reliability-based Controls).

¹⁷ *Id.* at 3 (citing *North American Electric Reliability Corp.*, 138 FERC ¶ 61,193 at P 81, *order on reh’g and clarification*, 139 FERC ¶ 61,168 (2012); *Petition of the North American Electric Reliability Corporation for Approval of Retirement of Requirements in Reliability Standards*, Docket No. RM13-8-000, at Exhibit A (“Paragraph 81 Criteria”) (filed Feb. 28, 2013); *North American Electric Reliability Corp.* Order No. 788, 145 FERC ¶ 61,147 (2013)).

¹⁸ *Id.*

⁹ *Id.* P 420.

¹⁰ See *Modification of Interchange and Transmission Loading Relief Reliability Standards; and Electric Reliability Organization Interpretation of Specific Requirements of Four Reliability Standards*, Order No. 713, 124 FERC ¶ 61,071 (2008); *North American Electric Reliability Corp.*, Docket No. RD09-2-000 (May 13, 2009) (delegated letter order); *North American Electric Reliability Corp.*, Docket No. RD12-4-000 (Sept. 13, 2012) (delegated letter order).

¹¹ Order No. 693, FERC Stats. & Regs. ¶ 31,242 at P 428.

¹² *Id.*

¹³ See *North American Electric Reliability Corp.*, 134 FERC ¶ 61,007 (2011).

¹⁴ NERC states that Reporting ACE “represents a Balancing Authority Area’s (BAA’s) Area Control Error (ACE) measured in megawatts (MW) as the difference between the BAA’s Actual and Scheduled Net Interchange, plus its Frequency Bias Setting obligation and meter error corrections. Reporting ACE helps Responsible Entities provide reliable frequency control by indicating the current state of the entity’s contribution to Reliability.” NERC Petition at 3.

ACE and satisfying all remaining Commission directives for Reliability Standards BAL–005 and BAL–006.”¹⁹ Further, NERC maintained that Reliability Standard BAL–005–1 is an improvement over the currently-effective version, BAL–005–0.2b, because it “consolidates unnecessary or repetitive Requirements and moves certain metrics for calculating Reporting ACE to the revised, proposed definition of Reporting ACE.”²⁰ Among other things, NERC proposed to move requirements applicable to generator operators and transmission operators in currently-effective Reliability Standard BAL–005–0.2b, into a more appropriate Reliability Standard, explaining that “[a]s the purpose of FAC–001–3 is more commensurate with interconnection responsibilities, interconnection procedures contained in currently effective BAL–005–0.2b should be included in proposed Reliability Standard FAC–001–3.”²¹

13. In addition, NERC asserted that Reliability Standard BAL–005–1 improves on the currently-effective version of the Reliability Standard because proposed Requirement R2 clarifies the performance expectations for notification to reliability coordinators when a balancing authority is unable to calculate Reporting ACE for 30 minutes or more,²² and Requirement R5 “introduces a new obligation . . . to assure the availability of a BA’s system used to calculate Reporting ACE,” requiring a minimum availability of 99.5 percent in each calendar year.²³

14. NERC stated that the package of revisions reflected in its petition addresses the outstanding directives related to Reliability Standards BAL–005 and BAL–006 from Order No. 693. Specifically, NERC stated that the title of Reliability Standard BAL–005–1 has been modified from Automatic Generation Control to Balancing Authority Control “to reflect the connection to Reporting ACE and resource-neutral requirements.”²⁴ In addition, NERC indicated that it has revised the definition of Automatic Generation Control to ensure a resource-neutral process for controlling demand and resources.²⁵

15. NERC also stated that the requirements of Reliability Standard BAL–005–1 all have a “medium” violation risk factor, thereby addressing the Commission’s directive to revise the violation risk factor for Reliability Standard BAL–005–0, Requirement R17 to “medium.”²⁶ Similarly, NERC asserted that it met the directive to consider Xcel and FirstEnergy’s comments about the scope of Requirement R17, which set minimum accuracy requirements for time error and frequency devices, by retiring part of the currently-effective requirement and moving the minimum accuracy requirements into Requirement R3 of Reliability Standard BAL–005–1. NERC maintained that this response has “streamlined obligations to use specific frequency metering equipment that is necessary for operation of [automatic generation control (AGC)] and accurate calculation of Reporting ACE, as this ensures that costs associated with implementation are commensurate with reliability benefit.”²⁷

16. NERC proposed to move Requirement R3 from currently-effective Reliability BAL–006–2 into Reliability Standard BAL–005–1, but NERC proposed to retire the rest of the requirements of Reliability Standard BAL–006–2 (Requirements R1, R2, R4, and R5). NERC stated that the standard drafting team determined that, aside from Requirement R3, each of the requirements in Reliability Standard BAL–006–2 are “energy accounting standards” and/or are “administrative” in nature, and should accordingly be retired.²⁸

17. NERC acknowledged that the Commission previously directed it to develop measures concerning the accumulation of large inadvertent imbalances, based on the Commission’s concern that large imbalances may indicate an underlying problem. NERC explained, however, that the requirements of Reliability Standard BAL–001–2, which require balancing authorities to maintain clock-minute ACE within the Balancing Authority ACE Limit, as well as the requirements of Reliability Standard BAL–003–1 and proposed Reliability Standard BAL–002–2, which require entities to restore Reporting ACE within predefined bounds, prevent any excessive dependency on other entities. As NERC explained in its petition:

Because entities are supporting frequency through this coordinated

suite of reliability standards, entities will not excessively depend on other entities in the Interconnection such that the purely economic issue that was addressed by BAL–006–2 becomes a reliability issue for a NERC Reliability Standard.²⁹

18. In order to address “any remaining or potential concerns with retirement of BAL–006–2,” NERC proposed that the retirement become effective only upon the Operating Committee’s approval of an Inadvertent Interchange Guideline document.³⁰ NERC stated that the Inadvertent Interchange Guideline document was based on a white paper developed by the standard drafting team for Reliability Standards BAL–005 and BAL–006, and maintained that it provides an in-depth justification for why a NERC Reliability Standard is not necessary for inadvertent interchange.

19. With respect to the three proposed definitions that remain at issue in this proceeding, NERC explained that: (1) “Automatic Generation Control” has been revised to set forth a resource-neutral process for controlling demand and resources; (2) “Pseudo-Tie” has been updated to reflect the use of the term “Reporting ACE;” and (3) “Balancing Authority” has been revised to more accurately describe a balancing authority’s resource demand function.

C. NERC Supplemental Filing

20. On June 14, 2016, NERC submitted supplemental information in support of its April 20, 2016 petition (Supplemental Filing), to provide additional explanation and support for the retirement of Requirement R15 in currently-effective Reliability Standard BAL–005–0.2b.³¹ In its Supplemental Filing, NERC maintained that Requirement R15 should be retired because the objectives of that requirement (i.e., to ensure the continued operation of AGC and certain data recording equipment during the loss of normal power supply) are being addressed through other Reliability Standards and requirements. Specifically, NERC maintained that

²⁹ *Id.* at 27.

³⁰ The Inadvertent Interchange Guideline document was subsequently approved by the NERC Operating Committee, on December 13, 2016. See NERC, *Reliability Guideline: Inadvertent Interchange* (Dec. 13, 2016, http://www.nerc.com/comm/OC/Reliability%20Guideline%20DL/Reliability_Guideline_Inadvertent_Interchange.pdf).

³¹ As NERC notes in its Supplemental Filing, NERC stated in its initial petition that “Requirements R2, R7 and R15 . . . are redundant, ineffective, and should be retired based on Commission-approved Paragraph 81 Criteria.” NERC Supplemental Filing at 1 (quoting NERC Petition at 15).

¹⁹ *Id.* at 12.

²⁰ *Id.* at 13.

²¹ *Id.* at 23.

²² *Id.* at 16.

²³ *Id.* at 19.

²⁴ *Id.* at 13 (referencing Order No. 693, FERC Stats. & Regs. ¶ 31,242 at P 404, and noting that the Commission’s directive related to resource-neutrality for regulating reserves is now moot, as Requirement R2 of Reliability Standard BAL–005–0.2b, which required entities to maintain regulating reserves, has been retired).

²⁵ *Id.* at n.39.

²⁶ *Id.* at 17; see also *North American Elec. Reliability Corp.*, 121 FERC ¶ 61,179, at P 58 (2007).

²⁷ NERC Petition at 18.

²⁸ *Id.* at 25–26.

Reliability Standard EOP-008-1 requires a balancing authority to have a backup control center facility and an operating plan that allows it to meet its functional obligations with regard to the reliable operation of the bulk electric system in the event that its primary control center functionality is lost.³²

21. In addition, NERC maintained that the proposed performance requirements of Requirement R3 of Reliability BAL-005-1, which would require balancing authorities to “use frequency metering equipment for the calculation of Reporting ACE that is available a minimum of 99.95% of each calendar year,” will help to ensure that balancing authorities can continuously operate the equipment necessary for the calculation of Reporting ACE, effectively eliminating the need for Requirement R15.³³

D. Notice of Proposed Rulemaking and Data Request

22. On September 22, 2016, the Commission issued a notice of Proposed Rulemaking proposing to approve Reliability Standards BAL-005-1 and FAC-001-3, as replacements for the existing versions of those standards, and to approve the retirement of Reliability Standard BAL-006-2 on the latter of the effective date of BAL-005-1 or the NERC Operating Committee’s approval of an Inadvertent Interchange Guideline. In the NOPR, the Commission raised several questions about the impact of eliminating Requirement R15 from currently-effective Reliability Standard BAL-005-0.2b, which requires responsible entities to maintain and periodically test backup power supplies at primary control centers and other critical locations.³⁴ The Commission indicated that, depending on the information received in comments in response to its questions, it may decide to issue a directive to restore the substance of Requirement R15 as part of a final rule.³⁵

23. Five sets of comments were filed in response to the NOPR.³⁶ Subsequently, the Commission staff issued a data request to NERC seeking additional information about the current practices of a representative sample of entities concerning the use of backup power supplies.³⁷ Specifically, the

Commission sought further information from a sample of existing balancing authorities, reliability coordinators, and transmission operators related to the kinds of backup power supply they maintain at control centers and other critical locations, including current testing practices for those backup power supplies. NERC submitted its response to the data request on April 7, 2017.

II. Discussion

24. Pursuant to FPA section 215(d)(2), the Commission approves Reliability Standards BAL-005-1 and FAC-001-3 as just, reasonable, not unduly discriminatory or preferential, and in the public interest. Reliability Standard BAL-005-1 and FAC-001-3 will enhance reliability as compared to currently-effective Reliability Standards BAL-005-0.2b and FAC-001-2, because the Reliability Standards clarify and consolidate existing requirements related to frequency control. In addition, Reliability Standard BAL-005-1 supports more accurate and comprehensive calculation of Reporting ACE by requiring timely reporting of an inability to calculate Reporting ACE (Requirement R2) and by requiring minimum levels of availability and accuracy for each balancing authority’s system for calculating Reporting ACE (Requirement R5).

25. We also approve the violation risk factors and violation severity levels associated with Reliability Standards BAL-005-1 and FAC-001-3; the revisions to the definitions of Automatic Generation Control, Pseudo-Tie, and Balancing Authority as proposed by NERC; the retirement of Reliability Standards BAL-005-0.2b, FAC-001-2, and BAL-006-2 in accordance with NERC’s implementation plan;³⁸ and NERC’s implementation plans for proposed Reliability Standards BAL-005-1 and FAC-001-3.

26. As discussed below, the Commission determines not to direct NERC to restore the requirement, currently found in Requirement R15 of Reliability Standard BAL-005-0.2b, to maintain and test backup power supplies at primary control centers and other critical locations at this time.

FAC-001-3, Docket No. RM16-13-000 (March 7, 2017) (March 7 Data Request).

³⁸ As discussed above, NERC requested that the retirement of Reliability Standard BAL-006-2 become effective upon the latter of the effective date of proposed Reliability Standard BAL-005-1 and the NERC Operating Committee’s approval of the Inadvertent Interchange Guideline document. Because the NERC Operating Committee has now approved the guideline document, we approve the retirement of BAL-006-2 as of the date BAL-005-1 goes into effect.

A. Reliability Standards BAL-005-1 and FAC-001-3 NOPR

27. In the NOPR, the Commission proposed to approve Reliability Standards BAL-005-1 and FAC-001-3. The Commission noted that the modified Reliability Standards would clarify and consolidate existing requirements related to frequency control, and that Reliability Standard BAL-005-1 would support more accurate and comprehensive calculation of Reporting ACE.

Comments

28. NERC, Trade Associations, and BPA submitted comments in support of the Commission’s proposal to approve Reliability Standards BAL-005-1 and FAC-001-3. NERC maintains, as it did in its petition and supplemental filing, that the modified Reliability Standards not only address all remaining directives related to BAL-005 and BAL-006, but also “substantially improve existing frequency control requirements and support stronger frequency control performance.”³⁹ Similarly, Trade Associations argue that the Reliability Standards will support more accurate and comprehensive calculation of Reporting ACE, as the Commission recognized in the NOPR.⁴⁰

Commission Determination

29. We approve Reliability Standards BAL-005-1 and FAC-001-3. As proposed in the NOPR, the Commission determines that the modified Reliability Standards will, overall, enhance reliability by clarifying and consolidating existing requirements related to frequency control. Specifically, the Reliability Standards will support more accurate and comprehensive calculation of Reporting ACE by requiring timely reporting of an inability to calculate Reporting ACE and by requiring balancing authorities to maintain minimum levels of annual availability of 99.5 percent for each balancing authority’s system for calculating Reporting ACE.

B. Retirement of Reliability Standard BAL-005-0.2b, Requirement R15 NOPR

30. The NOPR observed that Reliability Standard BAL-005-1 does not include a requirement comparable to currently-effective Requirement R15 of Reliability Standard BAL-005-0.2b, which states as follows:

The Balancing Authority shall provide adequate and reliable backup power supplies and shall periodically test these supplies at the Balancing Authority’s control center and

³² NERC Supplemental Filing at 2.

³³ *Id.* at 4.

³⁴ NOPR, 156 FERC ¶ 61,210 at PP 26–33.

³⁵ *Id.* P 25.

³⁶ The Appendix lists the entities that submitted comments and the shortened names used throughout this Final Rule to describe those entities.

³⁷ Data Request in Response to Petition Seeking Approval of Reliability Standards BAL-005-1 and

³⁹ NERC Comments at 4.

⁴⁰ Trade Associations Comments at 4.

other critical locations to ensure continuous operation of AGC and vital data recording equipment during loss of the normal power supply.⁴¹

31. The NOPR recognized that the approach taken in Reliability Standard BAL-005-1, when combined with the requirements of other Reliability Standards requiring entities to meet their functional obligations in the event of the loss of a primary control center, was intended to be a more performance-based approach to ensuring reliable operation of the bulk electric system.⁴² However, the Commission expressed concern that the objectives of Requirement R15 would not be fully met by the other Reliability Standards and requirements NERC had identified, and in particular pointed out the following potential gap:

Requirement R15 of currently-effective Reliability Standard BAL-005-0.2b helps to ensure continued operability of balancing authorities' primary control centers, despite the loss of normal power supply, without evacuation to or activation of backup control centers. Thus, this provision appears to provide additional robustness in the primary control center and mitigates the risk of problems occurring in the transition to a secondary control center.⁴³

The NOPR also pointed out that balancing authorities currently appear to be the only type of functional entity explicitly required to have and to test adequate and reliable backup supply at critical locations, and that there is no provision parallel to Requirement R15 for reliability coordinators or transmission operators.⁴⁴

32. The NOPR requested comments from NERC and others on the retirement of Requirement R15 of Reliability Standard BAL-005-0.2b, specifically asking for comment on the benefits and potential burden of retaining Requirement R15, and an explanation as to why there is no parallel to Requirement R15 for reliability coordinators and transmission operators, including whether any reason exists to distinguish between balancing authorities and other entities that may operate a control center or critical facility.⁴⁵ In addition, the Commission asked commenters to respond to six specific questions regarding the impact of retiring Requirement R15; current practices with respect to backup power supply at control centers; and the scope of other requirements identified by

NERC as fulfilling the same objectives as current Requirement R15.⁴⁶

Comments

33. NERC, Trade Associations, and BPA maintain that Requirement R15 should be retired without further directive from the Commission, as the results-based requirements of Reliability Standard BAL-005-1 represent a more comprehensive and superior approach. NERC asserts that Reliability Standard EOP-008-1's results-based or functionality-based approach is preferable overall,⁴⁷ while Trade Associations and other commenters point out that the performance levels required in Reliability Standard BAL-005-1, Requirements R3 and R5, cannot be achieved without having critical backup systems, including a backup power supply that is routinely maintained and tested.⁴⁸

34. NERC contends that the existing requirements of R15 focus on only one factor contributing to reliable control center performance (i.e., backup power supplies), while Reliability Standard BAL-005-1 includes two performance obligations "that subsume requirement R15."⁴⁹ Specifically, NERC points out that Requirement R3 requires balancing authorities to use frequency metering equipment for calculation of Reporting ACE that is available at least 99.95 percent annually, with minimum accuracy of 0.001 Hz, and Requirement R5 requires that each system used by a balancing authority to calculate Reporting ACE also be available at least 99.5 percent annually. NERC states that these performance obligations, which provide no exceptions and include other critical elements such as data acquisition and communications, frequency metering, and ACE calculation systems, contrast with existing Requirement R15, which focuses on only one component (power supply) that contributes to performance.⁵⁰ In addition, NERC maintains that new Requirement R3 "will ensure virtual 'continuous operation of AGC and vital data

recording equipment during loss of the normal power supply,'" thereby effectively replacing Requirement R15.⁵¹

35. NERC also maintains, as it did in its petition, that Requirement R15 should be retired, as it is redundant with broader obligations imposed on balancing authorities, reliability coordinators, and transmission operators in Reliability Standard EOP-008-1. NERC contends that applicable entities cannot comply with Reliability Standard EOP-008-1 without addressing power sources, although NERC acknowledges that backup power supply may not always be necessary to support the required backup functionality for control center functions. NERC further points out that the functionality obligations under Requirement R1 of Reliability Standard EOP-008-1 include the obligation to address operation of vital equipment necessary for the collection of data to calculate Reporting ACE, assuming frequency metering equipment does not meet the minimum performance requirement under new Requirement R3 of BAL-005-1.⁵² Overall, NERC maintains that Requirements R1 and R7 of Reliability Standard EOP-008-1 "are broader and clearer than Requirement R15, by requiring [applicable entities] to have in place and test Operating Plans that address all elements (including any power sources) necessary for backup functionality."⁵³

36. Trade Associations maintain, on a more general level, that overly-prescriptive requirements can be burdensome and often ineffective. Trade Associations assert that in determining whether there is adequate justification for the retirement of Requirement R15, the Commission should assess "whether [the new and remaining] requirements have sufficient rigor to ensure [bulk electric system] reliability through the continuous efforts to design, build and maintain systems to achieve the desired level of performance."⁵⁴ Trade Associations note that NERC's Independent Expert Review Panel concluded that results-based Reliability Standards would improve overall reliability.⁵⁵ Moreover, Trade Associations contend that the absence of a recommendation by the Independent Expert Review Panel to retire Requirement R15 as part of its 2013 report has no bearing on the question of

⁴¹ See NOPR, 156 ¶ 61,210 at P 26.

⁴² *Id.* at 30.

⁴³ *Id.* P 31.

⁴⁴ *Id.* P 30.

⁴⁵ *Id.* P 32.

⁴⁶ *Id.* P 33.

⁴⁷ NERC Comments at 8-9.

⁴⁸ Trade Associations Comments at 8; *see also* BPA Comments at 4.

⁴⁹ NERC Comments at 5; Trade Associations Comments at 7-9.

⁵⁰ NERC Comments at 6; *see also* Trade Associations Comments at 8 (asserting that Reliability Standard BAL-005-1's required minimum performance level for calculating ACE "provides real performance measures that far exceed" the current requirements of BAL-005-0.2b, and that "entities will not be able to ensure that they can achieve this level of performance without having critical backups," including reliable backup power).

⁵¹ *Id.* at 6 (responding to NOPR Question 5).

⁵² *Id.* at 8-9 (responding to NOPR Question 6).

⁵³ *Id.* at 10.

⁵⁴ Trade Associations Comments at 6-7.

⁵⁵ *Id.* at 7 (citing Standards Independent Expert Review Project; Chapter 5; Conclusions; at 18).

retirement now, given the improvements and enhancements associated with Reliability BAL–005–1. Finally, Trade Associations raise a concern that the Commission may be misconstruing Reliability Standard BAL–005–0.2b to address a reliability concern beyond that intended for BAL–005. Trade Associations maintain that the BAL–005 Reliability Standards “were written for the express purpose of ensuring [balancing authorities] can reliably and effectively calculate Reporting ACE in order to maintain resource and demand balance within their area of responsibility.”⁵⁶

37. As to what obligations would still exist under Reliability Standard EOP–008–1 if the backup power supply obligation in Requirement R15 was retired, NERC, Trade Associations, and all other commenters addressing the question acknowledge that EOP–008–1 does not require applicable entities to have backup power supply at the primary or the secondary control center.⁵⁷ However, NERC asserts that backup functionality obligations under Requirement R1 of Reliability Standard EOP–008–1 “include the obligation to address operation of vital equipment necessary for the collection of data to calculate Reporting ACE if frequency metering equipment does not meet the minimum performance requirements under proposed R3 of BAL–005–1.”⁵⁸ By contrast, the Trade Associations acknowledge that Reliability Standard EOP–008–1 does not ensure continuous operation of AGC and vital data recording equipment during the loss of normal power supply.⁵⁹

38. With respect to the NOPR’s questions on current practices regarding backup power supply, BPA and Idaho Power indicate that they have backup power supply at all of their primary and secondary control centers.⁶⁰ Trade Associations state that most companies have many layers of backup to ensure continued control center functionality, which may include backup power, backup generators and uninterrupted power supply.⁶¹ In response to the

NOPR’s questions about the definition of “critical location” as currently used in Reliability Standard BAL–005–0.2b, Trade Associations state that the “other critical locations” referenced in current requirement R15 could refer to frequency metering equipment (including equipment outside the control center), ancillary computer rooms with energy management systems (EMS) and EMS backups, and other data systems needed for ACE calculation.⁶²

39. With respect to the benefits and burdens of having backup power supply at certain locations, Idaho Power acknowledges the benefits of having backup power supply at primary control centers and other critical locations (including the benefit of ensuring compliance with other reliability requirements), and it states that the potential impact to reliability is no different for reliability coordinators or transmission operators.⁶³ Trade Associations maintain, however, that there is no need for additional requirements for reliability coordinators and transmission operators related to backup power supply, because other Reliability Standards require or encourage certain levels of reliability and functionality at these locations, as evidenced by the historical lack of problems with loss of EMS or loss of power supply at control centers.⁶⁴

40. Appelbaum primarily discusses the importance of backup power supplies in the context of communications networks. Appelbaum points to a report issued by the Federal Communications Commission in response to the June 2012 “derecho” event on communications networks and services in Virginia. The report found that communications were disrupted in large part during that event because of avoidable planning and system failures, including the lack of functional backup power, notably in central offices. Appelbaum contends, based on the derecho event, that the need to properly plan and design backup power is a critical component of reliability, and asks that the findings of the derecho event be considered when the Commission assesses the functional approach of Reliability Standard EOP–008–1.⁶⁵ Appelbaum points out that “there is no specific mention of the performance requirements of the backup power supply, the required design, or reference to an Industry Standard” in Reliability Standard EOP–008–1, which “creates a degree of ambiguity that can

be exploited to avoid installing a sufficient level of redundancy in power supplies.”⁶⁶ Appelbaum further states the requirement for backup power design and testing should extend to reliability coordinators, transmission operators, and balancing authorities.⁶⁷ In sum, Appelbaum’s comments stress the overall need to impose specific requirements, not merely functional obligations, related to backup power supply for critical systems.

Response to Data Request

41. In response to the Commission’s March 7 Data Request requesting information on specific backup supply practices from a sampling of registered entities, NERC indicated that it collected data from nine entities, all registered as a balancing authority, reliability coordinator, transmission operator, or some combination of those functional categories. NERC indicated that the sample reflected some diversity as to size and type of entity and, therefore, the information “should be reflective of current practices throughout the industry.”⁶⁸

42. NERC’s response indicates that all surveyed entities have backup power supplies at their primary and backup control centers. A number of entities responded that these backup supplies were installed prior to the effective date of NERC’s mandatory Reliability Standards, and that they would not change their practices if the Commission approved the retirement of Requirement R15 of Reliability Standard BAL–005–0.2b. NERC reported that the surveyed entities have backup power supply at a number of other critical locations, which include data centers, corporate facilities, and operations centers (e.g., those housing cyber and physical security operations). NERC indicated that the surveyed entities have two types of backup power supplies at their control centers: backup generators and uninterruptible power supplies. According to NERC, each of the surveyed entities reported that it regularly tests its backup power supplies in accordance with written procedures, the majority doing monthly run testing. NERC reported that some entities also perform switchover or transfer testing on a monthly basis, while others perform such testing at longer intervals.

⁵⁶ *Id.* at 7.

⁵⁷ NERC notes, for example, that Reliability Standard EOP–008–1, Requirement R1 requires entities to address power and backup power as part of their emergency plans, but acknowledges that it does not necessarily require backup power at either the primary or secondary control center. *See also* Trade Associations at 12; BPA at 3 (stating that without R15, BPA “does not believe there is an enforceable requirement to have a backup power supply to support frequency metering equipment”).

⁵⁸ NERC Comments at 8–9 (responding to NOPR Question 6).

⁵⁹ Trade Associations Comments at 16.

⁶⁰ BPA Comments at 3; Idaho Power Comments at 3.

⁶¹ Trade Associations Comments at 14.

⁶² *Id.* at 14.

⁶³ Idaho Power Comments at 2.

⁶⁴ Trade Associations Comments at 9–11.

⁶⁵ *See* Appelbaum Comments at 4.

⁶⁶ *Id.*

⁶⁷ *Id.* at 5.

⁶⁸ NERC Response to Data Request at 3.

Commission Determination

43. We approve the retirement of Reliability Standard BAL-005-0.2b, including Requirement R15, upon the effective date of Reliability Standard BAL-005-1. Based on the NOPR comments, we determine not to direct NERC to develop modifications to the Reliability Standards to restore the substance of Requirement R15 at this time. We conclude that the performance obligations of Reliability Standards BAL-005-1 and EOP-008-1 will ensure the continued operation of AGC and certain data recording equipment during the loss of normal power supply. Moreover, based on the responses to the March 7 Data Request, we are satisfied that backup power supplies at primary and secondary control centers and other critical locations will likely continue to be used even after the retirement of Reliability Standard BAL-005-0.2b, Requirement R15. Should that practice change to the detriment of Bulk-Power System reliability after the revised Reliability Standards go into effect, the Commission may revisit this issue.

III. Information Collection Statement

44. The Paperwork Reduction Act (PRA)⁶⁹ requires each federal agency to seek and obtain Office of Management and Budget (OMB) approval before undertaking a collection of information directed to ten or more persons, or contained in a rule of general applicability. The OMB regulations require that OMB approve certain reporting and recordkeeping (collections of information) imposed by an agency.⁷⁰ Upon approval of a collection(s) of information, OMB will assign an OMB control number and expiration date. Respondents subject to the filing requirements of this rule will not be penalized for failing to respond to these collections of information unless the collections of information display a valid OMB control number.

45. This Final Rule approves revisions to Reliability Standards BAL-005, associated with FERC-725R, and FAC-001, associated with FERC-725D. These revisions streamline and clarify the current requirements related to the calculation of Reporting ACE, a key frequency control and reliability indicator factor, including consolidating the seventeen requirements of currently-effective Reliability Standard BAL-005-0.2b, associated with FERC-725R, into seven requirements in Reliability Standard BAL-005-1; relocation of certain requirements related to interconnection requirements for transmission owners and generation owners into Reliability Standard FAC-001-3; relocation of Requirement R3 in currently-effective Reliability Standard BAL-006-2 into Reliability Standard BAL-005-1; and relocation of certain metrics and calculations required for calculating Reporting ACE into the NERC definition of Reporting ACE and its component definitions.

46. The revisions to Reliability Standards BAL-005 and FAC-001 will not result in an increase in the record-keeping and reporting requirements imposed on balancing authorities, other than the one-time cost of administering the change to the revised Reliability Standards. All other recordkeeping and reporting obligations imposed on balancing authorities under the modified requirements essentially track those that already exist under currently-effective Reliability Standards BAL-005-0.2b and FAC-001-2. The modifications to Reliability Standard FAC-001-3 will result in a limited increase in the record-keeping and reporting requirements imposed on those transmission owners and generator owners that are not also transmission operators and generator operators (an estimated 161 entities in the United States), as shown in the chart below.⁷¹ Many of the modifications to

the Reliability Standards reflected in this Final Rule were developed to help clarify and streamline existing requirements related to calculation of Reporting ACE, and they are expected to reduce these entities' overall burden with respect to recordkeeping, reporting, and compliance. Moreover, the Final Rule approves the retirement of the majority of the requirements in Reliability Standard BAL-006-2, further reducing the overall record-keeping and reporting requirements for balancing authorities. Accordingly, the Commission estimates that the overall change in the record-keeping and reporting requirements as a result of this Final Rule will be *de minimis* on a per-entity basis.

47. *Public Reporting Burden:* The changes reflected in Reliability Standard BAL-005-1 are not expected to result in an increase in the annual record-keeping and reporting requirements on applicable entities (balancing authorities). However, balancing authorities will have to perform a one-time review of the modified Reliability Standard to ensure that their compliance practices (including record-keeping) are consistent with the revised requirements. The relocation of Requirement R1 of Reliability Standard BAL-005-0.2b into Reliability Standard FAC-001-3 will result in an increase in the number of entities subject to the requirement, as the requirement will be applicable to transmission owners and generator owners rather than transmission operators and generator operators. However, this limited increase in annual record-keeping and reporting burden, along with the one-time burden of administering the change from Reliability Standard BAL-005-0.2b to BAL-005-1, is expected to be offset to some extent by the decrease in record-keeping and reporting burden associated with the retirement of Reliability Standard BAL-006-2.

| Data collection | Number of respondents ⁷² | Number of responses per respondent | Total number of responses | Average burden hours and cost per response ⁷³ | Annual burden hours and total annual cost ⁷⁴ |
|---|-------------------------------------|------------------------------------|---------------------------|--|---|
| FERC-725A, 725D & 725R1 (modifications in RM16-13-000) | (1) | (2) | (1) × (2) = (3) | (4) | (3) × (4) = (5) |
| BAL-005-1 (FERC-725R1) | BA | 1 (one-time) | 99 | 1 | 99 |
| | 99 | | | \$64.29 | \$6,364.71 |
| FAC-001-3 R3 (FERC-725D) | GO/TO | 1 (annual) | 161 | 1 | 161 |
| | 161 ⁷⁵ | | | \$102.04 | \$16,428.44 |

⁶⁹ 44 U.S.C. 3501-3520.

⁷⁰ 5 CFR 1320.11.

⁷¹ Reliability Standard FAC-001-3 replaces and strengthens currently-effective Reliability Standard FAC-001-2 by moving currently-effective

Requirement R1 of Reliability Standard BAL-005-0.2b to Reliability Standard FAC-001-3, requiring that transmission owner and generator owner interconnection requirements include procedures for confirming that new or materially modified facilities connecting to the bulk electric system are

within a balancing authority's metered boundaries. NERC explains that these interconnection requirements should be relocated to Reliability Standard FAC-001-3, as FAC-001-3 establishes facility interconnection requirements.

| Data collection | Number of respondents ⁷² | Number of responses per respondent | Total number of responses | Average burden hours and cost per response ⁷³ | Annual burden hours and total annual cost ⁷⁴ |
|--|-------------------------------------|------------------------------------|---------------------------|--|---|
| FERC–725A, 725D & 725R1 (modifications in RM16–13–000) | (1) | (2) | (1) × (2) = (3) | (4) | (3) × (4) = (5) |
| Retirement of current standard BAL–006–02 (FERC–725A). | BA 99 | – 1 (annual) | – 99 | – 1 – \$37.75 | – 99 – \$3,737.25 |
| Total ..... | ..... | ..... | ..... | ..... | 260 \$19,055.90 |

Title: FERC–725A, Mandatory Reliability Standards for the Bulk-Power System; FERC–725D, Mandatory Reliability Standards: FAC Reliability Standards; FERC–725R1, Mandatory Reliability Standards: BAL Reliability Standards

Action: Revision to existing collections.

OMB Control No: 1902–0244 (FERC–725A); 1902–0247 (FERC–725D); TBD (FERC–725R1).

Respondents: Business or other for-profit and not-for-profit institutions.

Frequency of Responses: On-going.

Necessity of the Information: The Commission has reviewed the requirements of Reliability Standards BAL–005–1 and FAC–001–3 and has made a determination that the requirements of these Reliability Standards are necessary to implement section 215 of the FPA.

⁷² The estimated number of respondents is based on the NERC compliance registry as of April 7, 2017. According to the NERC compliance registry, there are 64 U.S. balancing authorities (BA) in the Eastern Interconnection, 34 balancing authorities in the Western Interconnection and one balancing authority in the Electric Reliability Council of Texas (ERCOT).

⁷³ The burden hours and cost are based on the hourly cost for an engineer for BAL–005–1, the average of the hourly cost for an engineer and clerical staff for FAC–001–3, and the hourly cost for clerical staff for changes associated with the retirement of BAL–006–2. The estimates for cost per hour are based on 2015 wage figures and derived as follows:

\$64.29/hour, the average salary plus benefits per engineer (from Bureau of Labor Statistics at https://www.bls.gov/oes/current/naics2_22.htm);

\$37.75/hour, the average salary plus benefits per information and record clerks (from Bureau of Labor Statistics at https://www.bls.gov/oes/current/naics2_22.htm).

⁷⁴ Solely for purposes of determining the overall annual cost of the record-keeping and reporting changes reflected in this Final Rule, the one-time cost associated with administering the change to Reliability Standard BAL–005–1 is being treated as an annual cost.

⁷⁵ Per the NERC compliance registry, in the United States there are 54 generator owners (GO) that are not also generator operators and 107 transmission owners (TO) that are not also transmission operators, for a total of 161 new entities in the United States subject to Reliability Standard FAC–001–3, Requirement R3.

Internal Review: The Commission reviewed the revised Reliability Standards and made a determination that its action is necessary to implement section 215 of the FPA. The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information requirements.

48. Interested persons may obtain information on the reporting requirements by contacting the following: Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426 [Attention: Ellen Brown, Office of the Executive Director, e-mail: DataClearance@ferc.gov, phone: (202) 502–8663, fax: (202) 273–0873].

49. For submitting comments concerning the collection(s) of information and the associated burden estimate(s), please send your comments to the Commission and to the Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503 [Attention: Desk Officer for the Federal Energy Regulatory Commission, phone: (202) 395–4638, fax: (202) 395–7285]. For security reasons, comments to OMB should be submitted by e-mail to: oira_submission@omb.eop.gov. Comments submitted to OMB should include FERC–725A, FERC–725D, and FERC–725R1 and Docket Number RM16–13–000.

IV. Environmental Analysis

50. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.⁷⁶ The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment. Included in the exclusion are rules that are clarifying, corrective,

or procedural or that do not substantially change the effect of the regulations being amended.⁷⁷ The actions taken here fall within this categorical exclusion in the Commission's regulations.

V. Regulatory Flexibility Act Certification

51. The Regulatory Flexibility Act of 1980 (RFA)⁷⁸ generally requires a description and analysis of proposed rules that will have significant economic impact on a substantial number of small entities. The RFA does not mandate any particular outcome in a rulemaking. It only requires consideration of alternatives that are less burdensome to small entities and an agency explanation of why alternatives were rejected. The Small Business Administration (SBA) revised its size standard effective January 22, 2014 for electric utilities from a standard based on megawatt hours to a standard based on the number of employees, including affiliates. Under SBA's size standards, some balancing authorities, generation owners, and transmission owners will fall under the following category and associated size threshold: Electric bulk power transmission and control, at 500 employees.⁷⁹

52. As stated in the NOPR, the Commission estimates a very limited, one-time increase in recordkeeping and reporting burden on balancing authorities due to the changes in the revised Reliability Standards, with no other increase in the cost of compliance. Approximately 24 of the 99 balancing authorities are expected to meet the SBA's definition for a small entity. In addition, approximately 161 entities will be subject annually to new recordkeeping and reporting requirements under revised Reliability Standard FAC–001–3, with no other increase in the cost of compliance.

⁷⁷ 18 CFR 380.4(a)(2)(ii).

⁷⁸ 5 U.S.C. 601–612.

⁷⁹ 13 CFR 121.201, Sector 22 (Utilities), NAICS code 221121 (Electric Bulk Power Transmission and Control).

⁷⁶ Regulations Implementing the National Environmental Policy Act of 1969, Order No. 486, FERC Stats. & Regs., Regulations Preambles 1986–1990 ¶ 30,783 (1987).

53. Even assuming that the one-time cost of compliance for administering the change from Reliability Standard BAL-005-0.2b to BAL-005-1 is an annual cost, and assuming that all of the entities affected by the revisions to both BAL-005 and FAC-001 qualify as small entities, the estimated total annual cost to the industry as a whole is minimal (\$19,055.90), and the average cost per affected entity is \$118.36.

54. According to SBA guidance, the determination of significance of impact “should be seen as relative to the size of the business, the size of the competitor’s business, and the impact the regulation has on larger competitors.”⁸⁰ The Commission does not consider the estimated burden to be a significant economic impact. As a result, the Commission certifies that the revised Reliability Standards will not have a significant economic impact on a substantial number of small entities.

VI. Document Availability

55. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through the Commission’s Home Page (<http://www.ferc.gov>) and in the Commission’s Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE., Room 2A, Washington, DC 20426.

56. From the Commission’s Home Page on the Internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number of this document, excluding the last three digits, in the docket number field.

57. User assistance is available for eLibrary and the Commission’s Web site during normal business hours from the

Commission’s Online Support at (202) 502-6652 (toll free at 1-866-208-3676) or e-mail at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

VII. Effective Date and Congressional Notification

These regulations are effective November 27, 2017. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB, that this rule is not a “major rule” as defined in section 351 of the Small Business Regulatory Enforcement Fairness Act of 1996.

By the Commission.

Issued: September 20, 2017

Nathaniel J. Davis, Sr.,
Deputy Secretary.

Appendix

List of Commenters

| Abbreviation | Commenter |
|--------------------------|---|
| NERC | North American Electric Reliability Corporation. |
| Trade Associations | Edison Electric Institute, American Public Power Association, and Large Public Power Council. |
| BPA | Bonneville Power Administration. |
| Idaho Power | Idaho Power Company. |
| Appelbaum | Jonathan Appelbaum. |

[FR Doc. 2017-20554 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2017-0474]

RIN 1625-AA09

Drawbridge Operation Regulation; Willamette River, Portland, OR

AGENCY: Coast Guard, DHS.

ACTION: Temporary interim rule with request for comments.

SUMMARY: The Coast Guard is modifying the operating schedule that governs the Morrison Bridge across the Willamette River, mile 12.8, at Portland, Oregon. The temporary interim rule is necessary to accommodate Multnomah County’s (bridge owner) unexpected extension of time required to replace the bridge

decking. This temporary rule is necessary due to the amount of days requested by the bridge owner. The active deviation expires at the 180th day, and the Coast Guard does not approve back-to-back deviations.

DATES: This temporary interim rule is effective from 7 p.m. on September 27, 2017, through 7 p.m. on November 12, 2017.

Comments and related material must reach the Coast Guard on or before October 26, 2017.

ADDRESSES: You may submit comments or view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2017-0474 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rulemaking.

See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this interim rule, call or email Mr. Steven Fischer, Bridge Administrator, Thirteenth Coast Guard District; telephone 206-220-7282, email d13-pf-d13bridges@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
OMB Office of Management and Budget
NPRM Notice of Proposed Rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

On June 23, 2016, we published a temporary deviation entitled *Drawbridge Operation Regulation; Willamette River, Portland, OR*, in the **Federal Register** (81 FR 40813), where we did not request comments. However, we conducted a public outreach in May 2016 and did not receive any objections. No complaints have been submitted

⁸⁰ U.S. Small Business Administration, *A Guide for Government Agencies How to Comply with the*

Regulatory Flexibility Act, at 18 (May 2012), https://www.sba.gov/sites/default/files/advocacy/rfaguide_0512_0.pdf.

during the current temporary deviation's operation.

The Coast Guard is issuing this temporary interim 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), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. We must modify the operation schedule of the bridge by September 27, 2017 to allow Multnomah County to replace the bridge decking, but we lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the modification.

We are issuing this rule and under 5 U.S.C. 553(d)(3), and for the reasons stated above, the Coast Guard finds that good cause exists for making it effective in less than 30 days after publication in the **Federal Register**.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority 33 U.S.C. 499. The Coast Guard is modifying the operating schedule that governs the Morrison Bridge across the Willamette River, mile 12.8, at Portland, Oregon. The Morrison Bridge is a double bascule bridge. When the bascule span is in the closed-to-navigation position, the bridge provides 69 feet of vertical clearance, and in the open position provides unlimited vertical clearance. The normal operating schedule for the Morrison Bridge is in accordance with 33 CFR 117.897(c)(3)(iv). Multnomah County, the bridge owner, contacted us requesting additional time to deviate from the operating rule due to delays in receiving replacement parts, and needing to fabricate parts on site.

Multnomah County requested that the Morrison Bridge be allowed to only open half the span, 92 feet, as opposed to a full opening, 185 feet, to accommodate extra time to replace bridge decking. The County has also requested to reduce the vertical clearance of the non-opening side of the span with scaffolding erected 10 feet below the lower bridge cord for a containment system, and to require at least a two hour advance notice for an opening. 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 Morrison Bridge in the closed position may do so at anytime. A tug will be on site to assist vessels through the single leaf span opening upon request. The bridge will be able to open half the span for emergencies with a two hour notice, and there is no immediate alternate route for vessels to pass.

IV. Discussion of the Temporary Interim Rule

The Coast Guard has issued a temporary interim rule from the operating schedule that governs the Morrison Bridge across the Willamette River, mile 12.8, at Portland, Oregon. The rule is necessary to accommodate Multnomah County's replacement of the bridge decking. This rule allows the bridge to only open half of the span, single leaf, to allow for the replacement of bridge decking. The rule also allows the vertical clearance to be reduced due to the project's containment system.

V. 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 and Executive Orders, and we discuss First Amendment rights of protesters.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget (OMB) and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771. This regulatory action determination is based on the ability that vessels can still transit under the bridge, or give advanced notice for a half opening.

B. 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 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.

While some owners or operators of vessels intending to transit the bridge may be small entities, for the reasons stated in section IV.A above, this interim rule would not have a significant economic impact on any vessel owner or operator. Multnomah County has taken precaution to provide a tug to assist vessels, if needed, so businesses will not suffer any impacts. Furthermore, half the span can be opened to vessels that require an opening.

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.

C. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Government

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 have determined that it is consistent with the fundamental federalism

principles and preemption requirements described in Executive Order 13132.

Also, 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.

E. 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.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a determination that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule simply promulgates the operating regulations or procedures for drawbridges. This action is categorically excluded from further review, under figure 2–1, paragraph (32)(e), of the Instruction.

We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

G. 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.

VI. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and

will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, visit <http://www.regulations.gov/privacyNotice>.

Documents mentioned in this Temporary Interim Rule as being available in this docket and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

■ 2. In § 117.897, effective from 7 p.m. on September 27, 2017, through 7 p.m. on November 12, 2017, suspend paragraph (c)(3)(iv) and add paragraph (c)(3)(vi) to read as follows:

§ 117.897 Willamette River.

* * * * *

(c) * * *

(3) * * *

(vi) Morrison Bridge, Portland, mile 12.8, shall operate in single leaf, and open half the draw on signal if at least two hours notice is given. The vertical clearance of the non-functioning leaf will be reduced up to 10 feet.

Dated: September 18, 2017.

David Throop,

Rear Admiral, U.S. Coast Guard, Commander, Thirteenth Coast Guard District.

[FR Doc. 2017–20512 Filed 9–25–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2017–0573]

Drawbridge Operation Regulation; Southern Branch of the Elizabeth River, Chesapeake, VA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the I–64 (High Rise) Bridge across the Atlantic Intracoastal Waterway, Southern Branch of the Elizabeth River, mile 7.1, at Chesapeake, VA. The deviation is necessary to facilitate routine maintenance. This deviation allows the bridge to remain in the closed-to-navigation position.

DATES: This deviation is effective from 7 a.m. on October 2, 2017 through 11 p.m. on November 22, 2017.

ADDRESSES: The docket for this deviation, [USCG–2017–0573] 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.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Mickey Sanders, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398–6587, email Mickey.D.Sanders2@uscg.mil.

SUPPLEMENTARY INFORMATION: The Virginia Department of Transportation, owner and operator of the I–64 (High Rise) Bridge across the Atlantic Intracoastal Waterway, Southern Branch of the Elizabeth River, mile 7.1, at Chesapeake, VA, has requested a temporary deviation from the current operating schedule to accommodate annual maintenance to remove and replace the center locks and install new electrical wiring and lubrication piping. The bridge has a vertical clearance of 65 feet above mean high water (MHW) in the closed position.

The current operating schedule is set out in 33 CFR 117.997(e). Under this

temporary deviation, the bridge will be maintained in the closed-to-navigation position for four (4) separate five (5) day periods from 7 a.m., October 2, 2017, through 11 p.m., October 6, 2017; from 7 a.m., October 16, 2017, through 11 p.m., October 20, 2017; from 7 a.m., October 30, 2017, through 11 p.m., November 3, 2017; from 7 a.m., November 13, 2017, through 11 p.m., November 17, 2017. The alternate dates for inclement weather are from 7 a.m., October 9, 2017, through 11 p.m., October 13, 2017; from 7 a.m., October 23, 2017, through 11 p.m., October 27, 2017; from 7 a.m., November 6, 2017, through 11 p.m., November 10, 2017; from 7 a.m., November 18, 2017, through 11 p.m., November 22, 2017. The bridge will open on signal if at least 24 hours notice is given at all other times.

The Atlantic Intracoastal Waterway, Southern Branch of the Elizabeth River is used by a variety of vessels including small commercial vessels, recreational vessels and tug and barge traffic. The Coast Guard has carefully coordinated the restrictions with waterway users in publishing this temporary deviation.

Vessels able to pass through the bridge in the closed position may do so if at least 15 minutes notice is given. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notice to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by this temporary deviation.

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

Dated: September 21, 2017.

Hal R. Pitts,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2017-20564 Filed 9-25-17; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2016-0603; FRL-9968-22-Region 5]

Air Plan Approval; Minnesota; Prevention of Significant Deterioration

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a revision to the Minnesota State Implementation Plan (SIP) submitted on October 4, 2016. EPA is approving the state's Prevention of Significant Deterioration (PSD) rules which incorporate the Federal PSD rules by reference.

DATES: This final rule is effective on October 26, 2017.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2016-0603. All documents in the docket are listed on the www.regulations.gov Web site. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either through www.regulations.gov or at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Rachel Rineheart, Environmental Engineer, at (312) 886-7017 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Rachel Rineheart, Environmental Engineer, Air Permits Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-7017, Rineheart.rachel@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document whenever "we," "us," or "our" is used, we mean EPA. This supplementary information section is arranged as follows:

- I. Background
- II. Comments Received and Response to Comments
- III. What action is EPA taking?

IV. Incorporation by Reference

V. Statutory and Executive Order Reviews

I. Background

Section 110(a)(2)(C) of the Clean Air Act (CAA) requires that each SIP include a program to provide for the regulation of construction and modification of stationary sources, including a permit program as required by part C of subsection I of the CAA—Prevention of Significant Deterioration of Air Quality. On October 4, 2016, the Minnesota Pollution Control Agency (MPCA) submitted a request to revise the Minnesota SIP to include Minn. R. 7007.3000, which incorporates the Federal PSD rules at 40 CFR 52.21 by reference as the State's SIP approved PSD program. Further, by letter dated June 1, 2017, MPCA clarified that it will not implement the provisions at 40 CFR 52.21(g), (s), (t), and (u) because those provisions reference authorities that are retained by the EPA Administrator.

EPA proposed to approve Minnesota's PSD SIP on July 10, 2017. (82 FR 31741, July 10, 2017). EPA received comments on the proposed action from Guardian Energy, LLC, and Granite Falls Energy, LLC. Section II of this document provides a discussion of the comments received and EPA's response.

II. Comments Received and Response to Comments

EPA received comments from Guardian Energy, LLC, and Granite Falls Energy, LLC. The letters from the two commenters are identical. The first comment from both commenters expressed support for the proposed action. The second comment from the two commenters is a request for EPA to clarify how changes in the Federal PSD regulations will be addressed in the Minnesota SIP approved regulations. Minn. R. 7007.3000 incorporates 40 CFR 52.21 by reference, as amended. Both MPCA and EPA interpret this to mean that any changes to 40 CFR 52.21 will be automatically incorporated into Minn. R. 7007.3000, and will have the same effective date as the Federal rulemaking.

III. What action is EPA taking?

EPA is approving the request made by MPCA on October 4, 2016, to revise the Minnesota SIP to include Minn. R. 7007.3000 as the State's SIP approved PSD program.

IV. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation

by reference of the Minnesota Regulations described in the amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these documents generally available through www.regulations.gov, and/or at the EPA Region 5 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the State implementation plan, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference by the Director of the Federal Register in the next update to the SIP compilation.¹

V. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
 - Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
 - Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
 - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
 - Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
 - Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).
- In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).
- The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United

States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 27, 2017. 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: September 12, 2017.

Cheryl L. Newton,

Acting Regional Administrator, Region 5.

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.*

- 2. In § 52.1220, the table in paragraph (c) is amended by adding the entry “7007.3000” in numerical order above the table heading “Offsets” to read as follows:

§ 52.1220 Identification of plan.

| | | | | |
|-----|---|---|---|---|
| * | * | * | * | * |
| (c) | * | * | * | * |

EPA—APPROVED MINNESOTA REGULATIONS

| Minnesota citation | Title/subject | State effective date | EPA approval date | Comments |
|--------------------|---------------|----------------------|-------------------|----------|
| * | * | * | * | * |

CHAPTER 7007 AIR EMISSION PERMITS

¹ 62 FR 27968 (May 22, 1997).

EPA—APPROVED MINNESOTA REGULATIONS—Continued

| Minnesota citation | Title/subject | State effective date | EPA approval date | Comments |
|--------------------|---|----------------------|--|----------|
| 7007.3000 | Prevention of Significant Deterioration of Air Quality. | 11/26/2007 | 9/26/2017 [insert Federal Register citation]. | |

* * * * *

■ 3. Section 52.1234 is revised to read as follows:

§ 52.1234 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are met, except for sources seeking permits to locate in Indian country within the State of Minnesota.

(b) Regulations for the prevention of the significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Minnesota for sources wishing to locate in Indian country; and sources constructed under permits issued by EPA.

[FR Doc. 2017–20443 Filed 9–25–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2017–0426; FRL–9966–86–Region 9]

Finding of Failure To Submit State Implementation Plans Required for the 2008 8-Hour Ozone NAAQS; California; Sacramento Metro

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action finding that the state of California has failed to submit State Implementation Plans (SIPs) to satisfy certain requirements of the Clean Air Act (CAA) for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS or “standards”). Under the CAA and EPA’s implementing regulations, states with nonattainment areas classified as Moderate, Serious, Severe or Extreme were required to submit by July 20, 2016, SIPs demonstrating reasonable further progress (RFP) and attainment of the 2008 8-hour ozone standard as expeditiously as practicable but no later

than the applicable dates established in the implementing regulations. States were also required to submit contingency plans to be triggered if attainment or RFP milestones were not met. The EPA is by this action making a finding of failure to submit attainment demonstration, attainment demonstration contingency, RFP, and RFP contingency SIPs for the Sacramento Metro nonattainment area. If the EPA has not affirmatively found that the state has submitted the required plans within 18 months, the offset sanction applies in the area. If within 6 additional months the EPA has still not affirmatively determined that the state has submitted the required plan, the highway funding sanction applies in the area. No later than 2 years after the EPA makes the finding, if the state has not submitted, and EPA has not approved, the required SIP, the EPA must promulgate a Federal Implementation Plan.

DATES: This action will be effective on October 26, 2017.

FOR FURTHER INFORMATION CONTACT: Laura Lawrence, EPA Region IX, (415) 972–3407, lawrence.laura@epa.gov.

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

Notice and Comment Under the Administrative Procedure Act (APA)

Section 553 of the APA, 5 U.S.C. 553(b)(3)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. The EPA has determined that there is good cause for making this final agency action without prior proposal and opportunity for comment because no significant EPA judgment is involved in making a finding of failure to submit SIPs, or elements of SIPs, required by the CAA, where states have made no submission or incomplete submissions, to meet the requirement. Thus, notice and public procedures are unnecessary.

The EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

I. Background and Overview

A. Statutory Requirements

On March 27, 2008, the EPA issued its final action to revise the NAAQS for ozone to establish new 8-hour standards.¹ In that action, the EPA promulgated identical revised primary and secondary ozone standards, designed to protect public health and welfare, of 0.075 parts per million (ppm).² Those standards are met when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentration is less than or equal to 0.075 ppm.³

Promulgation of a revised NAAQS triggers a requirement for the EPA to designate areas of the country as nonattainment, attainment or unclassifiable for the standards. For the ozone NAAQS, this also involves classifying any nonattainment areas at the time of designation.⁴ Ozone nonattainment areas are classified based on the severity of their ozone levels (as determined based on the area’s “design value,” which represents air quality in the area for the most recent three years). The possible classifications for ozone nonattainment areas are Marginal, Moderate, Serious, Severe, and Extreme.⁵ Nonattainment areas with a “lower” classification have ozone levels that are closer to the standard than areas with a “higher” classification.⁶

On May 21, 2012 and June 11, 2012, the EPA issued rules designating areas throughout the country as nonattainment, attainment, or unclassifiable for the 2008 ozone NAAQS, effective July 20, 2012, and establishing classifications for the

¹ 73 FR 16436.

² Since the 2008 primary and secondary NAAQS for ozone are identical, for convenience, we refer to both as “the 2008 ozone NAAQS” or “the 2008 ozone standard.”

³ 40 CFR 50.15.

⁴ CAA sections 107(d)(1) and 181(a)(1).

⁵ CAA section 181(a)(1).

⁶ See 40 CFR 51.1103 for the design value thresholds for each classification for the 2008 ozone NAAQS.

designated nonattainment areas.⁷ The Sacramento Metro⁸ area was designated nonattainment with a classification of Severe. Areas designated nonattainment for the ozone NAAQS are subject to the general nonattainment area planning requirements of CAA section 172 and also to the ozone-specific planning requirements of CAA section 182.

Ozone nonattainment areas in the lower classification levels have fewer and/or less stringent mandatory air quality planning and control requirements than those in higher classifications. For a Marginal area, a state is required to submit a baseline emission inventory, a rule requiring emissions statements from stationary sources, and a Nonattainment New Source Review (NNSR) program for the relevant ozone standard.⁹ For each higher ozone nonattainment classification, a state needs to comply with all lower area classification requirements, plus additional emissions controls and more expansive NNSR offset requirements. For areas classified Serious and above, a state needs to comply with the Marginal and Moderate area requirements, plus additional submittal requirements, including: A demonstration (based on photochemical modeling) showing the area will attain by the applicable attainment date; a demonstration that the area will reduce emissions by certain prescribed percentages averaged over each consecutive 3-year period until the attainment date; and contingency plans that are triggered in the event that the attainment date or an RFP milestone is not met.¹⁰

On March 6, 2015, the EPA established a final implementation rule for the 2008 ozone NAAQS (“2008 Ozone SIP Requirements Rule”).¹¹ The purpose of that action was to detail the requirements applicable to ozone nonattainment areas and provide specific deadlines for SIP submittals. For areas classified Serious and above, the required submission of SIP revisions

providing for an attainment demonstration, RFP demonstrations, and attainment and RFP contingency measures was due 4 years after the effective date of area designation (*i.e.*, July 20, 2016).¹²

B. Consequences of Findings of Failure To Submit

For plan requirements under subpart D, title I of the CAA, such as those for ozone nonattainment areas, if the EPA finds that a state has failed to make the required SIP submittal or that a submitted SIP is incomplete, then CAA section 179(a) establishes specific consequences, including the eventual imposition of mandatory sanctions for the affected area. Additionally, such a finding triggers an obligation under CAA section 110(c) for the EPA to promulgate a FIP no later than 2 years from the finding of failure to submit a complete SIP, if the affected state has not submitted, and the EPA has not approved, the required SIP submittal.

If the EPA has not affirmatively determined that a state has submitted a complete SIP addressing the deficiency that is the basis for the finding within 18 months of the effective date of this rulemaking, then pursuant to CAA section 179(a) and (b) and 40 CFR 52.31, the offset sanction identified in CAA section 179(b)(2) will apply in the affected nonattainment area. If the EPA has not affirmatively determined that the state has submitted a complete SIP addressing the deficiency that is the basis for the finding within 6 months after the offset sanction is imposed, then the highway funding sanction will apply in the affected nonattainment area, in accordance with CAA section 179(b)(1) and 40 CFR 52.31. If the state does not make the required SIP submittal and the EPA does not take final action to approve the submittal within 2 years of the effective date of these findings, the EPA is required to promulgate a FIP, pursuant to CAA section 179(a) and 40 CFR 52.31 for the affected nonattainment area.

II. Final Action

We have yet to receive the required ozone SIP revision submittal from California for the Sacramento Metro area, and the submittal is more than six-months past due. The EPA is finding that California has failed to submit a SIP revision providing for an attainment demonstration, RFP demonstrations, and contingency measures (for attainment or RFP) for the 2008 ozone NAAQS for the Sacramento Metro area as required under subparts 1 and 2 of

part D of title 1 of the CAA and the 2008 Ozone SIP Requirements Rule. The consequences of this finding is discussed above in section I.B. of this document.

III. Statutory and Executive Order Reviews

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

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

B. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the provisions of the PRA. This final rule does not establish any new information collection requirement apart from what is already required by law. This rule relates to the requirement in the CAA for states to submit SIPs under sections 172 and 182 which address the statutory requirements that apply to areas designated as nonattainment for the ozone NAAQS.

C. Regulatory Flexibility Act (RFA)

I certify that this rule will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities. The rule is a finding that California has not submitted the necessary SIP revisions.

D. Unfunded Mandates Reform Act of 1995 (UMRA)

This action does not contain any unfunded mandate as described in UMRA 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local or tribal governments or the private sector.

E. Executive Order 13132: Federalism

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

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. This rule finds that California has failed to submit SIP revisions that satisfy certain

⁷ 77 FR 30088 (May 21, 2012) and 77 FR 34221 (June 11, 2012).

⁸ The Sacramento Metro area consists of Sacramento and Yolo counties and portions of El Dorado, Placer, Solano and Sutter counties. For a precise description of the geographic boundaries of the Sacramento Metro area, see 40 CFR 81.305. Sacramento County is under the jurisdiction of the Sacramento Metropolitan Air Quality Management District. Yolo County and the eastern portion of Solano County comprise the Yolo-Solano AQMD. Sutter County is part of the Feather River AQMD. The Placer County Air Pollution Control District and the El Dorado County AQMD have jurisdiction over their respective counties.

⁹ CAA section 182(a).

¹⁰ CAA sections 172(c)(9), 182(c)(2)(A) and (B), and 182(c)(9).

¹¹ 80 FR 12264.

¹² 40 CFR 51.1108(b) and 40 CFR 51.1110.

nonattainment area planning requirements under sections 172 and 182 of the CAA for the 2008 ozone NAAQS for the Sacramento Metro area. No tribe is subject to the requirement to submit an implementation plan under section 172 or under subpart 2 of part D of Title I of the CAA. Thus, Executive Order 13175 does not apply to this action.

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

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it is a finding that California has failed to submit certain SIP revisions that satisfy the nonattainment area planning requirements under sections 172 and 182 of the CAA for the 2008 ozone NAAQS for the Sacramento Metro area and does not directly or disproportionately affect children.

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

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

I. National Technology Transfer and Advancement Act

This rulemaking does not involve technical standards.

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

The EPA believes the human health or environmental risk addressed by this action will not have potential disproportionately high and adverse human health or environmental effects on minority, low-income, or indigenous populations. In finding that California has failed to submit SIP revisions that satisfy certain nonattainment area planning requirements under sections 172 and 182 of the CAA for the 2008 ozone NAAQS for the Sacramento Metro area, this action does not directly affect the level of protection provided to human health or the environment.

J. Congressional Review Act (CRA)

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).

L. Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 27, 2017. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (*see* section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Dated: August 14, 2017.

Deborah Jordan,

Acting Regional Administrator, Region IX.

[FR Doc. 2017–20445 Filed 9–25–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–R08–OAR–2017–0171; FRL–9968–11–Region 8]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming; Negative Declarations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve 20 negative declarations for four designated facility classes in all Region 8 states. First, the EPA is approving negative declarations from Colorado, Montana, North Dakota, South Dakota and Wyoming for existing small municipal waste combustor (MWC) units. Second, the EPA is approving negative declarations from Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming for existing large MWC units. Third, the EPA is approving negative declarations from Montana, South Dakota, Utah and Wyoming for existing commercial and industrial solid waste incineration (CISWI) units. Fourth, the EPA is approving negative declarations from Montana, North Dakota, South Dakota, Utah and Wyoming for existing other solid waste incineration (OSWI) units. Each of the negative declaration letters approved in this final rulemaking action is a certified statement from the issuing state that there are no existing designated facilities of the source category specified in the negative declaration, within the jurisdiction of that state, which would require the development of a Clean Air Act (CAA) section 111(d)/129 state plan. These approved negative declarations will serve in lieu of a state plan unless a previously unknown facility falling under these particular emissions guidelines is identified and development of a state plan becomes necessary.

DATES: This rule is effective October 26, 2017.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R08–OAR–2017–0171. All documents in the docket are listed on the <https://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, *e.g.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available through [Regulations.gov](https://www.regulations.gov), or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Gregory Lohrke, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mail Code 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129, (303) 312–6396, lohrke.gregory@epa.gov.

SUPPLEMENTARY INFORMATION: There have been no changes to the regulatory language from the language presented in the previous direct final action published on June 5, 2017 (82 FR 25734), amended by a correction action published on August 2, 2017 (82 FR 35906).

I. Background Information

The EPA's statutory authority for regulating new and existing solid waste incineration units is outlined in CAA sections 111 and 129. Section 129 of the Act is specific to solid waste combustion and requires the EPA to establish performance standards for each category of solid waste incineration units, which include the categories addressed in this notice. Section 111(b) of the Act gives the EPA the statutory authority to promulgate new source performance standards (NSPS) for new incineration units. Section 111(d) requires states to submit plans to control designated pollutants at existing incineration facilities (designated facilities) whenever standards of performance have been established under section 111(b) and the EPA has established emission guidelines for existing designated facilities. Emission guidelines are implemented and enforced by state pollution control agencies through these EPA-approved section 111(d)/129 state plans or a promulgated federal plan adopted by the state. If a state does not have any existing solid waste incineration units for the relevant emission guidelines, the state shall submit a letter to the EPA certifying that no such units exist within the state (*i.e.*, a negative declaration) in lieu of a state plan.

Emission guidelines for small MWC units were originally promulgated alongside guidelines for large MWC units in December 1995 (40 CFR part 60, subpart Cb). These guidelines were vacated by the U.S. Court of Appeals for the District of Columbia Circuit in March 1997 when the court held that the EPA should separately regulate small MWC units to remain consistent with the provisions of section 129 of the CAA. On December 6, 2000, the EPA issued a final rule (65 FR 76378) to reestablish emission guidelines and compliance times for existing small MWC units constructed on or before August 30, 1999, that have the capacity to combust 35 to 250 tons per day of municipal solid waste (40 CFR part 60, subpart BBBB). The federal plan for these units was promulgated on January 31, 2003 (68 FR 5144), at 40 CFR part 62, subpart JJJ.

In December 1995, the EPA adopted NSPS (40 CFR part 60, subpart Eb) and emission guidelines (40 CFR part 60, subpart Cb) for large MWC units. The EPA conducted a five-year review of the NSPS and emission guidelines for large MWC units as required by section 129(a)(5) of the CAA and proposed amendments on December 19, 2005 (70 FR 75348). On May 10, 2006, after consideration of comments received on this proposal, revisions and amendments to the emission guidelines and compliance times for large MWC units were promulgated at 40 CFR part 60, subpart Cb (71 FR 27323).

On February 7, 2013, revision of the emission guidelines and compliance times for CISWI units was adopted and promulgated (78 FR 9112) at 40 CFR part 60, subpart DDDD. Reconsideration of certain aspects of the final rule due to public comment resulted in minor amendments to the CISWI rule being made on June 23, 2016. On October 3, 2003, the EPA promulgated the federal plan for CISWI units that commenced construction on or before November 30, 1999 (68 FR 57539), at 40 CFR part 62, subpart III.

On December 16, 2005, emission guidelines and compliance times were promulgated for existing other solid waste incineration units that commenced construction on or before December 9, 2004 (70 FR 74907), at 40 CFR part 60, subpart FFFF. Reconsideration of certain aspects of the final rule resulted in minor amendments to the OSWI rule being made on January 22, 2007.

The EPA proposed approval and promulgation of several negative declarations from the EPA Region 8 states for the above emission guidelines by publishing in parallel proposed and direct final rulemaking actions on June 5, 2017 (82 FR 25753 and 82 FR 25734). A correction to the amended regulatory language was published on August 2, 2017 (82 FR 35906). During the public commentary period of the proposal, the EPA received one comment. In general, this comment claimed the proposed and direct final actions lacked sufficient proof that no environmental impact would result from the rulemaking action. The EPA disagrees with this claim, and a more complete summary of the comment and the EPA's response and justification for final rulemaking can be found in section "III. Response to Public Comments," of this preamble. However, receipt of the comment necessitated a timely withdrawal of the direct final rulemaking action on August 4, 2017 (82 FR 36335), and the subsequent initiation of the present final

rulemaking action to promulgate the approved negative declarations.

II. State Submittals

A. Existing Small Municipal Waste Combustion Units Negative Declarations From the States of Colorado, Montana, North Dakota, South Dakota and Wyoming

The Colorado Department of Public Health and Environment, the Montana Department of Environmental Quality, the North Dakota Department of Health, the South Dakota Department of Environment and Natural Resources and the Wyoming Department of Environmental Quality have submitted letters certifying that there are no existing small MWC units under state jurisdiction in their respective states subject to 40 CFR part 60, subpart BBBB. These negative declarations meet the requirements of 40 CFR 62.06, and the EPA outlines no formal review process for negative declaration letters under subpart BBBB—Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed On or Before August 30, 1999. The dates of submission for these letters are outlined in the table below.

| State agency submitting the negative declaration | Date of letter to EPA Region 8 Office |
|---|---------------------------------------|
| Colorado Department of Public Health and Environment. | January 8, 2001. |
| Montana Department of Environmental Quality. | June 27, 2005. |
| North Dakota Department of Health. | November 27, 2001. |
| South Dakota Department of Environment and Natural Resources. | January 25, 2002. |
| Wyoming Department of Environmental Quality. | October 9, 2001. |

B. Existing Large Municipal Waste Combustion Units Continued Negative Declarations From the States of Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming

The Colorado Department of Public Health and Environment, the Montana Department of Environmental Quality, the North Dakota Department of Health, the South Dakota Department of Environment and Natural Resources, the Utah Department of Environmental Quality and the Wyoming Department of Environmental Quality have submitted letters continuing their certification that there are no existing large MWC units under state jurisdiction in their respective states subject to 40 CFR part 60, subpart Cb. These negative declarations meet the

requirements of 40 CFR 62.06, and the EPA outlines no formal review process for negative declaration letters under 40 CFR part 60, subpart Cb—Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That Are Constructed On or Before September 20, 1994. The dates of submission for these letters are outlined in the table below.

| State agency submitting the negative declaration | Date of letter to EPA Region 8 Office |
|---|---------------------------------------|
| Colorado Department of Public Health and Environment. | October 13, 2015. |
| Montana Department of Environmental Quality. | March 18, 2015. |
| North Dakota Department of Health. | February 26, 2015. |
| South Dakota Department of Environment and Natural Resources. | April 3, 2017. |
| Utah Department of Environmental Quality. | March 22, 2017. |
| Wyoming Department of Environmental Quality. | April 23, 2015. |

C. Existing Commercial and Industrial Solid Waste Incineration Units Continued Negative Declarations From the States of Montana, South Dakota, Utah and Wyoming

The Montana Department of Environmental Quality, the South Dakota Department of Environment and Natural Resources, the Utah Department of Environmental Quality and the Wyoming Department of Environmental Quality have submitted letters continuing their certification that there are no existing CISWI units under state jurisdiction in their respective states subject to 40 CFR part 60, subpart DDDD. These negative declarations meet the requirements of 40 CFR 62.06, and the EPA outlines no formal review process for negative declaration letters under 40 CFR part 60, subpart DDDD—Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction On or Before November 30, 1999. The dates of submission for these letters are outlined in the table below.

| State agency submitting the negative declaration | Date of letter to EPA Region 8 Office |
|---|---------------------------------------|
| Montana Department of Environmental Quality. | March 18, 2015. |
| South Dakota Department of Environment and Natural Resources. | April 3, 2017. |
| Utah Department of Environmental Quality. | March 22, 2017. |
| Wyoming Department of Environmental Quality. | February 23, 2017. |

D. Existing Other Solid Waste Incineration Units Negative Declarations From the States of Montana, North Dakota, South Dakota, Utah and Wyoming

The Montana Department of Environmental Quality, the North Dakota Department of Health, the South Dakota Department of Environment and Natural Resources, the Utah Department of Environmental Quality and the Wyoming Department of Environmental Quality have submitted letters certifying that there are no existing OSWI units under state jurisdiction in their respective states subject to 40 CFR part 60, subpart FFFF. These negative declarations meet the requirements of 40 CFR 62.06, and the EPA outlines no formal review process for negative declaration letters under 40 CFR part 60, subpart FFFF—Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004. The dates of submission for these letters are outlined in the table below.

| State agency submitting the negative declaration | Date of letter to EPA Region 8 Office |
|---|---------------------------------------|
| Montana Department of Environmental Quality. | March 18, 2015. |
| North Dakota Department of Health. | September 20, 2006. |
| South Dakota Department of Environment and Natural Resources. | May 4, 2007. |
| Utah Department of Environmental Quality. | December 20, 2006. |
| Wyoming Department of Environmental Quality. | May 3, 2007. |

III. Response to Public Comments

Today's rule will be finalized as proposed without revisions. The EPA received a total of one public comment on the proposed approval and promulgation of negative declarations from Region 8 states. After considering the comment, the EPA has determined that the comment is outside the scope of the purpose and effect of the proposed action. The following section is a summary of the public comment received, the response, and the rationale for the EPA's decision to proceed with the proposed action without revisions. The comment to which this section is addressed is located in the docket for this rulemaking action, which can be accessed by following the instructions outlined in the **ADDRESSES** section of this preamble.

A. Failure To Document 'No Negative Effect'

Comment: The comment received, as it was written on the *Regulations.gov* Web site, is presented here for clarity:

"The documentation provided is rather limited. While there is a declaration of no negative effect, proof of that would be needed rather than to issue a statement saying there is no negative effect. There needs to be an analysis of the public that helps determine that for sure and not violate the NEPA provisions that would require public involvement."

Response: This comment raises issues outside the scope of the EPA's approval of negative declarations concerning designated facilities covered under CAA section 111(d)/129. The EPA's direct final rule would approve letters from states stating that no incinerators of certain categories and classes existed within the states' jurisdiction in accordance with the relevant regulations at 40 CFR 60.23(b) and 62.06. The EPA made no "declaration of no negative effect." The EPA also provided the appropriate documentation, as scanned copies of the negative declaration letters from the states are available in this rulemaking's docket, filed as supporting documents. These certified negative declarations will serve in lieu of a 111(d)/129 state plan unless a relevant existing designated facility is found within state jurisdiction and development of a state plan is required. In no case would the negative declaration process trigger a NEPA review nor would the EPA be required to undertake an environmental or economic impact analysis of a section 111(d) negative declaration and issue a finding analogous to a "declaration of no negative effect."

IV. Final Action

The EPA is approving the negative declarations for existing small MWC units for the states of Colorado, Montana, North Dakota, South Dakota and Wyoming. The negative declarations satisfy the requirements of 40 CFR 62.06 and will serve in lieu of CAA section 111(d)/129 state plans for the specified states and source category.

The EPA is also approving the updated negative declarations for existing large MWC units for the states of Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming. The negative declarations satisfy the requirements of 40 CFR 62.06 and will serve in lieu of CAA section 111(d)/129 state plans for the specified states and source category.

The EPA is also publishing the updated negative declarations for

existing CISWI units for the states of Montana, South Dakota, Utah and Wyoming. The negative declarations satisfy the requirements of 40 CFR 62.06 and will serve in lieu of CAA section 111(d)/129 state plans for the specified states and source category.

The EPA is also approving the negative declarations for existing OSWI units for the states of Montana, North Dakota, South Dakota, Utah and Wyoming. The negative declarations satisfy the requirements of 40 CFR 62.06 and will serve in lieu of CAA section 111(d)/129 state plans for the specified states and source category.

V. Statutory and Executive Order Review

Under the CAA, the Administrator is required to approve a section 111(d)/129 plan submission that complies with the provisions of the Act and applicable federal regulations at 40 CFR 62.04. Thus, in reviewing section 111(d)/129 plan submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- 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,

- Is not subject to Executive Order 12898 (59 FR 7629, February 16, 1994) because it does not establish an environmental health or safety standard.

In addition, this rule is not approved to apply on any Indian reservation land or 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 and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. 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 November 27, 2017. 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 it shall not postpone the effectiveness of such rule or action. Under CAA section 307(b)(2), this action may not be challenged later in proceedings to enforce its requirements.

List of Subjects in 40 CFR Part 62

Environmental protection, Administrative practice and procedure, Air pollution control, Commercial industrial solid waste incineration, Intergovernmental relations, Municipal solid waste combustion, Other solid waste incineration.

Dated: September 7, 2017.

Suzanne J. Bohan,

Acting Regional Administrator, Region 8.

For the reasons stated in the preamble, EPA amends 40 CFR part 62 as set forth below:

PART 62—APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

- 1. The authority citation for part 62 continues to read as follows:

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

Subpart G—Colorado

- 2. Revise § 62.1370 to read as follows:

§ 62.1370 Identification of plan—negative declaration.

Letter from the Colorado Department of Public Health and Environment submitted October 13, 2015, certifying that there are no existing large municipal waste combustion units within the State of Colorado that are subject to part 60, subpart Cb, of this chapter.

- 3. Subpart G is amended by adding an undesignated center heading and § 62.1400 to read as follows:

Emissions From Existing Small Municipal Waste Combustion Units

§ 62.1400 Identification of plan—negative declaration.

Letter from the Colorado Department of Public Health and Environment submitted January 8, 2001, certifying that there are no existing small municipal waste combustion units within the State of Colorado that are subject to part 60, subpart BBBB, of this chapter.

Subpart BB—Montana

- 4. Revise § 62.6620 to read as follows:

§ 62.6620 Identification of plan—negative declaration.

Letter from the Montana Department of Environmental Quality submitted March 18, 2015, certifying that there are no existing large municipal waste combustion units within the State of Montana that are subject to part 60, subpart Cb, of this chapter.

- 5. Revise § 62.6630 to read as follows:

§ 62.6630 Identification of plan—negative declaration.

Letter from the Montana Department of Environmental Quality submitted March 18, 2015, certifying that there are no existing commercial and industrial solid waste incineration units within

the State of Montana that are subject to part 60, subpart DDDD, of this chapter.

- 6. Subpart BB is amended by adding an undesignated center heading and § 62.6650 to read as follows:

Emissions From Existing Small Municipal Waste Combustion Units

§ 62.6650 Identification of plan—negative declaration.

Letter from the Montana Department of Environmental Quality submitted June 27, 2005, certifying that there are no existing small municipal waste combustion units within the State of Montana that are subject to part 60, subpart BBBB, of this chapter.

- 7. Subpart BB is amended by adding an undesignated center heading and § 62.6660 to read as follows:

Emissions From Existing Other Solid Waste Incineration Units

§ 62.6660 Identification of plan—negative declaration.

Letter from the Montana Department of Environmental Quality submitted March 18, 2015, certifying that there are no existing other solid waste incineration units within the State of Montana that are subject to part 60, subpart FFFF, of this chapter.

Subpart JJ—North Dakota

- 8. Revise § 62.8620 to read as follows:

§ 62.8620 Identification of plan—negative declaration.

Letter from the North Dakota Department of Health submitted February 26, 2015, certifying that there are no existing large municipal waste combustion units within the State of North Dakota that are subject to part 60, subpart Cb, of this chapter.

- 9. Subpart JJ is amended by adding an undesignated center heading and § 62.8650 to read as follows:

Emissions From Existing Small Municipal Waste Combustion Units

§ 62.8650 Identification of plan—negative declaration.

Letter from the North Dakota Department of Health submitted November 27, 2001, certifying that there are no existing small municipal waste combustion units within the State of North Dakota that are subject to part 60, subpart BBBB, of this chapter.

- 10. Subpart JJ is amended by adding an undesignated center heading and § 62.8660 to read as follows:

Emissions From Existing Other Solid Waste Incineration Units

§ 62.8660 Identification of plan—negative declaration.

Letter from the North Dakota Department of Health submitted September 20, 2006, certifying that there are no existing other solid waste incineration units within the State of North Dakota that are subject to part 60, subpart FFFF, of this chapter.

Subpart QQ—South Dakota

- 11. Revise § 62.10370 to read as follows:

§ 62.10370 Identification of plan—negative declaration.

Letter from the South Dakota Department of Environment and Natural Resources submitted April 3, 2017, certifying that there are no existing large municipal waste combustion units within the State of South Dakota that are subject to part 60, subpart Cb, of this chapter.

- 12. Revise § 62.10380 to read as follows:

§ 62.10380 Identification of plan—negative declaration.

Letter from the South Dakota Department of Environment and Natural Resources submitted April 3, 2017, certifying that there are no existing commercial and industrial solid waste incineration units within the State of South Dakota that are subject to part 60, subpart DDDD, of this chapter.

- 13. Subpart QQ is amended by adding an undesignated center heading and § 62.10400 to read as follows:

Emissions From Existing Small Municipal Waste Combustion Units

§ 62.10400 Identification of plan—negative declaration.

Letter from the South Dakota Department of Environment and Natural Resources submitted January 25, 2002, certifying that there are no existing small municipal waste combustion units within the State of South Dakota that are subject to part 60, subpart BBBB, of this chapter.

- 14. Subpart QQ is amended by adding an undesignated center heading and § 62.10410 to read as follows:

Emissions From Existing Other Solid Waste Incineration Units

§ 62.10410 Identification of plan—negative declaration.

Letter from the South Dakota Department of Environment and Natural Resources submitted May 4, 2007, certifying that there are no existing

other solid waste incineration units within the State of South Dakota that are subject to part 60, subpart FFFF, of this chapter.

Subpart TT—Utah

- 15. Revise § 62.11130 to read as follows:

§ 62.11130 Identification of plan—negative declaration.

Letter from the Utah Department of Environmental Quality submitted March 22, 2017, certifying that there are no existing large municipal waste combustion units within the State of Utah that are subject to part 60, subpart Cb, of this chapter.

- 16. Revise § 62.11140 to read as follows:

§ 62.11140 Identification of plan—negative declaration.

Letter from the Utah Department of Environmental Quality submitted March 22, 2017, certifying that there are no existing commercial and industrial solid waste incineration units within the State of Utah that are subject to part 60, subpart DDDD, of this chapter.

- 17. Subpart TT is amended by adding an undesignated center heading and § 62.11160 to read as follows:

Emissions From Existing Other Solid Waste Incineration Units

§ 62.11160 Identification of plan—negative declaration.

Letter from the Utah Department of Environmental Quality submitted December 20, 2006, certifying that there are no existing other solid waste incineration units within the State of Utah that are subject to part 60, subpart FFFF, of this chapter.

Subpart ZZ—Wyoming

- 18. Revise § 62.12620 to read as follows:

§ 62.12620 Identification of plan—negative declaration.

Letter from the Wyoming Department of Environmental Quality submitted April 23, 2015, certifying that there are no existing large municipal waste combustion units within the State of Wyoming that are subject to part 60, subpart Cb, of this chapter.

- 19. Revise § 62.12630 to read as follows:

§ 62.12630 Identification of plan—negative declaration.

Letter from the Wyoming Department of Environmental Quality submitted February 23, 2017, certifying that there are no existing commercial and

industrial solid waste incineration units within the State of Wyoming that are subject to part 60, subpart DDDD, of this chapter.

■ 20. Subpart ZZ is amended by adding an undesignated center heading and § 62.12650 to read as follows:

Emissions From Existing Small Municipal Waste Combustion Units

§ 62.12650 Identification of plan—negative declaration.

Letter from the Wyoming Department of Environmental Quality submitted

October 9, 2001, certifying that there are no existing small municipal waste combustion units within the State of Wyoming that are subject to part 60, subpart BBBB, of this chapter.

■ 21. Subpart ZZ is amended by adding an undesignated center heading and § 62.12660 to read as follows:

Emissions From Existing Other Solid Waste Incineration Units

§ 62.12660 Identification of plan—negative declaration.

Letter from the Wyoming Department of Environmental Quality submitted May 3, 2007, certifying that there are no existing other solid waste incineration units within the State of Wyoming that are subject to part 60, subpart FFFF, of this chapter.

[FR Doc. 2017–20595 Filed 9–25–17; 8:45 am]

BILLING CODE 6560–50–P

Proposed Rules

Federal Register

Vol. 82, No. 185

Tuesday, September 26, 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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2017-0900; Product Identifier 2017-NM-055-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 737-100, -200, -200C, -300, -400, and -500 series airplanes. This proposed AD was prompted by a report of wire damage on a fuel boost pump power cable, and a separate report of a fuel tank explosion on a similarly equipped airplane. This proposed AD would require the installation of new shielded wire bundles and convoluted liners within fuel tank conduits, and revision of the maintenance or inspection program, as applicable, to incorporate certain airworthiness limitations (AWLs). We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by November 13, 2017.

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 NPRM, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; Internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 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-2017-0900.

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-2017-0900; 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:

Christopher Baker, Aerospace Engineer, Propulsion Section, FAA, Seattle ACO Branch, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6498; fax: 425-917-6590; email: christopher.r.baker@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-2017-0900; Product Identifier 2017-NM-055-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

This proposed AD is further rulemaking following the interim action of AD 2007-24-02, Amendment 39-15268 (72 FR 65446, November 21, 2007) ("AD 2007-24-02"), which applies to all Boeing Model 737-100, -200, -200C, -300, -400, -500 series airplanes. AD 2007-24-02 was prompted by reports of a fuel tank explosion on a Boeing Model 727-200F airplane and chafed wires and a damaged wiring sleeve on a fuel boost pump power cable in a Boeing Model 737-300 airplane. AD 2007-24-02 requires repetitive detailed inspections for damage of the electrical wire and sleeve that run to the fuel boost pump through a conduit in the fuel tank, to address potential electrical arcing between the wiring and the surrounding conduit that could result in arc-through of the conduit, consequent fire or explosion of the fuel tank, and subsequent loss of the airplane. The preamble to AD 2007-24-02 explains that its requirements are considered "interim action" and that we might consider further rulemaking. We now have determined that further rulemaking is necessary, and this proposed AD follows from that determination.

Related Service Information Under 14 CFR Part 51

We reviewed the following service information.

- Boeing Alert Service Bulletin 737-28A1273, Revision 1, dated March 14, 2017. This service information describes procedures for the installation of new shielded wire bundles and convoluted liners within fuel tank conduits.
- Boeing 737-100/200/200C/300/400/500 Airworthiness Limitations (AWLs)/Certification Maintenance Requirements (CMRs), D6-38278-CMR, dated May 2016. This service information describes new AWLs for inspecting the fuel tank wiring and conduits.

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.

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

We considered a number of factors in determining whether to issue a new AD or to supersede AD 2007–24–02, including the size of the affected fleet and the consequent workload added by Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017. In light of this, the FAA has determined that the less burdensome approach is to issue a separate AD that includes only Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017. This proposed AD would not supersede AD 2007–24–02. Airplanes identified in the applicability of AD 2007–24–02 are required to continue to comply with the requirements of that AD until the corrective actions of this proposed AD are done, which would terminate the

inspection and reporting requirements of AD 2007–24–02. This proposed AD is a separate AD action and would therefore require accomplishment of only those actions identified as “RC” (required for compliance) in the Accomplishment Instructions of Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017, described previously, except for differences between this proposed AD and the service information that are identified in the regulatory text of this proposed AD.

For information on the procedures and compliance times, see this service information at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2017–0900.

This proposed AD would also require revisions to certain operator maintenance documents to include new Critical Design Configuration Control Limitations (CDCCLs). Compliance with these CDCCLs is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply

with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (l) of this proposed AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Explanation of Applicability

Model 737 airplanes having line numbers 1 through 291 have a limit of validity (LOV) of 34,000 total flight cycles, and the actions proposed in this NPRM, as specified in Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017, would be required at a compliance time occurring after that LOV. Although operation of an airplane beyond its LOV is prohibited by 14 CFR 121.1115 and 129.115, this NPRM includes those airplanes in the applicability so that they are tracked in the event the LOV is extended in the future.

Costs of Compliance

We estimate that this proposed AD affects 499 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 |
|--|--|------------|------------------|------------------------|
| Installation | 154 work-hours × \$85 per hour = \$13,090 | \$5,561 | \$18,651 | \$9,306,849 |
| Incorporation of Airworthiness Limitations | 1 work-hour × \$85 per hour = \$85 | 0 | 85 | 42,415 |

Authority for This Rulemaking

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

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

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft

Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

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–2017–0900; Product Identifier 2017–NM–055–AD.

(a) Comments Due Date

We must receive comments by November 13, 2017.

(b) Affected ADs

This AD affects AD 2007–24–02, Amendment 39–15268 (72 FR 65446, November 21, 2007) (“AD 2007–24–02”).

(c) Applicability

This AD applies to all The Boeing Company Model 737–100, –200, –200C, –300, –400, and –500 series airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 28, Fuel.

(e) Unsafe Condition

This AD was prompted by reports of chafed wires and a damaged wiring sleeve on a fuel boost pump power cable, and an on-ground fuel tank explosion. We are issuing this AD to prevent electrical arcing between the fuel boost pump power cable wiring and the surrounding conduit, which could lead to arc-through of the conduit, consequent fire or explosion of the fuel tank, and subsequent loss of the airplane.

(f) Compliance

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

(g) Required Actions

(1) For Group 1 and Group 2 airplanes identified in Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017: Except as required by paragraph (j) of this AD, at the applicable times specified in paragraph 1.E., “Compliance,” of Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017, do all applicable actions identified as required for compliance (“RC”) in, and in accordance with, the Accomplishment Instructions of Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017.

(2) For airplanes identified as Group 3 in Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017: Within 120 days after the effective date of this AD, inspect the airplane and do all applicable corrective actions using a method approved in accordance with the procedures specified in paragraph (l) of this AD.

(h) Revision of Maintenance or Inspection Program

Within 60 days after the effective date of this AD: Revise the maintenance or inspection program, as applicable, to incorporate the applicable Airworthiness Limitations (AWLs) from Boeing 737–100/

200/200C/300/400/500 Airworthiness Limitations (AWLs)/Certification Maintenance Requirements (CMRs), D6–38278–CMR, dated May 2016, as identified in paragraphs (h)(1) and (h)(2) of this AD.

(1) 28–AWL–18 and 28–AWL–26, “Fuel Boost Pump Wires In Conduit Installation—In Fuel Tank,” for Boeing Model 737–100, –200, –200C series airplanes.

(2) 28–AWL–18 and 28–AWL–25, “Fuel Boost Pump Wires In Conduit Installation—In Fuel Tank,” for Boeing Model 737–300, –400, –500 series airplanes.

(i) No Alternative Critical Design Configuration Control Limitations (CDCCLs)

After the maintenance or inspection program, as applicable, has been revised as required by paragraph (h) of this AD, no alternative CDCCLs may be used unless the CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (l) of this AD.

(j) Exceptions to Service Information Specifications

Where Boeing Alert Service Bulletin 737–28A1273, Revision 1, dated March 14, 2017, uses the phrase “after the original issue date of this service bulletin,” for purposes of determining compliance with the requirements of this AD, the phrase “after the effective date of this AD” must be used.

(k) Terminating Action for Requirements of AD 2007–24–02

Accomplishment of the actions required by paragraph (g) of this AD terminates all requirements of AD 2007–24–02.

(l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (m)(2) of this AD. Information may be emailed to: 9-ANM-LAACO-AMOC-Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

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

(4) For service information that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (l)(4)(i) and (l)(4)(ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled “RC Exempt,” then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps 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 RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(m) Related Information

(1) For more information about this AD, contact Christopher Baker, Aerospace Engineer, Propulsion Section, FAA, Seattle ACO Branch, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6498; fax: 425–917–6590; email: christopher.r.baker@faa.gov.

(2) For information about AMOCs, contact Serj Harutunian, Aerospace Engineer, Propulsion Section, FAA, Los Angeles ACO Branch, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5254; fax: 562–627–5210; email: serj.harutunian@faa.gov.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; Internet <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 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 September 20, 2017.

Dionne Palermo,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2017–20545 Filed 9–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 40

[Docket No. RM17–12–000]

Emergency Preparedness and Operations Reliability Standards

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Energy Regulatory Commission proposes to approve Emergency Preparedness and Operations (EOP) Reliability Standards

EOP-004-4 (Event Reporting), EOP-005-3 (System Restoration from Blackstart Resources), EOP-006-3 (System Restoration Coordination), and EOP-008-2 (Loss of Control Center Functionality).

DATES: Comments are due November 27, 2017.

ADDRESSES: Comments, identified by docket number, may be filed in the following ways:

- **Electronic Filing through <http://www.ferc.gov>:** Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format.

- **Mail/Hand Delivery:** Those unable to file electronically may mail or hand-deliver comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the Comment Procedures Section of this document.

FOR FURTHER INFORMATION CONTACT:

E. Nick Henery (Technical Information), Office of Electric Reliability, Division of Reliability Standards, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (202) 502-8636, Nick.Henery@ferc.gov.

Bob Stroh (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (202) 502-8473, Robert.Stroh@ferc.gov.

SUPPLEMENTARY INFORMATION:

1. Under section 215 of the Federal Power Act (FPA),¹ the Commission proposes to approve proposed Emergency Preparedness and Operations (EOP) Reliability Standards EOP-004-4 (Event Reporting), EOP-005-3 (System Restoration from Blackstart Resources), EOP-006-3 (System Restoration Coordination), and EOP-008-2 (Loss of Control Center Functionality), submitted by the North American Electric Reliability Corporation (NERC), the Commission-certified Electric Reliability Organization (ERO). The proposed EOP Reliability Standards are intended to: (1) Provide accurate reporting of events to NERC's event analysis group to analyze the impact on the reliability of the bulk

electric system (EOP-004-4); (2) delineate the roles and responsibilities of entities that support system restoration from blackstart resources which generate power without the support of the grid (EOP-005-3); (3) clarify the procedures and coordination requirements for reliability coordinator personnel to execute system restoration processes (EOP-006-3); and (4) refine the required elements of an operating plan used to continue reliable operations of the bulk electric system if that primary control functionality is lost (EOP-008-2). The Commission also proposes to approve the associated violation risk factors, violation severity levels, implementation plans, and effective dates. In addition, the Commission proposes to retire currently-effective Reliability Standards EOP-004-3, EOP-005-2, EOP-006-2, and EOP-008-1 immediately prior to the effective dates of the proposed EOP Reliability Standards.

I. Background

A. Regulatory Background

2. Section 215 of the FPA requires a Commission-certified ERO to develop mandatory and enforceable Reliability Standards that are subject to Commission review and approval. The Commission may approve, by rule or order, a proposed Reliability Standard or modification to a Reliability Standard if it determines that the Reliability Standard is just, reasonable, not unduly discriminatory or preferential and in the public interest.² Once approved, the Reliability Standards may be enforced by the ERO, subject to Commission oversight, or by the Commission independently.³ Pursuant to section 215 of the FPA, the Commission established a process to select and certify an ERO,⁴ and subsequently certified NERC.⁵ On March 16, 2007, the Commission issued Order No. 693, approving 83 of the 107 Reliability Standards filed by NERC, including the initial EOP Reliability Standards.⁶

² *Id.* 8240(d)(2).

³ *Id.* 8240(e).

⁴ *Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards*, Order No. 672, FERC Stats. & Regs. ¶ 31,204, *order on reh'g*, Order No. 672-A, FERC Stats. & Regs. ¶ 31,212 (2006).

⁵ *North American Electric Reliability Corp.*, 116 FERC ¶ 61,062, *order on reh'g and compliance*, 117 FERC ¶ 61,126 (2006), *aff'd sub nom. Alcoa, Inc. v. FERC*, 564 F.3d 1342 (D.C. Cir. 2009).

⁶ *Mandatory Reliability Standards for the Bulk-Power System*, Order No. 693, 72 FR 16416 (Apr. 4, 2007), FERC Stats. & Regs. ¶ 31,242, at P 297, *order on reh'g*, Order No. 693-A, 120 FERC ¶ 61,053 (2007).

B. NERC Petition

3. According to NERC, the proposed EOP Reliability Standards: (1) Streamline the currently-effective EOP Standards; (2) remove redundancies and other unnecessary language while making the Reliability Standards more results-based;⁷ and (3) address the Commission's concern articulated in Order No. 749 regarding system restoration training.⁸ The proposed EOP Reliability Standards are summarized below.

Proposed Reliability Standard EOP-004-4

4. Proposed Reliability Standard EOP-004-4 requires reporting of events by responsible entities. The reportable events under the proposed Reliability Standard are collected and used to examine the underlying causes of events; track subsequent corrective action to prevent recurrence of such events; and develop lessons learned for industry. While these events arise in the real-time operation time horizon and require action by responsible entities within one hour or less to preserve the reliability of the bulk electric system, Reliability Standard EOP-004-3 is not intended to require system operators to report the events during the real-time operation time horizon, but rather can be reported six to twenty four hours after the event.

5. NERC states that the proposed Reliability Standard modifications are designed to eliminate redundant reporting of a single event by multiple entities; assign reporting requirements to appropriate entities; clarify the threshold reporting for a given event; and where appropriate, align the reportable events and thresholds identified in Attachments 1 and 2 of the proposed Reliability Standard with the Department of Energy's (DOE) Form OE-417. NERC states that the proposed Reliability Standard improves the quality of information received by the ERO as well as the quality of analysis that the ERO produces from this information to assess the greatest risk to the bulk electric system.

6. Attachment 1 of the proposed Reliability Standard identifies the types and thresholds of reportable events that have the potential to impact the

⁷ *North American Electric Reliability Corp.*, 138 FERC ¶ 61,193, at P 81 (March 2012 Order), *order on reh'g and clarification*, 139 FERC ¶ 61,168 (2012). The March 2012 Order approved a NERC process to identify requirements that could be removed from Reliability Standards without impacting the reliability of the interconnected transmission network.

⁸ *System Restoration Reliability Standards*, Order No. 749, 134 FERC ¶ 61,215, at PP 18, 24 (2011).

¹ 16 U.S.C. 824(o). The proposed Reliability Standards are available on the Commission's eLibrary document retrieval system in Docket No. RM17-12-000 and on the NERC Web site, www.nerc.com.

reliability of the bulk electric system. Attachment 2 is a reporting template for entities to report the types and thresholds of events identified in Attachment 1 to NERC. To the extent that DOE's Form OE-417 reflects similar event types and thresholds of events as Attachment 2, responsible entities may submit Form OE-417 in lieu of Attachment 2.⁹

7. Under currently-effective Reliability Standard EOP-004-3, Attachment 1, reliability coordinators must report to NERC when they operate outside of their interconnection reliability operating limit (IROL) for greater than "Tv" (defined as less than or equal to 30 minutes). NERC proposes to eliminate the IROL violation reporting requirement in Attachment 1 of proposed Reliability Standard EOP-004-4 because, according to NERC, EOP-004 is primarily a tool for trending analysis and developing lessons learned and not designed to be a real-time tool.

8. NERC states that the standard drafting team concluded that any real-time reporting to NERC or Regional Entities (*i.e.*, contemporaneous with the transmission operator's notification of the IROL to the reliability coordinator) should be addressed in the TOP Reliability Standards, which deal with the real-time operations time horizon. In its petition, NERC identifies Reliability Standard TOP-001-3 (Transmission Operations) as the appropriate Reliability Standard for reporting such real-time events. NERC states that the purpose of Reliability Standard TOP-001-3 is to prevent instability, uncontrolled separation, or cascading outages that adversely impact the reliability of an interconnection by ensuring prompt action to prevent or mitigate such occurrences. Specifically, Reliability Standard TOP-001-3, Requirement R12 provides that "[e]ach Transmission Operator shall not operate outside any identified Interconnection Reliability Operating Limit (IROL) for a continuous duration exceeding its associated Tv." Separately, NERC identifies Reliability Standard TOP-007-0 (Reporting System Operating Limit (SOL) and IROL Violations), Requirement R2, which states that "[f]ollowing a Contingency or other event that results in an IROL violation, the Transmission Operator shall return its transmission system to within IROL as soon as possible, but not longer than 30 minutes." Finally, NERC cites Requirement R3 of Reliability Standard

IRO-009-2 (Reliability Coordinator Actions to Operate within IROLs), which states that "[e]ach Reliability Coordinator shall act or direct others to act so that the magnitude and duration of an IROL exceedance is mitigated within the IROL Tv, as identified in the Reliability Coordinator's Real-time monitoring or Real-time Assessment."

Proposed Reliability Standard EOP-005-3

9. The purpose of proposed Reliability Standard EOP-005-3 is to ensure plans, facilities, and personnel are prepared to enable system restoration from blackstart resources to ensure reliability is maintained during restoration and priority is placed on restoring the interconnection. NERC states that proposed Reliability Standard EOP-005-3 improves the existing version of the Reliability Standard by: (1) Emphasizing the need for transmission operators to develop and use restoration plans relating to blackstart resources; (2) retiring redundant or administrative requirements; and (3) clarifying requirements for revising and testing restoration plans.

Proposed Reliability Standards EOP-006-3

10. The purpose of proposed Reliability Standard EOP-006-3 is to establish how personnel should prepare, execute, and coordinate system restoration processes to maintain reliability and to restore the Interconnection. NERC states that proposed Reliability Standard EOP-006-3 improves upon the existing version of the standard by emphasizing the need for reliability coordinators to develop and use their restoration plans and clarifying requirements for training and coordination of restoration plans amongst reliability coordinators.

Proposed Reliability Standard EOP-008-2

11. The purpose of proposed Reliability Standard EOP-008-2 is to ensure continued reliable operations of the bulk electric system if a control center becomes inoperable. NERC states that proposed Reliability Standard EOP-008-2 improves upon the existing Reliability Standard by clarifying the required contents of an operating plan used by reliability coordinators, balancing authorities and transmission operators.

II. Discussion

12. Pursuant to section 215(d) of the FPA, the Commission proposes to approve the proposed EOP Reliability Standards as just, reasonable, not

unduly discriminatory or preferential and in the public interest. The Commission also proposes to approve the associated violation risk factors, violation severity levels, implementation plans, and effective dates. Further, the Commission proposes to retire currently-effective Reliability Standards EOP-004-3, EOP-005-2, EOP-006-2, and EOP-008-1 immediately prior to the effective dates of the proposed EOP Reliability Standards.

13. Proposed Reliability Standard EOP-004-4 will enhance reliability by assigning reporting to appropriate entities; and clarifying the threshold reporting for a given event. In addition, aligning the reportable events and thresholds identified in Attachment 1 of the proposed Reliability Standard with DOE's Form OE-417 should improve the quality of information received by NERC and the quality of analysis that NERC produces to assess the greatest risks to the bulk electric system. Further, proposed Reliability Standard EOP-004-4 promotes efficiency and clarity by eliminating redundant reporting of a single event by multiple entities.

14. Proposed Reliability Standards EOP-005-3, EOP-006-3, and EOP-008-2 will enhance reliability by delineating the roles and responsibilities of entities that support system restoration from blackstart resources; clarifying the procedures and coordination requirements for reliability coordinator personnel to execute system restoration processes; and refining operating plan elements if primary control functionality is lost.

15. Finally, while we are not persuaded that the three Reliability Standards identified by NERC require the reporting of IROL information,¹⁰ we propose to accept NERC's proposed retirement of currently-effective Reliability Standard EOP-004-3.

¹⁰ While Reliability Standard TOP-007-0, Requirement R1 mandates reporting of SOL and IROL violations, that Reliability Standard was retired recently. *Transmission Operations Reliability Standards and Interconnection Reliability Operations and Coordination Reliability Standards*, Order No. 817, 153 FERC ¶ 61,178 (2015). Reliability Standard TOP-001-3, Requirement R12 requires transmission operators not to operate outside of IROL Tv. The requirement's associated compliance measure, however, only requires transmission operators to "make available evidence to show that for any occasion in which it operated outside any identified [IROL], the continuous duration did not exceed its associated IROL Tv." ¹⁰ While this information may be similar to what would be found in an IROL Tv exceedance report under currently-effective Reliability Standard EOP-004-3, Reliability Standard TOP-001-3 does not require responsible entities to report the exceedance. The same can be said of Reliability Standard IRO-009-2.

⁹ Under the current practice, the ERO will accept DOE's Form OE-417 report in lieu of Attachment 2 to Reliability Standard EOP-004-3 to the extent a given event type and threshold align.

Currently NERC voluntarily shares IROL Tv exceedance information with Commission staff so that Commission staff can monitor the transmission system and identify reliability trends. We understand that NERC will continue to receive IROL Tv exceedance information and share it with Commission staff even after the proposed retirement of EOP-004-3.

III. Information Collection Statement

16. The Office of Management and Budget (OMB) regulations require that OMB approve certain reporting and recordkeeping (collections of information) imposed by an agency.¹¹ Upon approval of a collection(s) of information, OMB will assign an OMB control number and expiration date.

Respondents subject to the filing requirements of this rule will not be penalized for failing to respond to these collections of information unless the collections of information display a valid OMB control number.

17. The Commission is submitting these reporting and recordkeeping requirements to OMB for its review and approval under section 3507(d) of the Paper Reduction Act of 1995, 44 U.S.C. 3507(d) (2012). Comments are solicited on the Commission's need for this information, whether the information will have practical utility, the accuracy of the provided burden estimate, ways to enhance the quality, utility, and clarity of the information to be collected, and any suggested methods for minimizing the respondent's burden,

including the use of automated information techniques.

18. This Notice of Proposed Rulemaking proposes to approve revisions to Reliability Standards EOP-004-4 (Event Reporting), EOP-005-3 (System Restoration from Blackstart Resources), EOP-006-3 (System Restoration Coordination), and EOP-008-2 (Loss of Control Center Functionality).

19. *Public Reporting Burden:* Our estimate below regarding the number of respondents is based on the NERC Compliance Registry as of April 7, 2017. The following estimates relate to the requirements for this Notice of Proposed Rulemaking in Docket No. RM17-12-000.

RM17-12-000 (EMERGENCY PREPAREDNESS AND OPERATIONS RELIABILITY STANDARDS)

| | Number of respondents (1) | Annual number of responses per respondent (2) | Total number of responses (1) * (2) = (3) | Average burden and cost per response ¹² (4) | Total annual burden and total annual cost ¹³ (3) * (4) = (5) | Cost per respondent (\$) (5) ÷ (1) |
|---|------------------------------|--|--|---|--|---------------------------------------|
| EOP-008-2 | | | | | | |
| One-time Review and Revision of Plan. | 215 | 1 | 215 | 20 hrs. (Eng.); \$1,286. | 4,300 hrs. (Eng.); \$276,447. | \$1,286 (Eng.). |
| Updating, Approving, and Maintaining Records. | 215 | 1 | 215 | 6 hrs. (Eng.); \$386 2 hrs. (R.K.); \$76. | 1,290 hrs. (Eng.); \$82,934, 430 hrs. (R.K.); \$16,233. | \$386 (Eng.); \$76 (R.K.). |
| One-time Contracting. | 27 | 1 | 27 | 120 hrs. (Eng.) \$7,715. | 3,240 hrs. \$208,300 (Eng.). | \$7,715 (Eng.). |
| EOP-005-3 & EOP-006-3 | | | | | | |
| RC Data Retention | 26 | 2 | 52 | 8 hrs. (R.K.) \$514 | 416 hrs. (R.K.); \$26,745. | \$514 (R.K.). |
| TOP Reporting Data. | 176 | 1 | 176 | 116 hrs. (Eng.); \$7,458 16 hrs. (R.K.); \$604. | 20,416 hrs. (Eng.); \$1,312,545, 2,816 hrs. (R.K.); \$106,304. | \$7,458 (Eng.); \$604 (R.K.). |
| GOP Testing | 230 | 1 | 230 | 80 hrs. (Eng.); \$5,143. | 18,400 hrs. (Eng.); \$1,182,936. | \$5,143 (Eng.). |
| TO and DP Training. | 678 | 1 | 678 | 8 hrs. (Eng.); \$514 | 5,424 hrs. (Eng.); \$348,709. | \$514 (Eng.). |
| EOP-004-4 | | | | | | |
| One-Time Review and Revision of Plan. | 1,400 | 1 | 1,400 | 2 hrs. (Eng.); \$129 | 2,800 hrs. (Eng.) \$180,012. | \$129. |
| Reporting Events .. | 350 | 1 | 350 | 0.17 hrs. (Eng.); \$11. | 59.5 hrs. (Eng.); \$3,825. | \$11. |
| Total ..... | ..... | ..... | 3,343 | ..... | 55,929.5 (Eng.) 3,662 (R.K.), \$3,595,708 (Eng.) \$149,282 (R.K.). | |

¹¹ 5 CFR 1320.11.

¹² Eng.: engineering; R.K.: record-keeping.

¹³ The estimates for cost per hour are based on 2015 wage figures and derived as follows:

\$64.29/hour, the average salary plus benefits per engineer (from Bureau of Labor Statistics at https://www.bls.gov/oes/current/naics2_22.htm);

\$37.75/hour, the average salary plus benefits per information and record clerks (from Bureau of

Labor Statistics at https://www.bls.gov/oes/current/naics2_22.htm)

The results of calculations are rounded to the nearest dollar within the burden table.

Title: FERC-725S (Mandatory Reliability Standards).¹⁴

Action: Proposed Collection of Information.

OMB Control No.: 1902-0270.

Respondents: Businesses or other for-profit institutions; not-for-profit institutions.

Frequency of Responses: Annually.

Necessity of the Information:

Proposed Reliability Standards EOP-004-4, EOP-005-3, EOP-006-3, and EOP-008-2 are intended to provide accurate reporting of events to NERC's event analysis group to analyze the impact on the reliability of the bulk electric system (EOP-004-4); delineate the roles and responsibilities of entities that support system restoration from blackstart resources (EOP-005-3); clarify the procedures and coordination requirements for reliability coordinator personnel to execute system restoration processes (EOP-006-3); and refine the required elements of an operating plan used to continue reliable operations of the bulk electric system if that primary control functionality is lost (EOP-008-2).

Internal Review: The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information requirements.

20. Interested persons may obtain information on the reporting requirements by contacting the following: Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426 [Attention: Ellen Brown, Office of the Executive Director, email: DataClearance@ferc.gov, phone: (202) 502-8663, fax: (202) 273-0873].

21. For submitting comments concerning the collection(s) of information and the associated burden estimate(s), please send your comments to the Commission and to the Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503 [Attention: Desk Officer for the Federal Energy Regulatory Commission, phone: (202) 395-4638, fax: (202) 395-7285]. For security reasons, comments to OMB should be submitted by email to: oira_submission@omb.eop.gov. Comments submitted to OMB should include

1902-0270 and Docket Number RM17-12-000.

IV. Environmental Analysis

22. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.¹⁵ The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment. Included in the exclusion are rules that are clarifying, corrective, or procedural or that do not substantially change the effect of the regulations being amended.¹⁶ The actions proposed here fall within this categorical exclusion in the Commission's regulations.

V. Regulatory Flexibility Act

23. The Regulatory Flexibility Act of 1980 (RFA)¹⁷ generally requires a description and analysis of proposed rules that will have significant economic impact on a substantial number of small entities. Because the burden discussed above is being accounted for in FERC-725S these standards will replace previous versions whose paperwork burden was previously approved in FERC-725A. The burden will only be added to FERC-725S and will be temporarily duplicated by previously approved burden in FERC-725A. Accordingly, the Commission certifies that the proposed Reliability Standards will not have a significant economic impact on a substantial number of small entities.

VI. Comment Procedures

24. The Commission invites interested persons to submit comments on the matters and issues proposed in this notice to be adopted, including any related matters or alternative proposals that commenters may wish to discuss. Comments are due November 27, 2017. Comments must refer to Docket No. RM17-12-000, and must include the commenter's name, the organization they represent, if applicable, and their address in their comments.

25. The Commission encourages comments to be filed electronically via the eFiling link on the Commission's Web site at <http://www.ferc.gov>. The Commission accepts most standard word processing formats. Documents created electronically using word processing software should be filed in

native applications or print-to-PDF format and not in a scanned format. Commenters filing electronically do not need to make a paper filing.

26. Commenters that are not able to file comments electronically must send an original of their comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

27. All comments will be placed in the Commission's public files and may be viewed, printed, or downloaded remotely as described in the Document Availability section below. Commenters on this proposal are not required to serve copies of their comments on other commenters.

VII. Document Availability

28. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through the Commission's Home Page (<http://www.ferc.gov>) and in the Commission's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE., Room 2A, Washington, DC 20426.

29. From the Commission's Home Page on the Internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number of this document, excluding the last three digits, in the docket number field.

30. User assistance is available for eLibrary and the Commission's Web site during normal business hours from the Commission's Online Support at (202) 502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

By direction of the Commission.

Dated: September 20, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017-20552 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

¹⁴ The revisions to EOP-004-4, EOP-005-3, EOP-006-3, and EOP-008-2 Reliability Standards will result in paperwork burden being accounted for in FERC-725S (OMB Control No. 1902-0270). These standards will replace previous versions whose paperwork burden was previously approved in FERC-725A (OMB Control No. 1902-0244). The burden proposed here will only be added to FERC-725S and will be temporarily duplicated by previously approved burden in FERC-725A.

¹⁵ *Regulations Implementing the National Environmental Policy Act of 1969*, Order No. 486, FERC Stats. & Regs. ¶ 30,783 (1987).

¹⁶ 18 CFR 380.4(a)(2)(ii).

¹⁷ 5 U.S.C. 601-612.

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 100****[Docket Number USCG–2017–0598]****RIN 1625–AA08****Special Local Regulation; Gulf of Mexico; Englewood, FL****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish special local regulation on the waters of the Gulf of Mexico in the vicinity of Englewood, Florida during the OPA World Championships High Speed Boat Race, an annually recurring event in the month of November. The special local regulation is necessary to protect the safety of race participants, participant vessels, spectators, and the general public on navigable waters of the United States during the event. The special local regulation will establish the following three areas: A race area where all persons and vessels, except those persons and vessels participating in the high speed boat races, are prohibited from entering, transiting through, anchoring in, or remaining within; a spectator area where all vessels must be anchored or operate at No Wake Speed; and an enforcement area where designated representatives may control vessel traffic as determined by the prevailing conditions.

DATES: Comments and related material must be received by the Coast Guard on or before October 26, 2017.

ADDRESSES: You may submit comments identified by docket number USCG–2017–0598 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the

SUPPLEMENTARY INFORMATION section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Marine Science Technician First Class Michael D. Shackelford, Sector St. Petersburg Prevention Department, Coast Guard; telephone (813) 228–2191, email Michael.d.shackelford@uscg.mil.

SUPPLEMENTARY INFORMATION:**I. Table of Abbreviations**

CFR Code of Federal Regulations
 DHS Department of Homeland Security
 FR Federal Register
 NPRM Notice of proposed rulemaking
 Pub. L. Public Law

§ Section
 U.S.C. United States Code
 COTP Captain of the Port

II. Background Information and Regulatory History

The Coast Guard proposes to establish a special local regulation on the waters of the Gulf of Mexico in the vicinity of Englewood, Florida during the OPA World Championships High Speed Boat Race. The race normally occurs annually from 9 a.m. to 5 p.m. on the third weekend of November (Friday, Saturday, and Sunday). Approximately 60 boats, ranging in length from 22 feet to 50 feet, traveling at speeds in excess of 77 miles per hour are expected to participate. Additionally, it is anticipated that 100 spectator vessels will be present along the race course.

This proposed rulemaking is necessary to provide for the safety of race participants, participant vessels, spectators, and the general public on these navigable waters of the United States during the OPA World Championships. The Coast Guard proposes this rulemaking under authority in 33 U.S.C. 1233.

III. Discussion of Proposed Rule

This proposed rulemaking would establish a special local regulation that will encompass certain waters of the Gulf of Mexico in Englewood, Florida. The special local regulation will be enforced daily from 9:00 a.m. until 5:00 p.m. during the race event. The special local regulation will establish the following three areas: (1) A race area where all persons and vessels, except those persons and vessels participating in the high speed boat races, are prohibited from entering, transiting through, anchoring in, or remaining within; (2) a spectator area where all vessels must be anchored or operate at No Wake Speed; and (3) an enforcement area where designated representatives may control vessel traffic as determined by the prevailing conditions.

Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the regulated area by contacting the Captain of the Port (COTP) St. Petersburg by telephone at (727) 824–7506, or a designated representative via VHF radio on channel 16. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the COTP St. Petersburg or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the COTP St. Petersburg or a designated representative. The Coast Guard will provide notice of the special local

regulations by Local Notice to Mariners and/or Broadcast Notice to Mariners.

IV. 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 and executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This NPRM has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

The economic impact of this rule is not significant for the following reasons: (1) The special local regulation will be enforced for only eight hours on three days; (2) although persons and vessels may not enter, transit through, anchor in, or remain within the regulated area without authorization from the COTP St. Petersburg or a designated representative, they may operate in the surrounding area during the enforcement period; (3) persons and vessels may still enter, transit through, anchor in, or remain within the regulated area or anchor in the spectator area, during the enforcement period if authorized by the COTP St. Petersburg or a designated representative; and (4) the Coast Guard will provide advance notification of the special local regulation to the local maritime community by Local Notice to Mariners and/or Broadcast Notice to Mariners.

B. 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 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 certifies under 5 U.S.C. 605(b) that this rule would not have a

significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to enter, transit through, anchor in, or remain within that portion of the Gulf of Mexico encompassed within the special local regulation may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

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 proposed 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** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. 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).

D. Federalism and Indian Tribal Governments

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 have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would 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. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. 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 would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination 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 proposed rule involves a special local regulation issued in conjunction with a regatta or marine parade. Normally such actions are categorically excluded from further review under paragraph 34(h) of Figure 2–1 of Commandant Instruction M16475.ID. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

G. 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.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comments can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this

document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 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. Add a Special Local Regulation § 100.735 to read as follows:

§ 100.735 Special Local Regulation; Annual OPA World Championships, Gulf of Mexico; Englewood Beach, FL.

(a) *Regulated Areas.* The following regulated areas are established as special local regulations. All coordinates are North American Datum 1983.

(1) *Race Area.* All waters of the Gulf of Mexico contained within the following points: 26°56'00" N., 082°21'11" W., thence to position 26°55'59" N., 082°22'16" W., thence to position 26°54'22" N., 082°21'20" W., thence to position 26°54'24" N., 082°21'16" W., thence to position 26°54'25" N., 082°21'17" W., thence

back to the original position, 26°56'00" N., 082°21'11" W.

(2) *Spectator Area*. All waters of the Gulf of Mexico contained within the following points: 26°55'33" N., 082°22'21" W., thence to position 26°54'14" N., 082°21'35" W., thence to position 26°54'11" N., 082°21'40" W., thence to position 26°55'31" N., 082°22'26" W., thence back to position 26°55'33" N., 082°22'21" W.

(3) *Enforcement Area*. All waters of the Gulf of Mexico encompassed within the following points: 26°56'09" N., 082°22'12" W., thence to position 26°54'13" N., 082°21'03" W., thence to position 26°53'58" N., 082°21'43" W., thence to position 26°55'56" N., 082°22'48" W., thence back to position 26°56'09" N., 082°22'12" W.

(b) *Definition*. The term "designated representative" means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the COTP St. Petersburg in the enforcement of the regulated areas.

(c) *Regulations*.

(1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the Race Area unless an authorized race participant.

(2) Designated representatives may control vessel traffic throughout the enforcement area as determined by the prevailing conditions.

(3) All vessels are to be anchored and/or operate at a No Wake Speed in the spectator area. On-scene designated representatives will direct spectator vessels to the spectator area.

(4) Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the regulated areas by contacting the COTP St. Petersburg by telephone at (727) 824-7506, or a designated representative via VHF radio on channel 16. If authorization is granted by the COTP St. Petersburg or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the COTP St. Petersburg or a designated representative.

(d) *Enforcement Period*. This rule will be enforced daily from 9 a.m. to 5 p.m. on the third weekend of November (Friday, Saturday and Sunday).

Dated: September 20, 2017.

Holly L. Najarian,

Captain, U.S. Coast Guard, Captain of the Port Saint Petersburg.

[FR Doc. 2017-20534 Filed 9-25-17; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R06-OAR-2017-0129; FRL-9967-64-Region 6]

Approval and Promulgation of Implementation Plans; Louisiana; Regional Haze State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is amending our recent proposal to approve a revision to the Louisiana State Implementation Plan (SIP) for regional haze submitted for parallel processing on August 24, 2017. On July 13, 2017, we proposed to approve a SIP revision by the State of Louisiana through the Louisiana Department of Environmental Quality (LDEQ) to address certain Best Available Retrofit Technology requirements under Regional Haze for the Entergy R. S. Nelson facility (Nelson), which is an electric generating unit in Calcasieu Parish. We now amend that proposal, by proposing to approve a compliance date three years from the effective date of the final EPA approval of the SIP revision for Nelson to meet an emission limit for sulfur dioxide (SO₂) emissions.

DATES: Written comments must be received on or before October 26, 2017.

ADDRESSES: Submit your comments, identified by Docket No. EPA-R06-OAR-2017-0129, at <http://www.regulations.gov> or via email to huser.jennifer@epa.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e. on the web, cloud, or other file sharing system). For additional submission methods, please contact Jennifer Huser, 214-665-7347, huser.jennifer@epa.gov. For the full EPA

public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

Docket: The index to the docket for this action is available electronically at www.regulations.gov and in hard copy at the EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available at either location (e.g., CBI).

FOR FURTHER INFORMATION CONTACT:

Jennifer Huser, 214-665-7347, huser.jennifer@epa.gov. To inspect the hard copy materials, please schedule an appointment with Ms. Huser or Mr. Bill Deese at 214-665-7253.

SUPPLEMENTARY INFORMATION:

Throughout this document wherever "we," "us," or "our" is used, we mean the EPA.

I. Background

Regional haze is visibility impairment that is produced by a multitude of sources and activities which are located across a broad geographic area and emit fine particles (PM_{2.5}) (e.g., sulfates, nitrates, organic carbon, elemental carbon, and soil dust) and their precursors. Fine particle precursors, such as SO₂, react in the atmosphere to form PM_{2.5}, which also impair visibility by scattering and absorbing light. The CAA's visibility protection program helps to protect clear views in national parks and wilderness areas identified as "Class I Federal areas" (CAA section 169A, 40 CFR 51 subpart P and 40 CFR 81 subpart D). Vistas in these areas are often obscured by visibility-impairing pollutants caused by emissions from numerous sources located over a wide geographic area. The program requires SIPs to address visibility-impairing pollutants. For more information on regional haze, visibility protection, and SIPs please see our May 19, 2017 and July 13, 2017 **Federal Register** proposals for Louisiana EGUs discussed below. These proposals can be accessed through regulations.gov (docket EPA-R06-OAR-2017-0129).

On May 19, 2017, we published a proposal to approve a Louisiana SIP revision to address regional haze requirements for EGUs with the exception of the Entergy R. S. Nelson EGU (Entergy Nelson) in Calcasieu Parish (82 FR 22936). On July 13, 2017, we published a proposal to approve a proposed Louisiana SIP revision

submitted for parallel processing to address regional haze requirements for Entergy Nelson (82 FR 32294). In the July 13, 2017 action, we proposed to approve an SO₂ emissions limit of 0.6 pounds per million British Thermal Units (lbs/MMBtu) at Entergy Nelson Unit 6. The compliance date we proposed to approve was no later than the effective date of our approval of a final SIP. On August 24, 2017, Louisiana submitted a letter explaining its intent to revise the compliance date in its SIP for Entergy Nelson Unit 6 based on a public comment received during the State's comment period. On June 21, 2017, Entergy, the owner and operator of Nelson, submitted a comment to LDEQ on the proposed SIP. The comment letter requests a three-year period for the transition to the proposed SO₂ limit for Nelson Unit 6. Entergy's letter explains that coal contracts are in place for the next three years. Entergy requests this longer compliance time to allow the company's fuel procurement to transition to new mines with lower sulfur coal. As a result, Louisiana's revised compliance date for Entergy Nelson Unit 6 to meet the SO₂ emissions limit is three years from the effective date of our approval of the SIP revision.

II. The EPA's Evaluation

We sent clarifying questions via email to Entergy regarding their need for three years to comply with the emission limit of 0.6 lbs/MMBtu. The questions and Entergy's response are included in the docket. A compliance date of three years from the effective date of our approval of the SIP revision allows time for Entergy Nelson to ensure that Unit 6 is able to continuously meet a SO₂ emissions limit of 0.6 lbs/MMBtu once the emission limit becomes enforceable. We believe this is a reasonable basis to allow three years for Nelson Unit 6 to comply with this limit, and this change meets the requirement that BART be installed and operational "as expeditiously as practicable, but in no event later than five years after approval of the [SIP]." 40 CFR 51.308(e)(1)(v). As a result, we propose to approve this SIP revision when it is submitted to EPA.

III. Proposed Action

EPA amends our proposal to approve a Louisiana regional haze SIP revision submitted on August 24, 2017 to allow a compliance date three years from the effective date of the final EPA approval of the SIP revision for Unit 6 of the Entergy Nelson EGU to meet a SO₂ emissions limit of 0.6 lbs/MMBtu.

IV. Incorporation by Reference

In this action, we are proposing to include in a final rule regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, we are proposing to incorporate by reference revisions to the Louisiana regulations as described in the Proposed Action section above. We have made, and will continue to make, these documents generally available electronically through www.regulations.gov and/or in hard copy at the EPA Region 6 office.

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely 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 Executive Orders 12866 (58 FR 51735, October 4, 1993), 13563 (76 FR 3821, January 21, 2011) and 13771 (82 FR 9339, February 2, 2017);
- 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 EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).
- In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the proposed 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, Particulate matter, Reporting and recordkeeping requirements, Regional haze, Sulfur dioxides, Visibility.

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

Dated: September 20, 2017.

Samuel Coleman,

Acting Regional Administrator, Region 6.

[FR Doc. 2017-20533 Filed 9-25-17; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 51, 61, and 69

[WC Docket No. 10-90; CC Docket No. 01-92]

Parties Asked To Refresh the Record on Inter-carrier Compensation Reform Related to the Network Edge, Tandem Switching and Transport, and Transit

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission invites interested parties to update the record on issues raised by the Commission in the 2011 *Inter-carrier Compensation (ICC) Transformation Further Notice of Proposed Rulemaking (FNPRM)* regarding the network edge for traffic that interconnects with the Public Switched Telephone Network, tandem switching and transport, and transit (the non-access traffic functional equivalent of tandem switching and transport). The Commission seeks updated comment in light of regulatory and marketplace developments that have occurred since the 2011 *ICC Transformation FNPRM*, including the transition of certain

terminating traffic to bill-and-keep, and implementation of the adopted mandate to move all traffic to bill-and-keep. The Commission also seeks comment on other developments related to those issues that should be considered in the context of further ICC reform.

DATES: The FCC should receive comments by October 26, 2017; reply comments should be received November 13, 2017.

ADDRESSES: Federal Communications Commission at 445 12th Street SW., Room TW-A325, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Joseph Price, Pricing Policy Division, Wireline Competition Bureau at (202) 418-1423 or via email at Joseph.Price@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document WC Docket 10-90, CC Docket No. 01-92; DA 17-863, released on September 8, 2017. This document does not contain information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified "information collection burden[s]" for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002. The full text of this document may be downloaded at the following Internet address: <https://apps.fcc.gov/edocs/public/attachmatch/DA-17-863A1.doc>.

The complete text maybe purchased from Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554. To request alternative formats, for persons with disabilities (e.g. accessible format documents, sign language, interpreters, CARTS, etc.), send an email to fcc504@fcc.gov or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-0432 (TTY).

Interested parties may file comments and reply comments on or before the dates established by **Federal Register** publication. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.

- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers

must submit two additional copies for each additional docket or rulemaking number.

- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street SW., Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of *before* entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW., Washington, DC 20554.

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 & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

The proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments

can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Federal Communications Commission.

Pamela S. Arluk,

Chief, Pricing Policy Division.

[FR Doc. 2017-20353 Filed 9-25-17; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[EB Docket No. 17-245; FCC 17-115]

Procedural Rules Governing Formal Complaint Proceedings NPRM

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: In this document, a Notice of Proposed Rulemaking (NPRM) proposes a uniform set of procedural rules for formal complaint proceedings delegated to the Enforcement Bureau and currently handled by its Market Disputes Resolution Division and Telecommunications Consumers Division. Specifically, the NPRM proposes to streamline and consolidate the procedural rules governing formal complaints filed under Section 208 of the Communications Act of 1934, as amended (Act); pole attachment complaints filed under Section 224 of the Act; and formal advanced communications services and equipment complaints filed under Sections 255, 716, and 718 of the Act. These separate sets of procedural rules are not congruent, and the inconsistencies have led to needless confusion.

DATES: Interested persons are invited to submit comments on or before October 26, 2017. Reply comments are due on or before November 13, 2017.

ADDRESSES: You may submit comments, identified by EB Docket No. 17–245, by any of the following methods:

- *Federal Communications Commission's Web site:* <http://apps.fcc.gov/ecfs/>. Follow the instructions for submitting comments.
- *Mail:* Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St. SW., Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW., Washington DC 20554.

- *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 & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

In addition to filing comments with the Secretary, a copy of any comments on the Paperwork Reduction Act information collection requirements contained herein should be submitted to the Federal Communications Commission via email to PRA@fcc.gov.

FOR FURTHER INFORMATION CONTACT: Enforcement Bureau, Market Disputes Resolution Division, at (202) 418–7330. For additional information concerning the Paperwork Reduction Act information collection requirements contained in this document, send an email to PRA@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking (NPRM) in EB Docket No. 17–245, adopted September 13, 2017 and released September 18, 2017. The full text of this document is available for public inspection during regular 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 https://apps.fcc.gov/edocs_public/.

This document contains proposed modified information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in this document, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, we seek specific comment on how we might further reduce the information collection burden for small business concerns with fewer than 25 employees.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

[FR Doc. 2017–20586 Filed 9–25–17; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

RIN 0648–BG77

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic Region; Amendment 41

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

ACTION: Notice of availability; request for comments.

SUMMARY: The South Atlantic Fishery Management Council (South Atlantic Council) has submitted Amendment 41 to the Fishery Management Plan (FMP) for the Snapper-Grouper Fishery of the South Atlantic Region (Snapper-Grouper FMP) for review, approval, and implementation by NMFS. Amendment 41 would revise management reference points, annual catch limits (ACLs), optimum yield (OY), and management measures for mutton snapper in the South Atlantic based on the results of the most recent stock assessment. The purpose of Amendment 41 is to ensure that mutton snapper is managed based on the best scientific information available to achieve OY and to prevent overfishing, while minimizing adverse

social and economic effects to the extent practicable.

DATES: Written comments on Amendment 41 must be received by November 27, 2017.

ADDRESSES: You may submit comments on Amendment 41, identified by “NOAA–NMFS–2017–0103,” by either of the following methods:

- *Electronic submission:* Submit all electronic comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0103, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Mary Vara, NMFS Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701.

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

Electronic copies of Amendment 41 may be obtained from www.regulations.gov or the Southeast Regional Office Web site at <http://sero.nmfs.noaa.gov>. Amendment 41 includes an environmental assessment, regulatory impact review, Regulatory Flexibility Act analysis, and fishery impact statement.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Regional Office, telephone: 727–824–5305, or email: mary.vara@noaa.gov.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each regional fishery management council to submit FMPs or amendments to NMFS for review and approval, partial approval, or disapproval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP or amendment, publish an announcement in the **Federal Register** notifying the public that the FMP or amendment is available for review and comment.

Amendment 41 to the Snapper-Grouper FMP was prepared by the South Atlantic Council and, if

approved, would be implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Act.

Background

The Magnuson-Stevens Act requires that NMFS and regional fishery management councils prevent overfishing and achieve, on a continuing basis, the OY from federally managed fish stocks. These mandates are intended to ensure that fishery resources are managed for the greatest overall benefit to the nation, particularly with respect to providing food production and recreational opportunities, and protecting marine ecosystems. To further this goal, the Magnuson-Stevens Act requires fishery management councils to minimize bycatch and bycatch mortality to the extent practicable.

Mutton snapper are harvested throughout the Gulf of Mexico (Gulf) and South Atlantic, although harvest predominately occurs around the Florida Keys. In the South Atlantic, mutton snapper are part of the snapper-grouper fishery, and the South Atlantic Council manages this fishery under the Snapper-Grouper FMP. In the Gulf, mutton snapper are part of the reef fish fishery, and the Gulf of Mexico Fishery Management Council (Gulf Council) manages this fishery under the FMP for Reef Fish Resources of the Gulf of Mexico. The jurisdictional boundary between the South Atlantic and Gulf Councils is specified at 50 CFR 600.105(c), and is located approximately in the Florida Keys (Monroe County, FL). The mutton snapper stock in the Gulf and South Atlantic was assessed in 2008 (Southeast Data, Assessment, and Review Assessment 15A (SEDAR 15A)), with a single acceptable biological catch (ABC) that encompasses both councils' areas of jurisdiction. The South Atlantic and Gulf Councils, with the advice of their Scientific and Statistical Committees (SSCs), apportioned this total ABC between the councils' FMPs based on historical landings. The final rules for the South Atlantic Council's Comprehensive ACL Amendment (77 FR 15916, March 16, 2012) and the Gulf Council's Generic ACL Amendment (76 FR 82044, December 29, 2011) allocated the total mutton snapper ABC as 82 percent in the South Atlantic and 18 percent in the Gulf.

In 2015, there was an update to SEDAR 15A for the mutton snapper stock in the South Atlantic and Gulf using data through 2013 (SEDAR 15A Update). The SEDAR 15A Update indicated that in the South Atlantic and Gulf, the mutton snapper stock is

neither overfished nor undergoing overfishing. However, improvements to the modeling approach used in the SEDAR 15A Update resulted in smaller population estimates than demonstrated in SEDAR 15A. The South Atlantic and Gulf Councils' SSCs reviewed the SEDAR 15A Update and recommended a reduction in the stock's total ABC. Based on results from the SEDAR 15A Update and recommendations from its SSC, the South Atlantic Council is taking action through Amendment 41 to revise its management of mutton snapper in the South Atlantic. The Gulf Council is also examining management alternatives for mutton snapper in the Gulf exclusive economic zone (EEZ) through a framework amendment to the FMP for Reef Fish Resources of the Gulf of Mexico.

Actions Contained in Amendment 41

Amendment 41 contains actions to revise management reference points, fishing levels, and management measures for mutton snapper in the South Atlantic. Unless otherwise noted, all weights of mutton snapper are described in round weight.

Maximum Sustainable Yield and Minimum Stock Size Threshold

Currently, the maximum sustainable yield (MSY) for mutton snapper in the South Atlantic equals the yield produced by the fishing mortality rate at MSY (F_{MSY}) (where F equals fishing mortality that if applied constantly, would achieve MSY under equilibrium conditions). The F_{MSY} proxy is $F_{30\%SPR}$, or the fishing mortality that will produce a static spawning per recruit. Amendment 41 would change the MSY definition to the yield produced by F_{MSY} or the F_{MSY} proxy, with the MSY and F_{MSY} proxy recommended by the most recent stock assessment. If this MSY definition is implemented, future MSY numerical values could be updated following a stock assessment, SSC review and recommendation, and acceptance of that recommendation by the South Atlantic Council. Currently, MSY numerical values for mutton snapper are not specified because the South Atlantic Council did not specify the MSY estimate from SEDAR 15A. Based on the SEDAR 15A Update and the new MSY definition, the resulting MSY for the mutton snapper stock in the South Atlantic would be 912,500 lb (413,903 kg).

Currently, the minimum stock size threshold (MSST) is equal to the spawning stock biomass at MSY (SSB_{MSY})*(1-M) or 0.5, whichever is greater (where M equals natural mortality). Amendment 41 would

change the MSST definition to 75 percent of SSB_{MSY} , which results in an MSST of 3,486,900 lb (1,581,631 kg). The SEDAR 15A Update estimated the natural mortality for mutton snapper at 0.17, and the proposed MSST for mutton snapper in Amendment 41 is consistent with how the South Atlantic Council has defined MSST for other snapper-grouper stocks with similarly low natural mortality estimates.

Commercial and Recreational ACLs

The current total ABC for mutton snapper in the South Atlantic and Gulf jurisdictions is 1,130,000 lb (512,559 kg). Based on the South Atlantic and Gulf Councils' agreed apportionment of the mutton snapper ABC between their FMPs, the current ABC for mutton snapper in the South Atlantic is 926,600 lb (420,299 kg), and the South Atlantic Council set the ABC equal to the OY and the total ACL. The South Atlantic Council then further allocated the total ACL between the commercial sector (17.02 percent) and recreational sector (82.98 percent), resulting in the commercial ACL of 157,743 lb (71,551 kg) and the recreational ACL of 768,857 lb (348,748 kg). Amendment 41 would revise the ABC and the commercial and recreational ACLs for mutton snapper in the South Atlantic for the 2017 through 2020 and subsequent fishing years, consistent with the existing apportionment between the two councils' FMPs and the existing sector allocations.

As described in Amendment 41, the South Atlantic Council's SSC recommended that the ABC be specified in numbers of fish, based on landing projections from the stock assessment. The South Atlantic Council agreed with this recommendation for the ABC, but specified the commercial ACL in pounds and the recreational ACL in numbers of fish because commercial landings are already tracked in pounds, while recreational landings are tracked in numbers of fish. In addition, because Amendment 41 would increase the minimum size limit for mutton snapper, the South Atlantic Council was concerned that specifying the recreational ACL in pounds could increase the risk of exceeding the recreational ACL if the method for converting the ACL in numbers to pounds does not sufficiently address the change in average weight of larger, heavier fish. Therefore, the South Atlantic Council determined that there would be a reduced risk of exceeding the recreational ACL due to an increase in the minimum size limit if the ABC and recreational ACL were specified in numbers of fish. Because the current

ABC and recreational ACL are specified in pounds, and the new ABC and recreational ACL are specified in numbers of fish, Appendix J to Amendment 41 includes a detailed account of the methodology used to specify the ABC and recreational ACL in numbers of fish. As a reference for comparing numbers of fish to pounds of fish, the average weight of a recreationally harvested mutton snapper in 2017 is 4.2 lb (1.9 kg) per fish.

Based on results from the SEDAR 15A Update and the SSC's recommended ABC, Amendment 41 would decrease the ABC for mutton snapper in the South Atlantic to 129,150 fish for the 2017 fishing year, 134,890 fish for 2018, 138,826 fish for 2019, and 141,614 fish for 2020 and subsequent fishing years.

The proposed commercial ACLs for mutton snapper are 100,015 lb (45,366 kg) for 2017, 104,231 lb (47,278 kg) for 2018, 107,981 lb (48,979 kg) for 2019, and 111,354 lb (50,509 kg) for 2020 and subsequent fishing years.

The proposed recreational ACLs for mutton snapper are 116,127 fish for 2017, 121,318 fish for 2018, 124,766 fish for 2019, and 127,115 fish for 2020 and subsequent fishing years.

Recreational ACTs

The current recreational ACT for South Atlantic mutton snapper is 668,906 lb (303,411 kg). Amendment 41 would specify a recreational ACT (equal to 85 percent of the recreational ACL) of 98,708 fish for 2017. The recreational ACT would increase annually from 2017 through 2020, and would remain in effect until modified. The recreational ACT would be 103,121 fish for 2018, 106,051 fish for 2019, and 108,048 fish for 2020 and subsequent fishing years. NMFS notes that the current and proposed recreational ACTs are used only for monitoring and do not trigger a recreational accountability measure.

Minimum Size Limit

The current minimum size limit for the commercial and recreational sectors of mutton snapper is 16 inches (40.6 cm), total length (TL), and Amendment 41 would increase the minimum size limit to 18 inches (45.7 cm), TL. Recent scientific information indicates that the size at which 50 percent of mutton snapper are sexually mature is 16 inches (40.6 cm), TL, for males and 18 inches (45.7 cm), TL, for females. Increasing the minimum size limit to 18 inches

(45.7 cm), TL, would allow more individuals to reach reproductive activity before being susceptible to harvest, and is also projected to increase the average size and the corresponding average weight of fish harvested.

Spawning Months

Currently, there is no designated spawning season for mutton snapper in the South Atlantic; however, to protect spawning fish, a May through June seasonal harvest limitation applies to vessels with a Federal commercial permit for South Atlantic snapper-grouper. There are no similar management measures in place to constrain recreational harvest in May and June. Amendment 41 would designate April through June as spawning months, during which certain management measures, such as the proposed commercial trip limits, would apply.

Commercial Trip Limits

Currently, there is no year-round commercial trip limit for mutton snapper in the South Atlantic. However, during May and June of each year, there is a seasonal harvest limitation (equivalent to a commercial trip limit) for the possession of mutton snapper in or from the EEZ on board a vessel that has a Federal commercial permit for South Atlantic snapper-grouper. During these two months, the commercial harvest of mutton snapper is limited to 10 per person per day or 10 per person per trip, whichever is more restrictive (50 CFR 622.184(b)).

Amendment 41 would replace the current seasonal harvest limitation for the commercial sector each year in May and June, and would implement commercial trip limits for the purposes of maintaining a year-round commercial fishing season and reducing harvest on mutton snapper spawning aggregations. During the proposed mutton snapper spawning months of April through June, Amendment 41 would establish a commercial trip limit of five fish per person per day or five fish per person per trip, whichever is more restrictive. For the remainder of the year (January through March and July through December), Amendment 41 would establish a 500-lb (227-kg) commercial trip limit.

Recreational Bag Limits

Currently, mutton snapper is part of the 10 snapper combined recreational bag limit in the South Atlantic that applies throughout the fishing year (50 CFR 622.187(b)(4)). Through Amendment 41, mutton snapper would remain within the 10 snapper combined recreational bag limit in the South Atlantic, but a recreational bag limit of 5 mutton snapper per person per day would apply within the overall 10 snapper combined bag limit, year-round. Amendment 41 would modify the bag and possession limits for the purposes of maintaining a year-round recreational fishing season, and reducing harvest on mutton snapper spawning aggregations.

Proposed Rule for Amendment 41

A proposed rule that would implement Amendment 41 has been drafted. In accordance with the Magnuson-Stevens Act, NMFS is evaluating the proposed rule to determine whether it is consistent with the FMP, the Magnuson-Stevens Act, and other applicable laws. If that determination is affirmative, NMFS will publish the proposed rule in the **Federal Register** for public review and comment.

Consideration of Public Comments

The South Atlantic Council has submitted Amendment 41 for Secretarial review, approval, and implementation. Comments on Amendment 41 must be received by November 27, 2017. Comments received during the respective comment periods, whether specifically directed to Amendment 41 or the proposed rule, will be considered by NMFS in the decision to approve, disapprove, or partially approve Amendment 41. Comments received after the comment periods will not be considered by NMFS in this decision. All comments received by NMFS on Amendment 41 or the proposed rule during their respective comment periods will be addressed in the final rule.

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

Dated: September 20, 2017.

Alan D. Risenhoover,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

[FR Doc. 2017-20480 Filed 9-25-17; 8:45 am]

BILLING CODE 3510-22-P

Notices

Federal Register

Vol. 82, No. 185

Tuesday, September 26, 2017

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 COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Institute of Standards and Technology, U.S. Department of Commerce.

Title: Proposed Information Collection; Comment Request; Safety and Health Data.

OMB Control Number: 0693-XXXX.

Form Number(s): None.

Type of Request: Regular submission, new information collection.

Number of Respondents: 450

Average Hours per Response: 5 minutes per response.

Burden Hours: 37.5

Needs and Uses: The National Institute of Standards and Technology (NIST) has identified a need for OMB approval for a myriad of health and safety forms. NIST is a unique federal campus which hosts daily a range of non-federal individuals. In order to provide these individuals with proper care and health and safety documentation, NIST is pursuing a general clearance for these forms.

Affected Public: Some associates, volunteers, and visitors to NIST.

Frequency: As needed.

Respondent's Obligation: Many of the forms will be voluntarily completed on an as needed basis by non-federal individuals. For example, if a visitor falls ill while visiting campus, they may seek care at the health unit and may opt in or out of completing the forms. NIST, however, does have some instances where the completion of forms will be mandatory due to potential high level public safety issues. There may also be documentation based on requirements for OSHA compliance.

This information collection request may be viewed at reginfo.gov. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to OIRA_Submission@omb.eop.gov or fax to (202) 395-5806.

Sheleen Dumas,

Departmental PRA Lead, Office of the Chief Information Officer.

[FR Doc. 2017-20481 Filed 9-25-17; 8:45 am]

BILLING CODE 3510-13-P

DENALI COMMISSION

Denali Commission Fiscal Year 2018 Draft Work Plan

AGENCY: Denali Commission.

ACTION: Notice.

SUMMARY: The Denali Commission (Commission) is an independent Federal agency based on an innovative federal-state partnership designed to provide critical utilities, infrastructure and support for economic development and training in Alaska by delivering federal services in the most cost-effective manner possible. The Commission was created in 1998 with passage of the October 21, 1998 Denali Commission Act (Act) (Title III of Pub. L. 105-277). The Act requires that the Commission develop proposed work plans for future spending and that the annual work plan be published in the **Federal Register**, providing an opportunity for a 30-day period of public review and written comment. This **Federal Register** notice serves to announce the 30-day opportunity for public comment on the Denali Commission Draft Work Plan for Federal Fiscal Year 2018 (FY 2018).

DATES: Comments and related material to be received by October 30, 2017.

ADDRESSES: Submit comments to the Denali Commission, Attention: Corrine Eilo, 510 L Street, Suite 410, Anchorage, AK 99501.

FOR FURTHER INFORMATION CONTACT: Corrine Eilo, Denali Commission, 510 L Street, Suite 410, Anchorage, AK 99501. Telephone: (907) 271-1414. Email: ceilo@denali.gov.

Background: The Denali Commission's mission is to partner with

tribal, federal, state, and local governments and collaborate with all Alaskans to improve the effectiveness and efficiency of government services, to build and ensure the operation and maintenance of Alaska's basic infrastructure, and to develop a well-trained labor force employed in a diversified and sustainable economy.

By creating the Commission, Congress mandated that all parties involved partner together to find new and innovative solutions to the unique infrastructure and economic development challenges in America's most remote communities. Pursuant to the Act, the Commission determines its own basic operating principles and funding criteria on an annual federal fiscal year (October 1 to September 30) basis. The Commission outlines these priorities and funding recommendations in an annual work plan. The FY 2018 Work Plan was developed in the following manner.

- A workgroup comprised of Denali Commissioners and Commission staff developed a preliminary draft work plan.
- The preliminary draft work plan was published on Denali.gov for review by the public in advance of public testimony.
- A public hearing was held to record public comments and recommendations on the preliminary draft work plan.
- Written comments on the preliminary draft work plan were accepted for another two weeks after the public hearing.
- All public hearing comments and written comments were provided to Commissioners for their review and consideration.
- Commissioners discussed the preliminary draft work plan in a public meeting and then voted on the work plan during the meeting.
- The Commissioners forwarded their recommended work plan to the Federal Co-Chair, who then prepared the draft work plan for publication in the **Federal Register** providing a 30-day period for public review and written comment. During this time, the draft work plan will also be disseminated to Commission program partners including, but not limited to, the Bureau of Indian Affairs (BIA), the Economic Development Administration (EDA), Department of Agriculture—Rural Utilities Service (USDA/RUS), and the State of Alaska.

• At the conclusion of the **Federal Register** Public comment period Commission staff provides the Federal Co-Chair with a summary of public comments and recommendations, if any, on the draft work plan.

• If no revisions are made to the draft, the Federal Co-Chair provides notice of approval of the work plan to the Commissioners, and forwards the work plan to the Secretary of Commerce for approval; or, if there are revisions the Federal Co-Chair provides notice of modifications to the Commissioners for their consideration and approval, and upon receipt of approval from Commissioners, forwards the work plan to the Secretary of Commerce for approval.

• The Secretary of Commerce approves the work plan.

• The Federal Co-Chair then approves grants and contracts based upon the approved work plan.

FY 2018 Appropriations Summary

The Commission has historically received federal funding from several sources. The two primary sources at this

time include the Energy & Water Appropriation Bill (“base” or “discretionary” funds) and an annual allocation from the Trans-Alaska Pipeline Liability (TAPL) fund. The proposed FY 2018 Work Plan assumes the Commission will receive \$15,000,000 of base funds, which is the amount referenced in the reauthorization of the Commission passed by Congress in 2016 (ref: Pub. L. 114–322), and a \$1,900,000 TAPL allocation based on discussions with the Office of Management and Budget (OMB). Approximately \$4,000,000 of the base funds will be used for administrative expenses and non-project program support, leaving \$11,000,000 available for program activities. The total base funding shown in the Work Plan also includes an amount typically available from project closeouts and other de-obligations that occur in any given year. Approximately \$200,000 of the TAPL funds will be utilized for administrative expenses and non-project program support, leaving \$1,700,000 available for program activities. Absent any new specific direction or limitations

provided by Congress in the current Energy & Water Appropriations Bill, these funding sources are governed by the following general principles, either by statute or by language in the Work Plan itself:

• Funds from the Energy & Water Appropriation are eligible for use in all programs.

• TAPL funds can only be used for bulk fuel related projects and activities.

• Appropriated funds may be reduced due to Congressional action, rescissions by OMB, and other federal agency actions.

• All Energy & Water and TAPL investment amounts identified in the work plan, are “up to” amounts, and may be reassigned to other programs included in the current year work plan, if they are not fully expended in a program component area or a specific project.

• Energy & Water and TAPL funds set aside for administrative expenses that subsequently become available, may be used for program activities included in the current year work plan.

DENALI COMMISSION FY2018 FUNDING SUMMARY

| Source | Available for program activities |
|---|----------------------------------|
| Energy & Water Funds | |
| FY 2018 Energy & Water Appropriation ¹ | \$11,000,000 |
| Prior Year Funds | 1,000,000 |
| Subtotal | 12,000,000 |
| TAPL Funds | |
| FY 2018 Annual Allocation | 1,700,000 |
| Subtotal | 1,700,000 |
| U.S. Department of Transportation | |
| Prior Year Funds | 1,200,000 |
| Subtotal | 1,200,000 |
| Grand Total | 14,900,000 |

Notes:

¹ If the final appropriation is less than \$15 million the Federal Co-Chair shall reduce investments to balance the FY 2018 Work Plan.

DENALI COMMISSION FY2018 WORKPLAN

| Program and type of investment | Energy & water | TAPL | USDOT | Total |
|--|----------------|-------|-------|-------------|
| Energy Reliability and Security | | | | |
| Diesel Power Plants | \$3,800,000 | ..... | ..... | \$3,800,000 |
| Audits, TA, Community Energy Efficiency Improvements | 500,000 | ..... | ..... | 500,000 |
| RPSU Maintenance and Improvement Projects | 2,200,000 | ..... | ..... | 2,200,000 |
| Improve Administrative and Operation and Maintenance Practices | 300,000 | ..... | ..... | 300,000 |
| Subtotal | 6,800,000 | ..... | ..... | 6,800,000 |

DENALI COMMISSION FY2018 WORKPLAN—Continued

| Program and type of investment | Energy & water | TAPL | USDOT | Total |
|--|----------------|-----------|-----------|------------|
| Bulk Fuel Safety and Security | | | | |
| New/Refurbished Facilities ..... | ..... | 1,200,000 | ..... | 1,200,000 |
| Maintenance and Improvement Projects ..... | ..... | 300,000 | ..... | 300,000 |
| Improve Administrative and Operation & Maintenance Practices | 200,000 | 200,000 | ..... | 400,000 |
| Subtotal | 200,000 | 1,700,000 | ..... | 1,900,000 |
| Transportation System Improvements | | | | |
| Maintenance and Improvements ..... | ..... | ..... | 1,200,000 | 1,200,000 |
| Subtotal ..... | ..... | ..... | 1,200,000 | 1,200,000 |
| Village Infrastructure Protection | | | | |
| Mertarvik | 2,500,000 | ..... | ..... | 2,500,000 |
| Shishmaref | 1,500,000 | ..... | ..... | 1,500,000 |
| Shaktoolik | 250,000 | ..... | ..... | 250,000 |
| Kivalina | 250,000 | ..... | ..... | 250,000 |
| Program Development and Support for other Vulnerable Communities | 500,000 | ..... | ..... | 500,000 |
| Subtotal | 5,000,000 | ..... | ..... | 5,000,000 |
| Totals | 12,000,000 | 1,700,000 | 1,200,000 | 14,900,000 |

Energy and Bulk Fuel Programs

FY 2018 Denali Commission investments in Energy and Bulk Fuel may include:

- Remote Power System Upgrade (RPSU) projects at locations selected based on need in consultation with the Alaska Energy Authority (AEA) and Alaska Village Electric Cooperative (AVEC).
- Bulk Fuel Upgrade (BFU) projects at locations selected based on need in consultation with AEA and AVEC.
- Rural power system and bulk fuel facility Maintenance and Improvement (M&I) projects at locations selected based on need in consultation with AEA and AVEC.
- Continued support of the rural power system and bulk fuel facility operator training programs managed by AEA.
- Continued support of the Sanitation Energy Efficiency Program at the Alaska Native Tribal Health Consortium (ANTHC).

Village Infrastructure Protection Program

In order to fulfill its role as lead federal coordinating agency the Commission staff, in consultation with State, Federal, and other partners, and the referenced communities in particular, proposes the following investments in support of the new Village Infrastructure Protection (VIP) Program [previously known as the Environmentally Threatened

Community (ETC) Program]. United States Government Accountability Office (GAO) Report 09–551 (<http://www.gao.gov/products/GAO-09-551>) has been instrumental in charting prospective Commission investments under this program.

Mertarvik

The community of Newtok has initiated its relocation to Mertarvik and has started building infrastructure at Mertarvik. The Commission funds summarized above may be used for the following activities:

- \$1.5 million for housing development.
- Continued support for the existing Community Relocation Coordinator.
- Continued support for professional project management services.
- Infrastructure development at Mertarvik.

Shishmaref

Shishmaref has voted to relocate and is now working to select a new site. The Commission funds summarized above may be used for the following activities:

- Continued support for the existing Community Relocation Coordinator.
- New town-site planning and design.
- Professional project management services.

Shaktoolik

The community of Shaktoolik has decided to protect the community in place for now. The Commission funds

summarized above may be used for the following activities:

- Continued support for the existing Community Relocation Coordinator.
- Match/gap funds for other related activities.

Kivalina

Kivalina is considering relocation and has selected a site for a new school. The Commission funds summarized above may be used for the following activities:

- Continued support for the existing Community Relocation Coordinator.
- Match/gap funds for other related activities.

Program Development and Support for Other Vulnerable Communities

The \$500,000 referenced above for this line item in the work plan may be used for activities such as the following.

- Continued support for the ETC Grant Writing Center of Excellence at the Alaska Native Tribal Health Consortium.
- Small project infrastructure protection grants.
- Hazard Mitigation Plan-related initiatives and projects.
- Data/threat analyses related to erosion, flooding and permafrost degradation.
- VIP-related coordination, outreach and partner support.

Statement Regarding Public Service of Former and Current Commissioners

It has been my honor to serve at the Commission as a program manager from

June 1999 to February 2005, and since January 2010, as the third Federal Co-Chair. I thank the Indian Health Service (IHS) and ANTHC for executing a unique personnel assignment of detailing me from the IHS to ANTHC and then to the Commission in the early years of the agency. I have had the pleasure of working with most, but not all, of the Commissioners since 1999. Their role is not easy, but they are essential in guiding the agency in deploying critical Federal resources to the highest needs found in rural Alaska. As this is the last work plan I will have the pleasure of navigating through the statutorily outlined approval process, I want to publically acknowledge and thank all of the former and current Commissioners.

Governors:

Tony Knowles
Frank Murkowski
Sarah Palin
Sean Parnell
Bill Walker

State Co-Chairs:

Lt. Governor Fran Ulmer
Lt. Governor Loren Leman
Commissioner Joel Gilbertson
Alaska OMB Director Cheryl Frasca
Alaska OMB Director Karen Rehfeld
Commissioner Susan Bell
Lt. Governor Byron Mallott

Alaska Federation of Natives:

Julie Kitka
Nelson Angapak, Sr.
Loretta Bullard

Alaska Municipal League:

Kevin Ritchie
Kathie Wasserman

Associated General Contractors of Alaska

Henry Springer
Richard Cattanach
John MacKinnon

University of Alaska:

Mark Hamilton
Karen Perdue
Patrick Gamble
Dr. James Johnsen

Alaska AFL-CIO

Mano Frey
Jim Sampson
Gary Brooks
Vince Beltrami

Lastly, my thanks to my predecessors who have been gracious in sharing their time and wisdom with me while I have served at the Commission.

Federal Co-Chairs:

Jeffrey Staser
George Cannelos

Joel Neimeyer,

Federal Co-Chair.

[FR Doc. 2017-20562 Filed 9-25-17; 8:45 am]

BILLING CODE 3300-01-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2017-ICCD-0121]

Agency Information Collection Activities; Comment Request; Family Educational Rights and Privacy Act (FERPA) Regulatory Requirements

AGENCY: Office of Management (OM), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before November 27, 2017.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2017-ICCD-0121. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 216-32, Washington, DC 20202-4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Ellen Campbell, 202-260-3887.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection

necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Family Educational Rights and Privacy Act (FERPA) Regulatory Requirements.

OMB Control Number: 1880-0543.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: State, Local, and Tribal Governments;

Total Estimated Number of Annual Responses: 20,293,021.

Total Estimated Number of Annual Burden Hours: 1,914,593.

Abstract: The Family Educational Rights and Privacy Act (FERPA) requires that subject educational agencies and institutions notify parents and students of their rights under FERPA and requires that they record disclosures of personally identifiable information from education records, with certain exceptions.

Dated: September 21, 2017.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017-20527 Filed 9-25-17; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: U.S. Department of Energy.

ACTION: Notice and request for comments.

SUMMARY: The Department of Energy (DOE), pursuant to the Paperwork Reduction Act of 1995, intends to extend for three years, an information collection request with the Office of Management and Budget (OMB). All Federal agencies administering programs subject to Davis-Bacon wage provisions are required to submit to the Department of Labor (DOL) a report of all new covered contracts/projects and all compliance and enforcement activities every six months. In order for the DOE to comply with this reporting requirement, it must collect contract and enforcement information from

Recovery Act funded Loan and Loan Guarantee Borrowers, DOE direct contractors, and other prime contractors that administer DOE programs subject to Davis-Bacon requirements.

DATES: Comments regarding this proposed information collection must be received on or before November 27, 2017. If you anticipate difficulty in submitting comments within that period, contact the person listed below as soon as possible.

ADDRESSES: Written comments may be sent to: John M. Sullivan, GC-63, Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585; Fax: 202-586-0971; or email at: john.m.sullivan@hq.doe.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to John M. Sullivan, GC-63, Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585; Fax: 202-586-0971; or email at: john.m.sullivan@hq.doe.gov.

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) OMB No. 1910-5165; (2) Information Collection Request Title: Davis-Bacon Semi-Annual Labor Compliance Report; (3) Type of Request: three-year extension without changes; (4) Purpose: To obtain information from the Department of Energy Management and Operation, Facilities Management Contractors, and recipients of financial assistance whose work is subject to the Davis-Bacon Act; (5) Annual Estimated Number of Respondents: 75; (6) Annual Estimated Number of Total Responses: 150; (7) Annual Estimated Number of Burden Hours: 2 per respondent for total of 300 hours per year; (8) Annual Estimated Reporting and Recordkeeping Cost Burden: \$0.00 annually.

Comments are invited on: (a) Whether the extended collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed 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.

Statutory Authority: 29 CFR part 5, Section 5.7(b).

Issued in Washington, DC, on September 20, 2017.

Jean S. Stucky,

Assistant General Counsel for Contractor Human Resources, Office of the General Counsel.

[FR Doc. 2017-20523 Filed 9-25-17; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP17-808-000]

Algonquin Gas Transmission, LLC; Notice of Technical Conference

Take notice that a technical conference will be held on Wednesday, October 4, 2017 at 10:00 a.m., in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

At the technical conference, the Commission staff and the parties to the proceeding should be prepared to discuss all issues in this proceeding as established in the September 1, 2017 Order.¹

Federal Energy Regulatory 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 (866) 208-3372 (voice) or (202) 502-8659 (TTY), or send a fax to (202) 208-2106 with the required accommodations.

All interested persons and staff are permitted to attend. For further information please contact Leslie Fyock at (202) 502-6670 or email Leslie.Fyock@ferc.gov.

Dated: September 20, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017-20558 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17-2512-000]

K&R Energy Partners LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of K&R Energy Partners LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 10, 2017.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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

¹ *Algonquin Gas Trans., LLC*, 160 FERC 61,046 (2017).

Online service, please email FERCOnlineSupport@ferc.gov or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: September 20, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-20518 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17-2511-000]

RE Gaskell West 5 LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of RE Gaskell West 5 LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 10, 2017.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the

Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

Dated: September 20, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-20517 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17-257-000]

WBI Energy Transmission, Inc.; Notice of Availability of the Environmental Assessment for the Proposed Valley Expansion Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Valley Expansion Project, proposed by WBI Energy Transmission, Inc. (WBI Energy) in the above-referenced docket. WBI Energy requests authorization to construct, operate, and maintain new natural gas facilities in Clay County, Minnesota and Cass, Barnes, Stutsman, and Burleigh Counties, North Dakota.

The EA assesses the potential environmental effects of the construction and operation of the Valley Expansion Project in accordance with the requirements of the National Environmental Policy Act (NEPA). 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 Valley Expansion Project includes the following facilities:

- About 37.3 miles of 16-inch-diameter pipeline in Clay County, Minnesota and Cass County, North Dakota;
- a new interconnect at the tie-in with the existing Viking Gas Transmission Company Pipeline in Clay County, Minnesota;
- a new 3,000-horsepower compressor station to tie into WBI

Energy's existing Mapleton Town Border Station and Line Section No. 24 in Cass County, North Dakota;

- a new regulator station in Barnes County, North Dakota;
- replacement of the existing Jamestown Town Border Station in Stutsman County, North Dakota; and
- replacement of the Apple Valley Town Border Station in Burleigh County, North Dakota.

The FERC staff mailed copies of the EA to federal, state, and local government representatives and agencies; elected officials; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. 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 October 20, 2017.

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 (CP17-257-000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or FercOnlineSupport@ferc.gov.

(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 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.*, CP17-257). 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: September 20, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017-20514 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that

the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for electronic review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. 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.

| Docket No. | File date | Presenter or requester |
|------------------------|-----------|--|
| Prohibited: | | |
| 1. CP15-558-000 | 9-5-2017 | Pennsylvania Chamber of Business and Industry. |
| 2. CP15-558-000 | 9-5-2017 | Gateway Regional Chamber of Commerce. |
| 3. ER17-490-000 | 9-5-2017 | Wilkins Alternatives. |
| 4. ER17-490-000 | 9-5-2017 | Wilkins Alternatives. |
| 5. ER17-490-000 | 9-6-2017 | Wilkins Alternatives. |
| 6. CP15-558-000 | 9-7-2017 | South Jersey Gas. |
| 7. CP15-558-000 | 9-8-2017 | Meadowlands Regional Chamber. |
| 8. CP15-558-000 | 9-8-2017 | Southern New Jersey Developmental Council. |
| 9. CP15-558-000 | 9-8-2017 | New Jersey Energy Coalition. |
| 10. CP15-558-000 | 9-8-2017 | Pennsylvania Chemical Industry Council. |
| 11. CP15-558-000 | 9-11-2017 | Associated Construction Contractors of New Jersey. |
| 12. P-2660-000 | 9-12-2017 | Brianne OLeary. |
| 13. P-2660-000 | 9-12-2017 | Diane and Brian Ketchum. |
| Exempt: | | |
| 1. CP17-41-000 | 9-7-2017 | FERC Staff. ¹ |
| 2. CP14-96-000 | 9-7-2017 | U.S. House Representative James R. Langevin. |

¹ See the previous discussion on the methods for filing comments.

| Docket No. | File date | Presenter or requester |
|-----------------------------------|-----------|--|
| 3. P-2660-029 | 9-11-2017 | U.S. Congress. ² |
| 4. OR17-24-000; OR17-23-000 | 9-13-2017 | Railroad Commission of Texas; Christi Craddick, Chairman |
| 5. CP15-554-000 | 9-13-2017 | U.S. Congress. ³ |
| 6. CP17-15-000 | 9-14-2017 | U.S. Senate. ⁴ |
| 7. P-2512-075 | 9-15-2017 | FERC Staff. ⁵ |

¹ Telephone Call Summary for call on 8/15/2017 with Environmental Resources Management, Eagle LNG, and Taylor Engineering.

² Senators Angus S. King, Jr. and Susan M. Collins. House Representative Bruce Poliquin.

³ House Representatives Richard Hudson, Bill Flores, George Holding, Walter Jones, Billy Long, Alex Mooney, Robert Pittenger, David Rouzer, Scott Taylor, Dave Brat, Bob Gibbs, Bill Johnson, David P. Joyce, David McKinley, Scott Perry, Keith J. Rothfus, and John Shimkus.

⁴ Senator Chris Van Hollen.

⁵ Telephone Call Summary for call on 9/13/2017 with West Virginia Department of Environmental Protection—Division of Water and Waste Management.

Dated: September 19, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017-20553 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL17-90-000]

Linden VFT, LLC, v. Public Service Electric and Gas Company, PJM Interconnection, L.L.C.; Notice of Complaint

Take notice that on September 18, 2017, pursuant to sections 206 and 306¹ of the Federal Power Act, and Rules 206 and 215 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206 and 385.215, Linden VFT, LLC (Linden VFT or Complainant) filed a formal complaint against Public Service Electric and Gas Company (PSEG) and PJM Interconnection, L.L.C. (PJM) (jointly Respondents) alleging that, PSEG's refusal to consent to an amendment of the Interconnection Service Agreement between Linden VFT, PSEG and PJM to reflect Linden VFT's reduction in service level of its Transmission Withdrawal Rights from Firm to Non-Firm is unjust and unreasonable, all as more fully explained in the complaint.

Complainant certifies that copies of the complaint were served on the contacts for Respondents as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will

not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the eFiling link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the 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 October 10, 2017.

Dated: September 19, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017-20476 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC17-184-000.

Applicants: Puget Sound Energy, Inc., Macquarie Infrastructure Partners Inc.

Description: Application for Authorization Under Section 203 of the Federal Power Act of Puget Sound Energy, Inc., et al.

Filed Date: 9/19/17.

Accession Number: 20170919-5075.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: EC17-186-000.

Applicants: American Transmission Company LLC.

Description: Application for Authorization Under Section 203 of the Federal Power Act of American Transmission Company LLC.

Filed Date: 9/19/17.

Accession Number: 20170919-5100.

Comments Due: 5 p.m. ET 10/10/17.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG17-151-000.

Applicants: RE Gaskell West LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of RE Gaskell West LLC.

Filed Date: 9/19/17.

Accession Number: 20170919-5074.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: EG17-152-000.

Applicants: RE Gaskell West 1 LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of RE Gaskell West 1 LLC.

Filed Date: 9/19/17.

Accession Number: 20170919-5082.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: EG17-153-000.

Applicants: RE Gaskell West 4 LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of RE Gaskell West 4 LLC.

Filed Date: 9/19/17.

Accession Number: 20170919-5083.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: EG17-154-000.

Applicants: RE Gaskell West 5 LLC.

Description: Notice of Self-Certification of Exempt Wholesale

¹ 16 U.S.C. 824(e) and 825e (2012).

Generator Status of RE Gaskell West 5 LLC.

Filed Date: 9/19/17.

Accession Number: 20170919–5084.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: EG17–155–000.

Applicants: RE Gaskell West 3 LLC.

Description: Notice of Self-

Certification of Exempt Wholesale Generator Status of RE Gaskell West 3 LLC.

Filed Date: 9/19/17.

Accession Number: 20170919–5085.

Comments Due: 5 p.m. ET 10/10/17.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER05–6–118.

Applicants: Midcontinent

Independent System Operator, Inc., PJM Interconnection, L.L.C.

Description: Midcontinent

Independent System Operator, Inc., et al. submits tariff filing per 35.19a(b): Refund Report (ER05–6–118, ER10–2283–000/001, EL04–135–120, EL02–111–139 and EL03–212–134) to be effective N/A.

Filed Date: 9/18/17.

Accession Number: 20170918–5224.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER10–2283–001.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: Report Filing: 2017–09–18 SECA Refund Report to be effective N/A.

Filed Date: 9/18/17.

Accession Number: 20170918–5148.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER15–2294–002.

Applicants: Pacific Gas and Electric Company.

Description: Report Filing: TO17 Compliance Electric Refund Report to be effective N/A.

Filed Date: 9/15/17.

Accession Number: 20170915–5169.

Comments Due: 5 p.m. ET 10/6/17.

Docket Numbers: ER15–2324–002.

Applicants: Southwest Power Pool, Inc.

Description: Compliance filing: Missouri River Energy Services Members Formula Rate Compliance Filing to be effective 10/1/2015.

Filed Date: 9/19/17.

Accession Number: 20170919–5036.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER16–2355–002.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: Compliance filing: 2017–09–19 Amendment to RSG Exemptions Compliance filing to be effective. 8/31/2010.

Filed Date: 9/19/17.

Accession Number: 20170919–5027.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–1138–001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Response to Deficiency Letter Issued May 5, 2017 in Docket No. ER17–1138–000 to be effective 5/9/2017.

Filed Date: 9/18/17.

Accession Number: 20170918–5201.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2502–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Queue Position #AB1–014; Original Service Agreement No. 4776 to be effective 8/24/2017.

Filed Date: 9/18/17.

Accession Number: 20170918–5161.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2503–000.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2017–09–19 SA 3051 English Farm-MEC GIA (J438) to be effective 9/5/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5039.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2504–000.

Applicants: Imperial Valley Solar 3, LLC.

Description: Baseline eTariff Filing: Imperial Valley Solar 3, LLC Co-Tenancy Agreement to be effective 9/20/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5043.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2505–000.

Applicants: Vermont Transco, LLC.

Description: Compliance filing: Supplement to Annual Informational Filing Pending in Docket ER17–2040 to be effective 7/1/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5050.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2506–000.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2017–09–19 SA 3050 SC Interconnection-ITCM GIA (J298) to be effective 9/5/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5051.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2507–000.

Applicants: RE Gaskell West LLC.

Description: Baseline eTariff Filing: Application for Market Based Rate to be effective 10/10/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5055.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2508–000.

Applicants: RE Gaskell West 1 LLC.

Description: Baseline eTariff Filing: Application for Market Based Rate to be effective 10/10/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5057.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2509–000.

Applicants: RE Gaskell West 3 LLC.

Description: Baseline eTariff Filing: Application for Market Based Rate to be effective 10/10/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5058.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2510–000.

Applicants: RE Gaskell West 4 LLC.

Description: Baseline eTariff Filing: Application for Market Based Rate to be effective 10/10/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5064.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2511–000.

Applicants: RE Gaskell West 5 LLC.

Description: Baseline eTariff Filing: Application for Market Based Rate to be effective 10/10/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5067.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2512–000.

Applicants: K&R Energy Partners LLC.

Description: Baseline eTariff Filing: KG Energy Partners Market Based Rate Tariff to be effective 10/1/2017.

Filed Date: 9/19/17.

Accession Number: 20170919–5068.

Comments Due: 5 p.m. ET 10/10/17.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF14–400–002.

Applicants: North Carolina Renewable Power-Lumberton.

Description: Form 556 of North Carolina Renewable Power-Lumberton, LLC.

Filed Date: 6/22/17.

Accession Number: 20170622–5236.

Comments Due: None Applicable.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing

requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: September 19, 2017.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2017-20550 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM15-13-001]

Notice of Filing; Revisions to the Definition of Remedial Action Scheme and Related Reliability Standards

Take notice that on September 15, 2017, the North American Electric Reliability Corporation submitted an errata to the Implementation Plan for Revised Definition of "Remedial Action Scheme" pursuant to Order No. 818.¹

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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

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.

¹ Order No. 818, *Revisions to Emergency Operations Reliability Standards; Revisions to Undervoltage Load Shedding Reliability Standards; Revisions to the Definition of "Remedial Action Scheme" and Related Reliability Standards*, Docket Nos. RM15-7-000 et al., (2015).

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 FEROnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 p.m. Eastern Time on October 10, 2017.

Dated: September 19, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-20477 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17-2507-000]

RE Gaskell West LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of RE Gaskell West LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 10, 2017.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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 FEROnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: September 20, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-20519 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17-2509-000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization: RE Gaskell West 3 LLC

This is a supplemental notice in the above-referenced proceeding of RE Gaskell West 3 LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 10, 2017.

The Commission encourages electronic submission of protests and

interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

Dated: September 20, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-20515 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ID-8260-000]

Dosch, Theodore A.; Notice of Filing

Take notice that on September 15, 2017, Theodore A. Dosch, filed a clarification to August 1, 2017 application for Authorization to hold interlocking positions.

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 October 6, 2017.

Dated: September 19, 2017.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2017-20551 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP17-1054-000.

Applicants: Transcontinental Gas Pipe Line Company.

Description: § 4(d) Rate Filing: Update List of Non-Conforming Service Agreements (Garden State) to be effective 9/9/2017.

Filed Date: 9/18/17.

Accession Number: 20170918-5160.

Comments Due: 5 p.m. ET 10/2/17.

Docket Numbers: RP17-1035-001.

Applicants: National Fuel Gas Supply Corporation.

Description: Tariff Amendment: RP17-1035 Amendment to be effective 10/8/2017.

Filed Date: 9/19/17.

Accession Number: 20170919-5163.

Comments Due: 5 p.m. ET 10/2/17.

Docket Numbers: RP17-1055-000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 091917 Negotiated Rates—Vitol, Inc. R-7495-05 to be effective 11/1/2017.

Filed Date: 9/19/17.

Accession Number: 20170919-5158.

Comments Due: 5 p.m. ET 10/2/17.

Docket Numbers: RP17-1056-000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 091917 Negotiated Rates—Vitol, Inc. H-7495-89 to be effective 11/1/2017.

Filed Date: 9/19/17.

Accession Number: 20170919-5159.

Comments Due: 5 p.m. ET 10/2/17.

Docket Numbers: RP17-1057-000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 091917 Negotiated Rates—Hartree Partners, LP R-7090-04 to be effective 11/1/2017.

Filed Date: 9/19/17.

Accession Number: 20170919-5160.

Comments Due: 5 p.m. ET 10/2/17.

Docket Numbers: RP17-1058-000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 091917 Negotiated Rates—Vitol, Inc. R-7495-04 to be effective 11/1/2017.

Filed Date: 9/19/17.

Accession Number: 20170919-5161.

Comments Due: 5 p.m. ET 10/2/17.

Docket Numbers: RP17-1059-000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 091917 Negotiated Rates—Macquarie Energy LLC R-4090-15 to be effective 11/1/2017.

Filed Date: 9/19/17.

Accession Number: 20170919-5162.

Comments Due: 5 p.m. ET 10/2/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: September 20, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017-20557 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17-2510-000]

RE Gaskell West 4 LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of RE Gaskell West 4 LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 10, 2017.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

Dated: September 20, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017-20516 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17-2508-000]

RE Gaskell West 1 LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of RE Gaskell West 1 LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 10, 2017.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies

of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

Dated: September 20, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017-20520 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC11-112-002.

Applicants: SOLA LTD, Solus Alternative Asset Management LP.

Description: Request for Extension of Existing Blanket Authorization under Section 203(a)(1) of the Federal Power Act of SOLA LTD, et. al.

Filed Date: 9/19/17.

Accession Number: 20170919-5177.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: EC17-185-000.

Applicants: GenOn Energy, Inc.

Description: Application of GenOn Energy, Inc. and its Public Utility Subsidiaries for Approval under Section 203 of the Federal Power Act and Request for Expedited Action.

Filed Date: 9/19/17.

Accession Number: 20170919-5165.

Comments Due: 5 p.m. ET 10/10/17.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG17-156-000.

Applicants: Solar Star Oregon II, LLC.

Description: Self-Certification of EWG Status of Solar Star Oregon II, LLC.

Filed Date: 9/20/17.

Accession Number: 20170920-5049.

Comments Due: 5 p.m. ET 10/11/17.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER17–1721–002.
Applicants: Dynegy Stuart, LLC.
Description: Tariff Amendment: Response to Second Deficiency Letter to be effective 8/1/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5076.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–1722–002.

Applicants: Dynegy Zimmer, LLC.

Description: Tariff Amendment: Response to Second Deficiency Letter to be effective 8/1/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5077.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–2469–001.

Applicants: The Dayton Power and Light Company.

Description: Tariff Amendment: DP&L Revised Reactive Power Tariff Cancellation Filing to be effective 10/1/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5069.

Comments Due: 5 p.m. ET 9/27/17.

Docket Numbers: ER17–2513–000.

Applicants: Public Service Company of New Mexico.

Description: § 205(d) Rate Filing: Modifications to Rate Schedule No. 144 ? SJPPA New Exit Date Amendment to be effective 12/31/9998.

Filed Date: 9/19/17.

Accession Number: 20170919–5099.

Comments Due: 5 p.m. ET 10/10/17.

Docket Numbers: ER17–2514–000.

Applicants: ISO New England Inc., New England Power Pool Participants Committee.

Description: § 205(d) Rate Filing: Update to List of Qualified Transmission Project Sponsors to be effective 11/20/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5052.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–2515–000.

Applicants: Chambers Cogeneration, Limited Partnership.

Description: Baseline eTariff Filing: Reactive Power Tariff Application to be effective 11/1/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5066.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–2516–000.

Applicants: Imperial Valley Solar 3, LLC.

Description: Baseline eTariff Filing: Imperial Valley Solar 3, LLC Co-Tenancy and Shared Facilities Agreement to be effective 9/21/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5068.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–2517–000.

Applicants: Northern States Power Company, a Minnesota corporation.

Description: Notice of Cancellation of Operating Agreement (Supp. 17 to RS 485) of Northern States Power Company, a Minnesota corporation.

Filed Date: 9/20/17.

Accession Number: 20170920–5081.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–2518–000.

Applicants: Nevada Power Company.

Description: § 205(d) Rate Filing: Rate Schedule No. 156 NPC Concurrence NSTS RS 156 092017 to be effective 9/21/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5082.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–2519–000.

Applicants: Nevada Power Company.

Description: § 205(d) Rate Filing: Rate Schedule No. 157 NPC Concurrence Morgan RS 157 092017 to be effective 9/21/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5083.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–2521–000.

Applicants: PacifiCorp.

Description: Notice of Termination of Rate Schedule No. 147 of PacifiCorp.

Filed Date: 9/20/17.

Accession Number: 20170920–5086.

Comments Due: 5 p.m. ET 10/11/17.

Docket Numbers: ER17–2522–000.

Applicants: ISO New England Inc., New England Power Pool Participants Committee.

Description: § 205(d) Rate Filing: Clean-Up Amendments; Amendment to Data-Only Participant Application Fee to be effective 9/20/2017.

Filed Date: 9/20/17.

Accession Number: 20170920–5087.

Comments Due: 5 p.m. ET 10/11/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/>

[docs-filing/efiling/filing-req.pdf](#). For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: September 20, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017–20556 Filed 9–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP17–1050–000]

Notice of Petition for Declaratory Order; Arlington Storage Company, LLC

Take notice that on September 18, 2017, pursuant to Rule 207(a)(2) of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.207(a)(2) (2017), Arlington Storage Company, LLC (ASC), filed a petition for a declaratory order seeking approval authorizing ASC to provide firm wheeling service at market-based rates, consistent with ASC's current market-based rate authorization applicable to all of its existing firm and interruptible storage services and interruptible wheeling services, as more fully explained in the petition.

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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

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 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 October 19, 2017.

Dated: September 19, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-20478 Filed 9-25-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Southwestern Power Administration

Integrated System Rate Schedules

AGENCY: Southwestern Power Administration, DOE.

ACTION: Notice of extension.

SUMMARY: The Deputy Secretary has approved and placed into effect on an interim basis Rate Order No. SWPA-72 which extends the existing rate schedules for the Integrated System:

Rate Schedule P-13, Wholesale Rates for Hydro Peaking Power

Rate Schedule NFTS-13A, Wholesale Rates for Non-Federal Transmission Service

Rate Schedule EE-13, Wholesale Rates for Excess Energy

This is an interim rate action effective October 1, 2017, extending for a period of two years through September 30, 2019.

DATES: The effective period for the rate schedules specified in Rate Order No. SWPA-72 is October 1, 2017, through September 30, 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Marshall Boyken, Senior Vice President, Chief Operating Office, Office of Corporate Operations, Southwestern Power Administration, U.S. Department of Energy, One West Third Street, Tulsa, Oklahoma 74103, (918) 595-6646, marshall.boyken@swpa.gov or facsimile transmission (918) 595-6646.

SUPPLEMENTARY INFORMATION: Pursuant to Delegation Order Nos. 00-037.00B, effective November 19, 2016, and 00-001.00F, effective November 17, 2014, and pursuant to the implementation authorities in 10 CFR 903.22(h) and 903.23(a)(3), Rate Order No. SWPA-72 is approved and placed into effect on an interim basis for the period October 1, 2017, through September 30, 2019, for the following rate schedules:

Rate Schedule P-13, Wholesale Rates for Hydro Peaking Power

Rate Schedule NFTS-13A, Wholesale Rates for Non-Federal Transmission Service

Rate Schedule EE-13, Wholesale Rates for Excess Energy

These current rate schedules for the Integrated System were confirmed and approved on a final basis by the Federal Energy Regulatory Commission (FERC) on January 9, 2014, for the period October 1, 2013, through September 30, 2017. Since initial FERC approval, a new section within rate schedule NFTS-13 was added to change from a stated rate to a revenue-requirement based methodology to better align with practices utilized by the Southwest Power Pool, Inc. Regional Transmission Organization. The revised rate schedule NFTS-13 was designated NFTS-13A and was subsequently approved on a final basis by FERC on March 9, 2017 in Docket No. EF14-1-001 (158 FERC ¶ 62,182) effective through September 30, 2017.

The Administrator, Southwestern, completed an annual review of the continuing adequacy of the existing hydroelectric rate schedules for the Integrated System. This review, as presented in the 2017 Power Repayment Studies (PRSs), indicated the need for a revenue adjustment of 0.7 percent to continue to satisfy cost recovery criteria. Because the 0.7 percent revenue adjustment was within Southwestern's established ± 2 percent rate adjustment threshold, the Administrator deferred the revenue adjustment and now adopts the two-year extension of the Integrated System rate schedules.

The Administrator has followed Title 10, part 903 subpart A, of the Code of Federal Regulations, "Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions" for the proposed extension to the rate schedules. The public was advised by notice published in the **Federal Register** (82 FR 27062), June 13, 2017, of the proposed extension of the rate schedules and of the opportunity to provide written comments for a period of 30 days ending July 13, 2017. No comments were received.

Information regarding the extension of these rate schedules, including the rate schedules and other supporting material, is available for public review in the offices of Southwestern Power Administration, Williams Tower I, One West Third Street, Tulsa, Oklahoma 74103. I have reviewed the Southwestern proposal and I approve Rate Order No. SWPA-72.

Dated: September 13, 2017.

Dan Brouillette,
Deputy Secretary.

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

DEPUTY SECRETARY

In the matter of: Southwestern Power Administration Integrated System Rates

Rate Order No. SWPA-72

ORDER APPROVING EXTENSION OF RATE SCHEDULES ON AN INTERIM BASIS

Pursuant to Sections 302(a) and 301(b) of the Department of Energy Organization Act, Public Law 95-91, the functions of the Secretary of the Interior and the Federal Power Commission under Section 5 of the Flood Control Act of 1944, 16 U.S.C. 825s, relating to the Southwestern Power Administration (Southwestern) were transferred to and vested in the Secretary of Energy. By Delegation Order No. 00-037.00B, the Secretary of Energy delegated to the Administrator, Southwestern, the authority to develop power and transmission rates, delegated to the Deputy Secretary of Energy the authority to confirm, approve, and place in effect such rates on an interim basis and delegated to the Federal Energy Regulatory Commission (FERC) the authority to confirm and approve on a final basis or to disapprove rates developed by the Administrator under the delegation. Pursuant to that delegated authority, the Deputy Secretary has issued this interim rate order.

BACKGROUND

The following rate schedules for the Integrated System were confirmed and approved on a final basis by FERC on January 9, 2014, for the period October 1, 2013, through September 30, 2017.

Rate Schedule P-13, Wholesale Rates for Hydro Peaking Power
Rate Schedule NFTS-13A, Wholesale Rates for Non-Federal Transmission Service
Rate Schedule EE-13, Wholesale Rate for Excess Energy

Since initial FERC approval, a new section within rate schedule NFTS-13 was added to change from a stated rate to a revenue-requirement based methodology to better align with practices utilized by the Southwest Power Pool, Inc. Regional Transmission Organization. The revised rate schedule NFTS-13 was designated NFTS-13A and was subsequently approved on a final basis by FERC on March 9, 2017 in Docket No. EF14-1-001 (158 FERC ¶ 62,182) effective through September 30, 2017.

Southwestern followed Title 10 Part 903 of the Code of Federal Regulations, "Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions" (Part 903) for the proposed extension of the rate schedules. An opportunity for customers and other interested members of the public to review and comment on the proposed extension of the rate schedules was announced by notice published in the **Federal Register** on June 13, 2017, (82 FR 27062), with written comments due by July 13, 2017. No comments were received.

DISCUSSION

The existing Integrated System rate schedules are based on the 2013 Power Repayment Studies (PRSs). PRSs have been completed on the Integrated System each year since approval of the existing rate schedules. The estimated revised annual revenue identified by the PRSs since the 2013 PRSs have indicated the need for minimal rate increases. Since the revenue changes reflected by the PRSs were within the plus-or-minus two percent rate adjustment threshold established by the Administrator on June 23, 1987, these rate adjustments were deferred in the best interest of the government.

The 2017 PRSs indicated the need for an annual revenue increase of 0.7 percent. As has been the case since the existing rate schedules were approved, the 2017 rate adjustment fell within Southwestern's plus-or-minus two percent rate adjustment threshold and was deferred by the Administrator with no rate filing necessary. However, the existing rate schedules are set to expire on September 30, 2017. Consequently, Southwestern proposes to extend the existing rate schedules for a two-year period ending September 30, 2019, on an interim basis under the implementation authorities noted in 10 CFR 903.22(h) and 903.23(a)(3).

COMMENTS AND RESPONSES

Southwestern received no comments regarding the extension of the Integrated System rate schedules.

AVAILABILITY OF INFORMATION

Information regarding the extension of the rate schedules is available for public review in the offices of Southwestern Power Administration, Williams Tower I, One West Third Street, Tulsa, Oklahoma 74103.

ADMINISTRATION'S CERTIFICATION

The 2013 Integrated System PRSs indicated that the current rate schedules will repay all costs of the Integrated System including amortization of the power investment consistent with the provisions of Department of Energy Order No. RA 6120.2. The 2017 Integrated System PRSs indicate the need for an annual revenue increase of 0.7 percent. However, the 2017 rate adjustment falls within Southwestern's established plus-or-minus two percent rate adjustment threshold and was deferred. Southwestern's 2018 PRSs will determine the appropriate level of revenues needed for the next rate period. In accordance with Delegation Order Nos. 00-037.00B (November 19, 2016), and 00-001.00F, effective November 17, 2014, and Section 5 of the Flood Control Act of 1944, the Administrator has determined that the existing Integrated System rate schedules are the lowest possible rates consistent with sound business principles, and their extension is consistent with applicable law.

ENVIRONMENT

The Southwestern NEPA Compliance Officer determined that this class of actions is categorically excluded from the requirements of preparing either an Environmental Impact Statement or an

Environmental Assessment. No additional evaluation of the environmental impact of the extension of the existing rate schedules was conducted since no change in anticipated revenues has been made to the currently-approved Integrated System rate schedules.

ADMINISTRATIVE PROCEDURES

The Administrative Procedure Act (5 U.S.C. 553(d)) prescribes that the required publication or service of a substantive rule shall be made not less than 30 days before its effective date, except (1) a substantive rule that grants or recognizes an exemption or relieves a restriction; (2) interpretative rules and statements of policy; or (3) as otherwise provided by the agency for good cause found and published with the rule. The Department of Energy finds good cause to waive the 30-day delay in effective date of this action as unnecessary for the following reasons: (1) this is an extension of rates previously approved by FERC, pursuant to 10 CFR 903.23(a); (2) there are no substantive changes as the existing rate schedules and anticipated revenues remain the same; and (3) the Administrator provided notice and opportunity for public comment more than 30 days prior to the effective date of the rate extension and received no comments.

ORDER

In view of the foregoing and pursuant to the authority delegated to me by the Secretary of Energy, I hereby extend on an interim basis, for the period of two years, effective October 1, 2017, through September 30, 2019, the current rate schedules for the Integrated System:

Rate Schedule P-13, Wholesale Rates for Hydro Peaking Power

Rate Schedule NFTS-13A, Wholesale Rates for Non-Federal Transmission Service

Rate Schedule EE-13, Wholesale Rates for Excess Energy

Dated: September 17, 2017

Dan Brouillette,
Deputy Secretary.

UNITED STATES DEPARTMENT OF ENERGY

SOUTHWESTERN POWER ADMINISTRATION

RATE SCHEDULE P-13¹

**

WHOLESALE RATES FOR HYDRO PEAKING POWER

Effective:

During the period October 1, 2013, through September 30, 2019**, in accordance with Federal Energy Regulatory Commission order issued January 9, 2014, Docket No. EF14-1-000.

Available:

In the marketing area of Southwestern Power Administration (Southwestern), described

¹ Supersedes Rate Schedule P-11.

** Extended through September 30, 2019 by approval of Rate Order No. SWPA-72 by the Deputy Secretary of Energy.

generally as the States of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

Applicable:

To wholesale Customers which have contractual rights from Southwestern to purchase Hydro Peaking Power and associated energy (Peaking Energy and Supplemental Peaking Energy).

Character and Conditions of Service:

Three-phase, alternating current, delivered at approximately 60 Hertz, at the nominal voltage(s), at the point(s) of delivery, and in such quantities as are specified by contract.

1.

Definitions of Terms

1.2. Ancillary Services

The services necessary to support the transmission of capacity and energy from resources to loads while maintaining reliable operation of the System of Southwestern in accordance with good utility practice, which include the following:

1.2.1. Scheduling, System Control, and Dispatch Service

is provided by Southwestern as Balancing Authority Area operator and is in regard to interchange and load-match scheduling and related system control and dispatch functions.

1.2.2. Reactive Supply and Voltage Control from Generation Sources Service

is provided at transmission facilities in the System of Southwestern to produce or absorb reactive power and to maintain transmission voltages within specific limits.

1.2.3. Regulation and Frequency Response Service

is the continuous balancing of generation and interchange resources accomplished by raising or lowering the output of on-line generation as necessary to follow the moment-by-moment changes in load and to maintain frequency within a Balancing Authority Area.

1.2.4. Spinning Operating Reserve Service

maintains generating units on-line, but loaded at less than maximum output, which may be used to service load immediately when disturbance conditions are experienced due to a sudden loss of generation or load.

1.2.5. Supplemental Operating Reserve Service

provides an additional amount of operating reserve sufficient to reduce Area Control Error to zero within 10 minutes following loss of generating capacity which would result from the most severe single contingency.

1.2.6. Energy Imbalance Service

corrects for differences over a period of time between schedules and actual hourly deliveries of energy to a load. Energy delivered or received within the authorized bandwidth for this service is accounted for as an inadvertent flow and is returned to the providing party by the receiving party in accordance with standard utility practice or

a contractual arrangement between the parties.

1.3. Customer

The entity which is utilizing and/or purchasing Federal Power and Federal Energy and services from Southwestern pursuant to this Rate Schedule.

1.4. Demand Period

The period of time used to determine maximum integrated rates of delivery for the purpose of power accounting which is the 60-minute period that begins with the change of hour.

1.5. Federal Power and Energy

The power and energy provided from the System of Southwestern.

1.6. Hydro Peaking Power

The Federal Power that Southwestern sells and makes available to the Customers through their respective Power Sales Contracts in accordance with this Rate Schedule.

1.7. Peaking Billing Demand

The quantity equal to the Peaking Contract Demand for any month unless otherwise provided by the Customer's Power Sales Contract.

1.8. Peaking Contract Demand

The maximum rate in kilowatts at which Southwestern is obligated to deliver Federal Energy associated with Hydro Peaking Power as set forth in the Customer's Power Sales Contract.

1.9. Peaking Energy

The Federal Energy associated with Hydro Peaking Power that Southwestern sells and makes available to the Customer in accordance with the terms and conditions of the Customer's Power Sales Contract.

1.10. Power Sales Contract

The Customer's contract with Southwestern for the sale of Federal Power and Federal Energy.

1.11. Supplemental Peaking Energy

The Federal Energy associated with Hydro Peaking Power that Southwestern sells and makes available to the Customer if determined by Southwestern to be available and that is in addition to the quantity of Peaking Energy purchased by the Customer in accordance with the terms and conditions of the Customer's Power Sales Contract.

1.12. System of Southwestern

The transmission and related facilities owned by Southwestern, and/or the generation, transmission, and related facilities owned by others, the capacity of which, by contract, is available to and utilized by Southwestern to satisfy its contractual obligations to the Customer.

1.13. Uncontrollable Force

Any force which is not within the control of the party affected, including, but not limited to failure of water supply, failure of facilities, flood, earthquake, storm, lightning, fire, epidemic, riot, civil disturbance, labor

disturbance, sabotage, war, act of war, terrorist acts, or restraint by court of general jurisdiction, which by exercise of due diligence and foresight such party could not reasonably have been expected to avoid.

2.

Wholesale Rates, Terms, and Conditions for Hydro Peaking Power, Peaking Energy, Supplemental Peaking Energy, and Associated Services

Unless otherwise specified, this Section 2 is applicable to all sales under the Customer's Power Sales Contract.

2.2. Hydro Peaking Power Rates, Terms, and Conditions

2.2.1. Monthly Capacity Charge for Hydro Peaking Power

\$4.50 per kilowatt of Peaking Billing Demand.

2.2.2. Services Associated with Capacity Charge for Hydro Peaking Power

The capacity charge for Hydro Peaking Power includes such transmission services as are necessary to integrate Southwestern's resources in order to reliably deliver Hydro Peaking Power and associated energy to the Customer. This capacity charge also includes two Ancillary Services charges: Scheduling, System Control, and Dispatch Service; and Reactive Supply and Voltage Control from Generation Sources Service.

2.2.3. Secondary Transmission Service under Capacity Associated with Hydro Peaking Power

Customers may utilize the transmission capacity associated with Peaking Contract Demand for the transmission of non-Federal energy, on a non-firm, as-available basis, at no additional charge for such transmission service or associated Ancillary Services, under the following terms and conditions:

2.2.3.1. The sum of the capacity, for any hour, which is used for Peaking Energy, Supplemental Peaking Energy, and Secondary Transmission Service, may not exceed the Peaking Contract Demand;

2.2.3.2. The non-Federal energy transmitted under such secondary service is delivered to the Customer's point of delivery for Hydro Peaking Power;

2.2.3.3. The Customer commits to provide Real Power Losses associated with such deliveries of non-Federal energy; and

2.2.3.4. Sufficient transfer capability exists between the point of receipt into the System of Southwestern of such non-Federal energy and the Customer's point of delivery for Hydro Peaking Power for the time period that such secondary transmission service is requested.

2.2.4. Adjustment for Reduction in Service

If, during any month, the Peaking Contract Demand associated with a Power Sales Contract in which Southwestern has the obligation to provide 1,200 kilowatthours of Peaking Energy per kilowatt of Peaking Contract Demand is reduced by Southwestern for a period or periods of not less than two consecutive hours by reason of an outage caused by either an Uncontrollable

Force or by the installation, maintenance, replacement or malfunction of generation, transmission and/or related facilities on the System of Southwestern, or insufficient pool levels, the Customer's capacity charges for such month will be reduced for each such reduction in service by an amount computed under the formula:

$$R = (C \times K \times H) \div S$$

with the factors defined as follows:

R = The dollar amount of reduction in the monthly total capacity charges for a particular reduction of not less than two consecutive hours during any month, except that the total amount of any such reduction shall not exceed the product of the Customer's capacity charges associated with Hydro Peaking Power times the Peaking Billing Demand.

C = The Customer's capacity charges associated with Hydro Peaking Power for the Peaking Billing Demand for such month.

K = The reduction in kilowatts in Peaking Billing Demand for a particular event.

H = The number of hours duration of such particular reduction.

S = The number of hours that Peaking Energy is scheduled during such month, but not less than 60 hours times the Peaking Contract Demand.

Such reduction in charges shall fulfill Southwestern's obligation to deliver Hydro Peaking Power and Peaking Energy.

2.3. Peaking Energy and Supplemental Peaking Energy Rates, Terms, and Conditions

2.3.1. Peaking Energy Charge

\$0.0094 per kilowatthour of Peaking Energy delivered plus the Purchased Power Adder as defined in Section 2.2.3 of this Rate Schedule.

2.3.2. Supplemental Energy Charge

\$0.0094 per kilowatthour of Supplemental Peaking Energy delivered.

2.3.3. Purchased Power Adder

A purchased power adder of \$0.0059 per kilowatthour of Peaking Energy delivered, as adjusted by the Administrator, Southwestern, in accordance with the procedure within this Rate Schedule.

2.3.3.1. Applicability of Purchased Power Adder

The Purchased Power Adder shall apply to sales of Peaking Energy. The Purchased Power Adder shall not apply to sales of Supplemental Peaking Energy or sales to any Customer which, by contract, has assumed the obligation to supply energy to fulfill the minimum of 1,200 kilowatthours of Peaking Energy per kilowatt of Peaking Contract Demand during a contract year (hereinafter "Contract Support Arrangements").

2.3.3.2. Procedure for Determining Net Purchased Power Adder Adjustment

Not more than twice annually, the Purchased Power Adder of \$0.0059 (5.9 mills) per kilowatthour of Peaking Energy, as noted in this Rate Schedule, may be adjusted by the Administrator, Southwestern, by an amount

up to a total of $\pm \$0.0059$ (5.9 mills) per kilowatthour per year, as calculated by the following formula:

$$ADJ = (PURCH - EST + DIF) \div SALES$$

with the factors defined as follows:

ADJ = The dollar per kilowatthour amount of the total adjustment, plus or minus, to be applied to the net Purchased Power Adder, rounded to the nearest \$0.0001 per kilowatthour, provided that the total ADJ to be applied in any year shall not vary from the then-effective ADJ by more than \$0.0059 per kilowatthour;

PURCH = The actual total dollar cost of Southwestern's System Direct Purchases as accounted for in the financial records of the Southwestern Federal Power System for the period;

EST = The estimated total dollar cost (\$13,273,800 per year) of Southwestern's System Direct Purchases used as the basis for the Purchased Power Adder of \$0.0059 per kilowatthour of Peaking Energy;

DIF = The accumulated remainder of the difference in the actual and estimated total dollar cost of Southwestern's System Direct Purchases since the effective date of the currently approved Purchased Power Adder set forth in this Rate Schedule, which remainder is not projected for recovery through the ADJ in any previous periods;

SALES = The annual Total Peaking Energy sales projected to be delivered (2,241,300,000 KWh per year) from the System of Southwestern, which total was used as the basis for the \$0.0059 per kilowatthour Purchased Power Adder.

2.4. Transformation Service Rates, Terms, and Conditions

2.4.1. Monthly Capacity Charge for Transformation Service

\$0.46 per kilowatt will be assessed for capacity used to deliver energy at any point of delivery at which Southwestern provides transformation service for deliveries at voltages of 69 kilovolts or less from higher voltage facilities.

2.4.2. Applicability of Capacity Charge for Transformation Service

Unless otherwise specified by contract, for any particular month, a charge for transformation service will be assessed on the greater of (1) that month's highest metered demand, or (2) the highest metered demand recorded during the previous 11 months, at any point of delivery. For the purpose of this Rate Schedule, the highest metered demand will be based on all deliveries, of both Federal and non-Federal

energy, from the System of Southwestern, at such point during such month.

2.5. Ancillary Services Rates, Terms, and Conditions

2.5.1. Capacity Charges for Ancillary Services

2.5.1.1. Regulation and Frequency Response Service

Monthly rate of \$0.07 per kilowatt of Peaking Billing Demand plus the Regulation Purchased Adder as defined in Section 2.4.5 of this Rate Schedule.

2.5.1.2. Spinning Operating Reserve Service

Monthly rate of \$0.0146 per kilowatt of Peaking Billing Demand.

Daily rate of \$0.00066 per kilowatt for non-Federal generation inside Southwestern's Balancing Authority Area.

2.5.1.3. Supplemental Operating Reserve Service

Monthly rate of \$0.0146 per kilowatt of Peaking Billing Demand.

Daily rate of \$0.00066 per kilowatt for non-Federal generation inside Southwestern's Balancing Authority Area.

2.5.1.4. Energy Imbalance Service

\$0.0 per kilowatt for all reservation periods.

2.5.2. Availability of Ancillary Services

Regulation and Frequency Response Service and Energy Imbalance Service are available only for deliveries of power and energy to load within Southwestern's Balancing Authority Area. Spinning Operating Reserve Service and Supplemental Operating Reserve Service are available only for deliveries of non-Federal power and energy generated by resources located within Southwestern's Balancing Authority Area and for deliveries of all Hydro Peaking Power and associated energy from and within Southwestern's Balancing Authority Area. Where available, such Ancillary Services must be taken from Southwestern; unless, arrangements are made in accordance with Section 2.4.4 of this Rate Schedule.

2.5.3. Applicability of Charges for Ancillary Services

For any month, the charges for Ancillary Services for deliveries of Hydro Peaking Power shall be based on the Peaking Billing Demand.

The daily charge for Spinning Operating Reserve Service and Supplemental Operating Reserve Service for non-Federal generation inside Southwestern's Balancing Authority Area shall be applied to the greater of Southwestern's previous day's estimate of the

peak, or the actual peak, in kilowatts, of the internal non-Federal generation.

2.5.4. Provision of Ancillary Services by Others

Customers for which Ancillary Services are made available as specified above, must inform Southwestern by written notice of the Ancillary Services which they do *not* intend to take and purchase from Southwestern, and of their election to provide all or part of such Ancillary Services from their own resources or from a third party.

Subject to Southwestern's approval of the ability of such resources or third parties to meet Southwestern's technical and operational requirements for provision of such Ancillary Services, the Customer may change the Ancillary Services which it takes from Southwestern and/or from other sources at the beginning of any month upon the greater of 60 days notice or upon completion of any necessary equipment modifications necessary to accommodate such change; *Provided*, That, if the Customer chooses not to take Regulation and Frequency Response Service, which includes the associated Regulation Purchased Adder, the Customer must pursue these services from a different host Balancing Authority; thereby moving all metered loads and resources from Southwestern's Balancing Authority Area to the Balancing Authority Area of the new host Balancing Authority. Until such time as that meter reconfiguration is accomplished, the Customer will be charged for the Regulation and Frequency Response Service and applicable Adder then in effect. The Customer must notify Southwestern by July 1 of this choice, to be effective the subsequent calendar year.

2.5.5. Regulation Purchased Adder

Southwestern has determined the amount of energy used from storage to provide Regulation and Frequency Response Service in order to meet Southwestern's Balancing Authority Area requirements. The replacement value of such energy used shall be recovered through the Regulation Purchased Adder. The Regulation Purchased Adder during the time period of January 1 through December 31 of the current calendar year is based on the average annual use of energy from storage¹ for Regulation and Frequency Response Service and Southwestern's estimated purchased power price for the corresponding year from the most currently approved Power Repayment Studies.

The Regulation Purchased Adder will be phased in over a period of four (4) years as follows:

| Year | Regulation Purchased Adder for the Incremental Replacement Value of Energy Used from Storage |
|---------------------------|--|
| 2014 | ¼ of the average annual use of energy from storage × 2014 Purchased Power price. |
| 2015 | ½ of the average annual use of energy from storage × 2015 Purchased Power price. |
| 2016 | ¾ of the average annual use of energy from storage × 2016 Purchased Power price. |
| 2017 and thereafter | The total average annual use of energy from storage × the applicable Purchased Power price. |

¹ The average annual use of energy from storage for Regulation and Frequency Response Service is based on Southwestern studies.

2.5.5.1. **Applicability of Regulation Purchased Adder**

The replacement value of the estimated annual use of energy from storage for Regulation and Frequency Response Service shall be recovered by Customers located within Southwestern's Balancing Authority Area on a non-coincident peak ratio share basis, divided into twelve equal monthly payments, in accordance with the formula in Section 2.4.5.2.

If the Regulation Purchased Adder is determined and applied under Southwestern's Rate Schedule NPTS-13, then it shall not be applied here.

2.5.5.2. **Procedure for Determining Regulation Purchased Adder**

Unless otherwise specified by contract, the Regulation Purchased Adder for an individual Customer shall be based on the following formula rate, calculated to include the replacement value of the estimated annual use of energy from storage by Southwestern for Regulation and Frequency Response Service.

RPA = The Regulation Purchased Adder for an individual Customer per month, which is as follows:

$$[(L_{\text{Customer}} + L_{\text{Total}}) \times RP_{\text{Total}}] \div 12$$

with the factors defined as follows:

L_{Customer} = The sum in MW of the following three factors:

- (1) The Customer's highest metered load plus generation used to serve the Customer's load that is accounted for

- through a reduction in the Customer's metered load (referred to as 'generation behind the meter') during the previous calendar year, and
- (2) The Customer's highest rate of Scheduled Exports² during the previous calendar year, and
- (3) The Customer's highest rate of Scheduled Imports² during the previous calendar year.

L_{Total} = The sum of all L_{Customer} factors for all Customers that were inside Southwestern's Balancing Authority Area at the beginning of the previous calendar year in MW.

RP_{Total} = The "net" cost in dollars and cents based on Southwestern's estimated purchased power price for the corresponding year from the most currently approved Power Repayment Studies multiplied by the average annual use of energy from storage, as provided for in the table in Section 2.4.5, to support Southwestern's ability to regulate within its Balancing Authority Area. The "net" cost in dollars and cents shall be adjusted by subtracting the product of the quantity of such average annual use of energy from storage in MWh and Southwestern's highest rate in dollars per MWh for Supplemental Peaking Energy during the previous calendar year.

For Customers that have aggregated their load, resources, and scheduling into a single node by contract within Southwestern's Balancing Authority Area, the individual

Customer's respective Regulation Purchased Adder shall be that Customer's ratio share of the Regulation Purchased Adder established for the node. Such ratio share shall be determined for the Customer on a non-coincident basis and shall be calculated for the Customer from their highest metered load plus generation behind the meter.

2.5.6. **Energy Imbalance Service Limitations**

Energy Imbalance Service primarily applies to deliveries of power and energy which are required to satisfy a Customer's load. As Hydro Peaking Power and associated energy are limited by contract, the Energy Imbalance Service bandwidth specified for Non-Federal Transmission Service does not apply to deliveries of Hydro Peaking Power, and therefore Energy Imbalance Service is not charged on such deliveries. Customers who consume a capacity of Hydro Peaking Power greater than their Peaking Contract Demand may be subject to a Capacity Overrun Penalty.

3.

Hydro Peaking Power Penalties, Terms, and Conditions

3.2. **Capacity Overrun Penalty**

3.2.1. **Penalty Charge for Capacity Overrun**

For each hour during which Hydro Peaking Power was provided at a rate greater than that to which the Customer is entitled, the Customer will be charged a Capacity Overrun Penalty at the following rates:

| Months Associated With Charge | Rate per Kilowatt |
|--|-------------------|
| March, April, May, October, November, December | \$0.15 |
| January, February, June, July, August, September | 0.30 |

3.2.2. **Applicability of Capacity Overrun Penalty**

Customers which have loads within Southwestern's Balancing Authority Area are obligated by contract to provide resources, over and above the Hydro Peaking Power and associated energy purchased from Southwestern, sufficient to meet their loads. A Capacity Overrun Penalty shall be applied only when the formulas provided in Customers' respective Power Sales Contracts indicate an overrun on Hydro Peaking Power, and investigation determines that all resources, both firm and non-firm, which were available at the time of the apparent

overrun were insufficient to meet the Customer's load.

3.3. **Energy Overrun Penalty**

3.3.1. **Penalty Charge for Energy Overrun**

\$0.1034 per kilowatthour for each kilowatthour of overrun.

3.3.2. **Applicability of Energy Overrun Penalty**

By contract, the Customer is subject to limitations on the maximum amounts of Peaking Energy which may be scheduled under the Customer's Power Sales Contract. When the Customer schedules an amount in excess of such maximum amounts, such

Customer is subject to the Energy Overrun Penalty.

3.4. **Power Factor Penalty**

3.4.1. **Requirements Related to Power Factor**

Any Customer served from facilities owned by or available by contract to Southwestern will be required to maintain a power factor of not less than 95 percent and will be subject to the following provisions.

3.4.2. **Determination of Power Factor**

The power factor will be determined for all Demand Periods and shall be calculated under the formula:

with the factors defined as follows:

PF = The power factor for any Demand Period of the month.

kWh = The total quantity of energy which is delivered during such Demand Period to the point of delivery or interconnection

in accordance with Section 3.3.4.
 $rkVAh$ = The total quantity of reactive kilovolt-ampere-hours (kVARs) delivered during such Demand Period to the point of delivery or interconnection in accordance with Section 3.3.4.

3.4.3. **Penalty Charge for Power Factor**

The Customer shall be assessed a penalty for all Demand Periods of a month where the power factor is less than 95 percent lagging. For any Demand Period during a particular

² Scheduled Exports and Scheduled Imports are transactions, such as sales and purchases

respectively, which are in addition to a Customer's

metered load that contribute to Southwestern's Balancing Authority Area need for regulation.

month such penalty shall be in accordance with the following formula:

$$C = D \times (0.95 - LPF) \times \$0.10$$

with the factors defined as follows:

C = The charge in dollars to be assessed for any particular Demand Period of such month that the determination of power factor "PF" is calculated to be less than 95 percent lagging.

D = The Customer's demand in kilowatts at the point of delivery for such Demand Period in which a low power factor was calculated.

LPF = The lagging power factor, if any, determined by the formula "PF" for such Demand Period.

If C is negative, then C = zero (0).

3.4.4. Applicability of Power Factor Penalty

The Power Factor Penalty is applicable to radial interconnections with the System of Southwestern. The total Power Factor Penalty for any month shall be the sum of all charges "C" for all Demand Periods of such month. No penalty is assessed for leading power factor. Southwestern, in its sole judgment and at its sole option, may determine whether power factor calculations should be applied to (i) a single physical point of delivery, (ii) a combination of physical points of delivery where a Customer has a single, electrically integrated load, (iii) or interconnections. The general criteria for such decision shall be that, given the configuration of the Customer's and Southwestern's systems, Southwestern will determine, in its sole judgment and at its sole option, whether the power factor calculation

more accurately assesses the detrimental impact on Southwestern's system when the above formula is calculated for a single physical point of delivery, a combination of physical points of delivery, or for an interconnection as specified by an Interconnection Agreement.

Southwestern, at its sole option, may reduce or waive Power Factor Penalties when, in Southwestern's sole judgment, low power factor conditions were not detrimental to the System of Southwestern due to particular loading and voltage conditions at the time the power factor dropped below 95 percent lagging.

4. Hydro Peaking Power Miscellaneous Rates, Terms, and Conditions

4.2. Real Power Losses

Customers are required to self-provide all Real Power Losses for non-Federal energy transmitted by Southwestern on behalf of such Customers under the provisions detailed below.

Real Power Losses are computed as four (4) percent of the total amount of non-Federal energy transmitted by Southwestern. The Customer's monthly Real Power Losses are computed each month on a megawatt-hour basis as follows:

$$ML = 0.04 \times NFE$$

with the factors defined as follows:

ML = The total monthly loss energy, rounded to the nearest megawatt-hour, to be scheduled by a Customer for receipt by Southwestern for Real Power Losses associated with non-Federal energy

transmitted on behalf of such Customer; and

NFE = The amount of non-Federal energy that was transmitted by Southwestern on behalf of a Customer during a particular month.

The Customer must schedule or cause to be scheduled to Southwestern, Real Power Losses for which it is responsible subject to the following conditions:

4.2.1. The Customer shall schedule and deliver Real Power Losses back to Southwestern during the second month after they were incurred by Southwestern in the transmission of the Customer's non-Federal power and energy over the System of Southwestern unless such Customer has accounted for Real Power Losses as part of a metering arrangement with Southwestern.

4.2.2. On or before the twentieth day of each month, Southwestern shall determine the amount of non-Federal loss energy it provided on behalf of the Customer during the previous month and provide a written schedule to the Customer setting forth hour-by-hour the quantities of non-Federal energy to be delivered to Southwestern as losses during the next month.

4.2.3. Real Power Losses not delivered to Southwestern by the Customer, according to the schedule provided, during the month in which such losses are due shall be billed by Southwestern to the Customer to adjust the end-of-month loss energy balance to zero (0) megawatt-hours and the Customer shall be obliged to purchase such energy at the following rates:

| Months associated with charge | Rate per kilowatt-hour |
|--|------------------------|
| March, April, May, October, November, December | \$0.15 |
| January, February, June, July, August, September | \$0.30 |

4.2.4. Real Power Losses delivered to Southwestern by the Customer in excess of the losses due during the month shall be purchased by Southwestern from the Customer at a rate per megawatt-hour equal to Southwestern's rate per megawatt-hour for Supplemental Peaking Energy, as set forth in Southwestern's then-effective Rate Schedule for Hydro Peaking Power to adjust such hourly end-of-month loss energy balance to zero (0) megawatt-hours.

UNITED STATES DEPARTMENT OF ENERGY

SOUTHWESTERN POWER ADMINISTRATION

RATE SCHEDULE NFTS-13¹ **

WHOLESALE RATES FOR NON-FEDERAL TRANSMISSION/INTERCONNECTION FACILITIES SERVICE

Effective

During the period January 1, 2017, through September 30, 2019 **, in accordance with

Federal Energy Regulatory Commission order issued March 9, 2017, Docket No. EF14-1-001.

Available

In the region of the System of Southwestern.

Applicable

To Customers which have executed Service Agreements with Southwestern for the transmission of non-Federal power and energy over the System of Southwestern or for its use for interconnections. Southwestern will provide services over those portions of the System of Southwestern in which the Administrator, Southwestern, in his or her sole judgment, has determined that uncommitted transmission and transformation capacities in the System of Southwestern are and will be available in excess of the capacities required to market Federal power and energy pursuant to Section 5 of the Flood Control Act of 1944 (58 Stat. 887,890; 16 U.S.C. 825s).

** Extended through September 30, 2019 by approval of Rate Order No. SWPA-72 by the Deputy Secretary of Energy.

Character and Conditions of Service

Three-phase, alternating current, delivered at approximately 60 Hertz, at the nominal voltage(s), at the point(s) specified by Service Agreement or Transmission Service Transaction.

1.

Definitions of Terms

1.2. Ancillary Services

The services necessary to support the transmission of capacity and energy from resources to loads while maintaining reliable operation of the System of Southwestern in accordance with good utility practice, which include the following:

1.2.1. Scheduling, System Control, and Dispatch Service

is provided by Southwestern as Balancing Authority Area operator and is in regard to interchange and load-match scheduling and related system control and dispatch functions.

¹ Supersedes Rate Schedule NFTS-13.

1.2.2. Reactive Supply and Voltage Control from Generation Sources Service

is provided at transmission facilities in the System of Southwestern to produce or absorb reactive power and to maintain transmission voltages within specific limits.

1.2.3. Regulation and Frequency Response Service

is the continuous balancing of generation and interchange resources accomplished by raising or lowering the output of on-line generation as necessary to follow the moment-by-moment changes in load and to maintain frequency within a Balancing Authority Area.

1.2.4. Spinning Operating Reserve Service

maintains generating units on-line, but loaded at less than maximum output, which may be used to service load immediately when disturbance conditions are experienced due to a sudden loss of generation or load.

1.2.5. Supplemental Operating Reserve Service

provides an additional amount of operating reserve sufficient to reduce Area Control Error to zero within 10 minutes following loss of generating capacity which would result from the most severe single contingency.

1.2.6. Energy Imbalance Service

corrects for differences over a period of time between schedules and actual hourly deliveries of energy to a load. Energy delivered or received within the authorized bandwidth for this service is accounted for as an inadvertent flow and is returned to the providing party by the receiving party in accordance with standard utility practice or a contractual arrangement between the parties.

1.3. Customer

The entity which is utilizing and/or purchasing services from Southwestern pursuant to this Rate Schedule.

1.4. Demand Period

The period of time used to determine maximum integrated rates of delivery for the purpose of power accounting which is the 60-minute period that begins with the change of hour.

1.5. Firm Point-to-Point Transmission Service

Transmission service reserved on a firm basis between specific points of receipt and delivery pursuant to either a Firm Transmission Service Agreement or to a Transmission Service Transaction.

1.6. Interconnection Facilities Service

A service that provides for the use of the System of Southwestern to deliver energy and/or provide system support at an interconnection.

1.7. Network Integration Transmission Service

Transmission service provided under Part III of Southwestern's Open Access Transmission Service Tariff which provides the Customer with firm transmission service for the

delivery of capacity and energy from the Customer's resources to the Customer's load.

1.8. Interconnection Facilities Service

A service that provides for the use of the System of Southwestern to deliver energy and/or provide system support at an interconnection.

1.9. Network Integration Transmission Service

Transmission service provided under Part III of Southwestern's Open Access Transmission Service Tariff which provides the Customer with firm transmission service for the delivery of capacity and energy from the Customer's resources to the Customer's load.

1.10. Non-Firm Point-to-Point Transmission Service

Transmission service reserved on a non-firm basis between specific points of receipt and delivery pursuant to a Transmission Service Transaction.

1.11. Point of Delivery

Either a single physical point to which electric power and energy are delivered from the System of Southwestern, or a specified set of delivery points which together form a single, electrically integrated load.

1.12. Secondary Transmission Service

Service that is associated with Firm Point-to-Point Transmission Service and Network Integration Transmission Service. For Firm Point-to-Point Transmission Service, it consists of transmission service provided on an as-available, non-firm basis, scheduled within the limits of a particular capacity reservation for transmission service, and scheduled from points of receipt, or to points of delivery, other than those designated in a Long-Term Firm Transmission Service Agreement or a Transmission Service Transaction for Firm Point-to-Point Transmission Service. For Network Integration Transmission Service, Secondary Transmission Service consists of transmission service provided on an as-available, non-firm basis, from resources other than the network resources designated in a Network Transmission Service Agreement, to meet the Customer's network load. The charges for Secondary Transmission Service, other than Ancillary Services, are included in the applicable capacity charges for Firm Point-to-Point Transmission Service and Network Integration Transmission Service.

1.13. Service Agreement

A contract executed between a Customer and Southwestern for the transmission of non-Federal power and energy over the System of Southwestern or for interconnections which include the following:

1.13.1. Firm Transmission Service Agreement

provides for reserved transmission capacity on a firm basis, for a particular point-to-point delivery path.

1.13.2. Interconnection Agreement

provides for the use of the System of Southwestern and recognizes the exchange of

mutual benefits for such use or provides for application of a charge for Interconnection Facilities Service.

1.13.3. Network Transmission Service Agreement

provides for the Customer to request firm transmission service for the delivery of capacity and energy from the Customer's network resources to the Customer's network load, for a period of one year or more.

1.13.4. Non-Firm Transmission Service Agreement

provides for the Customer to request transmission service on a non-firm basis.

1.14. Service Request

The request made under a Transmission Service Agreement through the Southwest Power Pool, Inc. (hereinafter "SPP") Open Access Same-Time Information System (hereinafter "OASIS") for reservation of transmission capacity over a particular point-to-point delivery path for a particular period. The Customer must submit hourly schedules for actual service in addition to the Service Request.

1.15. System of Southwestern

The transmission and related facilities owned by Southwestern, and/or the generation, transmission, and related facilities owned by others, the capacity of which, by contract, is available to and utilized by Southwestern to satisfy its contractual obligations to the Customer.

1.16. Transmission Service Transaction

A Service Request that has been approved by SPP.

1.17. Uncontrollable Force

Any force which is not within the control of the party affected, including, but not limited to failure of water supply, failure of facilities, flood, earthquake, storm, lightning, fire, epidemic, riot, civil disturbance, labor disturbance, sabotage, war, act of war, terrorist acts, or restraint by court of general jurisdiction, which by exercise of due diligence and foresight such party could not reasonably have been expected to avoid.

2.

Wholesale Rates, Terms, and Conditions for Firm Point-to-Point Transmission Service, Non-Firm Point-to-Point Transmission Service, Network Integration Transmission Service, and Interconnection Facilities Service

2.2. Firm Point-to-Point Transmission Service Rates, Terms, and Conditions

2.2.1. Monthly Capacity Charge for Firm Point-to-Point Transmission Service

\$1.48 per kilowatt of transmission capacity reserved in increments of one month of service or invoiced in accordance with a longer term agreement.

2.2.2. Weekly Capacity Charge for Firm Point-to-Point Transmission Service

\$0.370 per kilowatt of transmission capacity reserved in increments of one week of service.

2.2.3. Daily Capacity Charge for Firm Point-to-Point Transmission Service

\$0.0673 per kilowatt of transmission capacity reserved in increments of one day of service.

2.2.4. Services Associated with Capacity Charge for Firm Point-to-Point Transmission Service

The capacity charge for Firm Point-to-Point Transmission Service includes Secondary Transmission Service, but does not include charges for Ancillary Services associated with actual schedules.

2.2.5. Applicability of Capacity Charge for Firm Point-to-Point Transmission Service

Capacity charges for Firm Point-to-Point Transmission Service are applied to quantities reserved by contract under a Firm Transmission Service Agreement or in accordance with a Transmission Service Transaction.

A Customer, unless otherwise specified by contract, will be assessed capacity charges on the greatest of (1) the highest metered demand at any particular Point of Delivery during a particular month, rounded up to the nearest whole megawatt, or (2) the highest metered demand recorded at such Point of Delivery during any of the previous 11 months, rounded up to the nearest whole megawatt, or (3) the capacity reserved by contract; which amount shall be considered such Customer's reserved capacity. Secondary Transmission Service for such Customer shall be limited during any month to the most recent metered demand on which that Customer is billed or to the capacity reserved by contract, whichever is greater.

2.3. Non-Firm Point-to-Point Transmission Service Rates, Terms, and Conditions**2.3.1. Monthly Capacity Charge for Non-Firm Point-to-Point Transmission Service**

80 percent of the monthly capacity charge for Firm Point-to-Point Transmission Service reserved in increments of one month.

2.3.2. Weekly Capacity Charge for Non-Firm Point-to-Point Transmission Service

80 percent of the monthly capacity charge divided by 4 for Firm Point-to-Point Transmission Service reserved in increments of one week.

2.3.3. Daily Capacity Charge for Non-Firm Point-to-Point Transmission Service

80 percent of the monthly capacity charge divided by 22 for Firm Point-to-Point Transmission Service reserved in increments of one day.

2.3.4. Hourly Capacity Charge for Non-Firm Point-to-Point Transmission Service

80 percent of the monthly capacity charge divided by 352 for Firm Point-to-Point Transmission Service reserved in increments of one hour.

2.3.5. Applicability of Charges for Non-Firm Point-to-Point Transmission Service

Capacity charges for Non-Firm Point-to-Point Transmission Service are applied to quantities reserved under a Transmission Service Transaction, and do not include charges for Ancillary Services.

2.4. Network Integration Transmission Service Rates, Terms, and Conditions**2.4.1. Annual Revenue Requirement for Network Integration Transmission Service**

\$15,533,800.

2.4.2. Monthly Revenue Requirement for Network Integration Transmission Service

\$1,294,483.

2.4.3. Net Capacity Available for Network Integration Transmission Service

872,000 kilowatts.

2.4.4. Monthly Capacity Charge for Network Integration Transmission Service

\$1.48 per kilowatt of Network Load (charge derived from $\$1,294,483 \div 872,000$ kilowatts).

2.4.5. Applicability of Charges for Network Integration Transmission Service

Network Integration Transmission Service is available only for deliveries of non-Federal power and energy, and is applied to the Customer utilizing such service exclusive of any deliveries of Federal power and energy. The capacity on which charges for any particular Customer utilizing this service is determined on the greatest of (1) the highest metered demand at any particular point of delivery during a particular month, rounded up to the nearest whole megawatt, or (2) the highest metered demand recorded at such point of delivery during any of the previous 11 months, rounded up to the nearest whole megawatt.

For a Customer taking Network Integration Transmission Service who is also taking delivery of Federal Power and Energy, the highest metered demand shall be determined by subtracting the energy scheduled for delivery of Federal Power and Energy for any hour from the metered demand for such hour.

Secondary transmission Service for a Customer shall be limited during any month to the most recent highest metered demand on which such Customer is billed. Charges for Ancillary Services shall also be assessed.

2.4.6. Procedure for Determining SPP Open Access Transmission Tariff Network Integration Transmission Service Annual Revenue Requirement

The SPP Open Access Transmission Tariff Network Integration Transmission Service Annual Revenue Requirement shall be based on the following formula which shall be calculated when a Customer transitions from a Service Agreement to an agreement for Network Integration Transmission Service under the SPP Open Access Transmission Tariff.

SPP NITS ARR = Southwestern's SPP Network Integration Transmission Service Annual Revenue Requirement, which is as follows:

$(\text{SPP NITS Capacity} / \text{Southwestern NITS Capacity}) \times \text{Southwestern NITS ARR}$

with the factors defined as follows:

SPP NITS Capacity = The capacity on the System of Southwestern utilized for SPP Network Integration Transmission Service which shall be based on the

currently approved Power Repayment Studies.

Southwestern NITS Capacity = Net Capacity Available for Network Integration Transmission Service on the System of Southwestern as specified in Section 2.3.3.

Southwestern NITS ARR = Southwestern's Annual Revenue Requirement for Network Integration Transmission Service as specified in Section 2.3.1.

2.5. Interconnection Facilities Service Rates, Terms, and Conditions**2.5.1. Monthly Capacity Charge for Interconnection Facilities Service**

\$1.48 per kilowatt.

2.5.2. Applicability of Capacity Charge for Interconnection Facilities Service

Any Customer that requests an interconnection from Southwestern which, in Southwestern's sole judgment and at its sole option, does not provide commensurate benefits or compensation to Southwestern for the use of its facilities shall be assessed a capacity charge for Interconnection Facilities Service. For any month, charges for Interconnection Facilities Service shall be assessed on the greater of (1) that month's actual highest metered demand, or (2) the highest metered demand recorded during the previous eleven months, as metered at the interconnection. The use of Interconnection Facilities Service will be subject to power factor provisions as specified in this Rate Schedule. The interconnection customer shall also schedule and deliver Real Power Losses pursuant to the provisions of this Rate Schedule based on metered flow through the interconnection where Interconnection Facilities Services is assessed.

2.6. Transformation Service Rates, Terms, and Conditions**2.6.1. Monthly Capacity Charge for Transformation Service**

\$0.46 per kilowatt will be assessed for capacity used to deliver energy at any point of delivery at which Southwestern provides transformation service for deliveries at voltages of 69 kilovolts or less from higher voltage facilities.

2.6.2. Applicability of Capacity Charge for Transformation Service

Unless otherwise specified by contract, for any particular month, a charge for transformation service will be assessed on the greater of (1) that month's highest metered demand, or (2) the highest metered demand recorded during the previous 11 months, at any point of delivery. For the purpose of this Rate Schedule, the highest metered demand will be based on all deliveries, of both Federal and non-Federal energy, from the System of Southwestern, at such point during such month.

2.7. Ancillary Services Rates, Terms, and Conditions

2.7.1. Capacity Charges for Ancillary Services

2.7.1.1. Scheduling, System Control, and Dispatch Service

Monthly rate of \$0.09 per kilowatt of transmission capacity reserved in increments of one month of service or invoiced in accordance with a Long-Term Firm Transmission Service Agreement or Network Transmission Service Agreement.

Weekly rate of \$0.023 per kilowatt of transmission capacity reserved in increments of one week of service.

Daily rate of \$0.0041 per kilowatt of transmission capacity reserved in increments of one day of service.

Hourly rate of \$0.00026 per kilowatt of transmission energy delivered as non-firm transmission service.

2.7.1.2. Reactive Supply and Voltage Control from Generation Sources Service

Monthly rate of \$0.04 per kilowatt of transmission capacity reserved in increments of one month of service or invoiced in accordance with a Long-Term Firm Transmission Service Agreement or Network Transmission Service Agreement.

Weekly rate of \$0.010 per kilowatt of transmission capacity reserved in increments of one week of service.

Daily rate of \$0.0018 per kilowatt of transmission capacity reserved in increments of one day of service.

Hourly rate of \$0.00011 per kilowatt of transmission energy delivered as non-firm transmission service.

2.7.1.3. Regulation and Frequency Response Service

Monthly rate of \$0.07 per kilowatt of transmission capacity reserved in increments of one month of service or invoiced in accordance with a Long-Term Firm Transmission Service Agreement or Network Transmission Service Agreement plus the Regulation Purchased Adder as defined in Section 2.6.5 of this Rate Schedule.

Weekly rate of \$0.018 per kilowatt of transmission capacity reserved in increments of one week of service plus the Regulation Purchased Adder as defined in Section 2.6.5 of this Rate Schedule.

Daily rate of \$0.0032 per kilowatt of transmission capacity reserved in increments of one day of service plus the Regulation Purchased Adder as defined in Section 2.6.5 of this Rate Schedule.

Hourly rate of \$0.00020 per kilowatt of transmission energy delivered as non-firm transmission service plus the Regulation Purchased Adder as defined in Section 2.6.5 of this Rate Schedule.

2.7.1.4. Spinning Operating Reserve Service

Monthly rate of \$0.0146 per kilowatt of transmission capacity reserved in increments

of one month of service or invoiced in accordance with a Long-Term Firm Transmission Service Agreement or Network Transmission Service Agreement.

Weekly rate of \$0.00365 per kilowatt of transmission capacity reserved in increments of one week of service.

Daily rate of \$0.00066 per kilowatt of transmission capacity reserved in increments of one day of service.

Hourly rate of \$0.00004 per kilowatt of transmission energy delivered as non-firm transmission service.

2.7.1.5. Supplemental Operating Reserve Service

Monthly rate of \$0.0146 per kilowatt of transmission capacity reserved in increments of one month of service or invoiced in accordance with a Long-Term Firm Transmission Service Agreement or Network Transmission Service Agreement.

Weekly rate of \$0.00365 per kilowatt of transmission capacity reserved in increments of one week of service.

Daily rate of \$0.00066 per kilowatt of transmission capacity reserved in increments of one day of service.

Hourly rate of \$0.00004 per kilowatt of transmission energy delivered as non-firm transmission service.

2.7.1.6. Energy Imbalance Service

\$0.0 per kilowatt for all reservation periods.

2.7.2. Availability of Ancillary Services

Scheduling, System Control, and Dispatch Service and Reactive Supply and Voltage Control from Generation Sources Service are available for all transmission services in and from the System of Southwestern and shall be provided by Southwestern. Regulation and Frequency Response Service and Energy Imbalance Service are available only for deliveries of power and energy to load within Southwestern's Balancing Authority Area, and shall be provided by Southwestern, unless, subject to Southwestern's approval, they are provided by others. Spinning Operating Reserve Service and Supplemental Operating Reserve Service are available only for deliveries of power and energy generated by resources located within Southwestern's Balancing Authority Area and shall be provided by Southwestern, unless, subject to Southwestern's approval, they are provided by others.

2.7.3. Applicability of Charges for Ancillary Services

Charges for all Ancillary Services are applied to the transmission capacity reserved or network transmission service taken by the Customer in accordance with the rates listed above when such services are provided by Southwestern.

The charges for Ancillary Services are considered to include Ancillary Services for any Secondary Transmission Service, except in cases where Ancillary Services identified in Sections 2.6.1.3 through 2.6.1.6 of this

Rate Schedule are applicable to a Transmission Service Transaction of Secondary Transmission Service, but are not applicable to the transmission capacity reserved under which Secondary Transmission Service is provided. When charges for Ancillary Services are applicable to Secondary Transmission Service, the charge for the Ancillary Service shall be the hourly rate applied to all energy transmitted utilizing the Secondary Transmission Service.

2.7.4. Provision of Ancillary Services by Others

Customers for which Ancillary Services identified in Sections 2.6.1.3 through 2.6.1.6 of this Rate Schedule are made available as specified above must inform Southwestern by written notice of the Ancillary Services which they do *not* intend to take and purchase from Southwestern, and of their election to provide all or part of such Ancillary Services from their own resources or from a third party. Such notice requirements also apply to requests for Southwestern to provide Ancillary Services when such services are available as specified above.

Subject to Southwestern's approval of the ability of such resources or third parties to meet Southwestern's technical and operational requirements for provision of such Ancillary Services, the Customer may change the Ancillary Services which it takes from Southwestern and/or from other sources at the beginning of any month upon the greater of 60 days written notice or upon the completion of any necessary equipment modifications necessary to accommodate such change; *Provided*, That, if the Customer chooses not to take Regulation and Frequency Response Service, which includes the associated Regulation Purchased Adder, the Customer must pursue these services from a different host Balancing Authority; thereby moving all metered loads and resources from Southwestern's Balancing Authority Area to the Balancing Authority Area of the new host Balancing Authority. Until such time as that meter reconfiguration is accomplished, the Customer will be charged for the Regulation and Frequency Response Service and applicable Adder then in effect. The Customer must notify Southwestern by July 1 of this choice, to be effective the subsequent calendar year.

2.7.5. Regulation Purchased Adder

Southwestern has determined the amount of energy used from storage to provide Regulation and Frequency Response Service in order to meet Southwestern's Balancing Authority Area requirements. The replacement value of such energy used shall be recovered through the Regulation Purchased Adder. The Regulation Purchased Adder during the time period of January 1 through December 31 of the current calendar year is based on the average annual use of energy from storage¹ for Regulation and Frequency Response Service and

¹ The average annual use of energy from storage for Regulation and Frequency Response Service is based on Southwestern studies.

Southwestern's estimated purchased power price for the corresponding year from the

most currently approved Power Repayment Studies.

The Regulation Purchased Adder will be phased in over a period of four (4) years as follows:

| Year | Regulation Purchased Adder for the Incremental Replacement Value of Energy Used from Storage |
|---------------------------|--|
| 2014 | 1/4 of the average annual use of energy from storage × 2014 Purchased Power price. |
| 2015 | 1/2 of the average annual use of energy from storage × 2015 Purchased Power price. |
| 2016 | 3/4 of the average annual use of energy from storage × 2016 Purchased Power price. |
| 2017 and thereafter | The total average annual use of energy from storage × the applicable Purchased Power price. |

2.7.5.1. Applicability of Regulation Purchased Adder

The replacement value of the estimated annual use of energy from storage for Regulation and Frequency Response Service shall be recovered by Customers located within Southwestern's Balancing Authority Area on a non-coincident peak ratio share basis, divided into twelve equal monthly payments, in accordance with the formula in Section 2.6.5.2.

If the Regulation Purchased Adder is determined and applied under Southwestern's Rate Schedule P-13, then it shall not be applied here.

2.7.5.2. Procedure for Determining Regulation Purchased Adder

Unless otherwise specified by contract, the Regulation Purchased Adder for an individual Customer shall be based on the following formula rate, calculated to include the replacement value of the estimated annual use of energy from storage by Southwestern for Regulation and Frequency Response Service.

RPA = The Regulation Purchased Adder for an individual Customer per month, which is as follows:

$$[(L_{\text{Customer}} \div L_{\text{Total}}) \times RP_{\text{Total}}] \div 12$$

with the factors defined as follows:

L_{Customer} = The sum in MW of the following three factors:

- (1) The Customer's highest metered load plus generation used to serve the Customer's load that is accounted for through a reduction in the Customer's metered load (referred to as 'generation behind the meter') during the previous calendar year, and
- (2) The Customer's highest rate of Scheduled Exports² during the previous calendar year, and
- (3) The Customer's highest rate of Scheduled Imports² during the previous calendar

year.

L_{Total} = The sum of all L_{Customer} factors for all Customers that were inside Southwestern's Balancing Authority Area at the beginning of the previous calendar year in MW.

RP_{Total} = The "net" cost in dollars and cents based on Southwestern's estimated purchased power price for the corresponding year from the most currently approved Power Repayment Studies multiplied by the average annual use of energy from storage, as provided for in the table in Section 2.6.5, to support Southwestern's ability to regulate within its Balancing Authority Area. The "net" cost in dollars and cents shall be adjusted by subtracting the product of the quantity of such average annual use of energy from storage in MWh and Southwestern's highest rate in dollars per MWh for Supplemental Peaking Energy during the previous calendar year.

For Customers that have aggregated their load, resources, and scheduling into a single node by contract within Southwestern's Balancing Authority Area, the individual Customer's respective Regulation Purchased Adder shall be that Customer's ratio share of the Regulation Purchased Adder established for the node. Such ratio share shall be determined for the Customer on a non-coincident basis and shall be calculated for the Customer from their highest metered load plus generation behind the meter.

2.7.6. Energy Imbalance Service Limitations

Energy Imbalance Service is authorized for use only within a bandwidth of ± 1.5 percent of the actual requirements of the load at a particular point of delivery, for any hour, compared to the resources scheduled to meet such load during such hour. Deviations which are greater than ± 1.5 percent, but which are less than ± 2,000 kilowatts, are considered to be within the authorized

bandwidth. Deviations outside the authorized bandwidth are subject to a Capacity Overrun Penalty.

Energy delivered or received within the authorized bandwidth for this service is accounted for as an inadvertent flow and will be netted against flows in the future. The inadvertent flow in any given hour will only be offset with the flows in the corresponding hour of a day in the same category. Unless otherwise specified by contract, the two categories of days are weekdays and weekend days/North American Electric Reliability Corporation holidays, and this process will result in a separate inadvertent accumulation for each hour of the two categories of days. The hourly accumulations in the current month will be added to the hourly inadvertent balances from the previous month, resulting in a month-end balance for each hour.

The Customer is required to adjust the scheduling of resources in such a way as to reduce the accumulation towards zero. It is recognized that the inadvertent hourly flows can be both negative and positive, and that offsetting flows should deter a significant accumulation of inadvertent. Unless otherwise specified by contract, in the event any hourly month-end balance exceeds 12 MWhs, the excess will be subject to Section 3.1 or Section 3.2 of this Rate Schedule, depending on the direction of the accumulation.

3.

Non-Federal Transmission/Interconnection Facilities Service Penalties, Terms, and Conditions

3.1. Capacity Overrun Penalty

3.1.1. Penalty Charge for Capacity Overrun

For each hour during which energy flows outside the authorized bandwidth, the Customer will be obliged to purchase such energy at the following rates:

| Months Associated With Charge | Rate per Kilowatt |
|--|-------------------|
| March, April, May, October, November, December | \$0.15 |
| January, February, June, July, August, September | \$0.30 |

3.1.2. Applicability of Capacity Overrun Penalty

Customers who receive deliveries within Southwestern's Balancing Authority Area are

obligated to provide resources sufficient to meet their loads. Such obligation is not related to the amount of transmission capacity that such Customers may have

reserved for transmission service to a particular load. In the event that a Customer underschedules its resources to serve its load, resulting in a difference between

² Scheduled Exports and Scheduled Imports are transactions, such as sales and purchases

respectively, which are in addition to a Customer's

metered load that contribute to Southwestern's Balancing Authority Area need for regulation.

resources and actual metered load (adjusted for transformer losses as applicable) outside the authorized bandwidth for Energy Imbalance Service for any hour, then such Customer is subject to the Capacity Overrun Penalty.

3.2. Unauthorized Use of Energy Imbalance Service by Overscheduling of Resources

In the event that a Customer schedules greater resources than are needed to serve its

load, such that energy flows at rates beyond the authorized bandwidth for the use of Energy Imbalance Service, Southwestern retains such energy at no cost to Southwestern and with no obligation to return such energy.

3.3. Power Factor Penalty

3.3.1. Requirements Related to Power Factor

Any Customer served from facilities owned by or available by contract to Southwestern

will be required to maintain a power factor of not less than 95 percent and will be subject to the following provisions.

3.3.2. Determination of Power Factor

The power factor will be determined for all Demand Periods and shall be calculated under the formula:

PF = (kWh) ÷ √ (kWh² + rkVAh²)

with the factors defined as follows:

- PF = The power factor for any Demand Period of the month.
- kWh = The total quantity of energy which is delivered during such Demand Period to the point of delivery or interconnection in accordance with Section 3.3.4.
- rkVAh = The total quantity of reactive kilovolt-ampere-hours (kVARs) delivered during such Demand Period to the point of delivery or interconnection in accordance with Section 3.3.4.

3.3.3. Penalty Charge for Power Factor

The Customer shall be assessed a penalty for all Demand Periods of a month where the power factor is less than 95 percent lagging. For any Demand Period during a particular month such penalty shall be in accordance with the following formula:

C = D × (0.95 – LPF) × \$0.10

with the factors defined as follows:

- C = The charge in dollars to be assessed for any particular Demand Period of such month that the determination of power factor “PF” is calculated to be less than 95 percent lagging.
- D = The Customer’s demand in kilowatts at the point of delivery for such Demand Period in which a low power factor was calculated.
- LPF = The lagging power factor, if any, determined by the formula “PF” for such Demand Period.

If C is negative, then C = zero (0).

3.3.4. Applicability of Power Factor Penalty

The Power Factor Penalty is applicable to radial interconnections with the System of Southwestern. The total Power Factor Penalty for any month shall be the sum of all charges “C” for all Demand Periods of such month. No penalty is assessed for leading power factor. Southwestern, in its sole judgment and at its sole option, may

determine whether power factor calculations should be applied to (i) a single physical point of delivery, (ii) a combination of physical points of delivery where a Customer has a single, electrically integrated load, (iii) or interconnections. The general criteria for such decision shall be that, given the configuration of the Customer’s and Southwestern’s systems, Southwestern will determine, in its sole judgment and at its sole option, whether the power factor calculation more accurately assesses the detrimental impact on Southwestern’s system when the above formula is calculated for a single physical point of delivery, a combination of physical points of delivery, or for an interconnection as specified by an Interconnection Agreement.

Southwestern, at its sole option, may reduce or waive Power Factor Penalties when, in Southwestern’s sole judgment, low power factor conditions were not detrimental to the System of Southwestern due to particular loading and voltage conditions at the time the power factor dropped below 95 percent lagging.

4.

Non-Federal Transmission/Interconnection Facilities Service Miscellaneous Rates, Terms, and Conditions

4.2. Real Power Losses

Customers are required to self-provide all Real Power Losses for non-Federal energy transmitted by Southwestern on behalf of such Customers under the provisions detailed below.

Real Power Losses are computed as four (4) percent of the total amount of non-Federal energy transmitted by Southwestern. The Customer’s monthly Real Power Losses are computed each month on a megawatthour basis as follows:

ML = 0.04 × NFE

with the factors defined as follows:

- ML = The total monthly loss energy, rounded to the nearest megawatthour, to be scheduled by a Customer for receipt by Southwestern for Real Power Losses associated with non-Federal energy transmitted on behalf of such Customer; and
- NFE = The amount of non-Federal energy that was transmitted by Southwestern on behalf of a Customer during a particular month.

The Customer must schedule or cause to be scheduled to Southwestern, Real Power Losses for which it is responsible subject to the following conditions:

4.2.1. The Customer shall schedule and deliver Real Power Losses back to Southwestern during the second month after they were incurred by Southwestern in the transmission of the Customer’s non-Federal power and energy over the System of Southwestern unless such Customer has accounted for Real Power Losses as part of a metering arrangement with Southwestern.

4.2.2. On or before the twentieth day of each month, Southwestern shall determine the amount of non-Federal loss energy it provided on behalf of the Customer during the previous month and provide a written schedule to the Customer setting forth hour-by-hour the quantities of non-Federal energy to be delivered to Southwestern as losses during the next month.

4.2.3. Real Power Losses not delivered to Southwestern by the Customer, according to the schedule provided, during the month in which such losses are due shall be billed by Southwestern to the Customer to adjust the end-of-month loss energy balance to zero (0) megawatthours and the Customer shall be obliged to purchase such energy at the following rates:

| Months Associated With Charge | Rate per Kilowatthour |
|--|-----------------------|
| March, April, May, October, November, December | \$0.15 |
| January, February, June, July, August, September | \$0.30 |

4.2.4. Real Power Losses delivered to Southwestern by the Customer in excess of the losses due during the month shall be purchased by Southwestern from the Customer at a rate per megawatthour equal to

Southwestern’s rate per megawatthour for Supplemental Peaking Energy, as set forth in Southwestern’s then-effective Rate Schedule for Hydro Peaking Power to adjust such

hourly end-of-month loss energy balance to zero (0) megawatthours.

UNITED STATES DEPARTMENT OF ENERGY**SOUTHWESTERN POWER ADMINISTRATION****RATE SCHEDULE EE-13¹ ******WHOLESALE RATES FOR EXCESS ENERGY****Effective:**

During the period October 1, 2013, through September 30, 2019 **, in accordance with Federal Energy Regulatory Commission order issued January 9, 2014, Docket No. EF14-1-000.

Available:

In the marketing area of Southwestern Power Administration (Southwestern), described generally as the States of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

Applicable:

To electric utilities which, by contract, may purchase Excess Energy from Southwestern.

Character and Conditions of Service:

Three-phase, alternating current, delivered at approximately 60 Hertz, at the nominal voltage(s) and at the point(s) of delivery specified by contract.

1.

Wholesale Rates, Terms, and Conditions for Excess Energy

Excess Energy will be furnished at such times and in such amounts as Southwestern determines to be available.

1.1. Transmission and Related Ancillary Services

Transmission service for the delivery of Excess Energy shall be the sole responsibility of such customer purchasing Excess Energy.

1.2. Excess Energy Charge

\$0.0094 per kilowatthour of Excess Energy delivered.

[FR Doc. 2017-20034 Filed 9-25-17; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9968-18-OP]

EPA Smart Sectors Program Launch

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing the Smart Sectors program in the Office of Policy. Based on the successful EPA Sector Strategies program, EPA's Smart Sectors program will re-examine how

EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health.

FOR FURTHER INFORMATION CONTACT:

Daisy Letendre, Senior Advisor for Policy and Strategic Communications, Office of Policy, Office of Administrator, Environmental Protection Agency, Mail Code: 1104A, 1200 Pennsylvania Ave. NW., Washington, DC 200460; telephone number: (202) 564-0410; email address: sectors@epa.gov.

SUPPLEMENTARY INFORMATION:**General Information**

EPA has initially identified the following sectors to work with: Aerospace; agriculture; automotive; cement and concrete; chemical manufacturing; construction; electronics and technology; iron and steel; oil and gas; ports and shipping; and utilities and power generation. Sectors were selected based on each sector's potential to improve the environment and public health. EPA welcomes participation from other stakeholders.

The Smart Sectors program will designate staff-level points of contact who are highly knowledgeable about specific industries. These individuals will act as liaisons among industry trade associations and companies, EPA program and regional offices, state and local governments, and other stakeholder groups. The sector liaisons will focus their attention primarily on three main areas: Building relationships and improving customer service to sectors; developing additional expertise in each industry's operations and environmental performance; and informing the planning of future policies, regulations, and Agency processes.

EPA anticipates that participating industries will benefit from coordinated, cooperative, and constructive problem-solving with government. The Agency will invite participating industries to engage in active dialogue and offer their own innovative ideas to reduce environmental impacts. Because industry-wide environmental performance improvement is the goal, EPA will work with trade associations and others to find creative ways to document environmental progress and burden reductions.

Dated: September 14, 2017.

Samantha K. Dravis,

Associate Administrator for Policy.

[FR Doc. 2017-20310 Filed 9-25-17; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9968-08-OLEM]

Access to Confidential Business Information by Eastern Research Group (ERG)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of access to data and request for comments.

SUMMARY: EPA will authorize its contractor, Eastern Research Group (ERG) to access Confidential Business Information (CBI) which has been submitted to EPA under the authority of all sections of the Resource Conservation and Recovery Act (RCRA) of 1976, as amended. EPA has issued regulations that outline business confidentiality provisions for the Agency and require all EPA Offices that receive information designated by the submitter as CBI to abide by these provisions.

DATES: Access to confidential data submitted to EPA will occur no sooner than October 6, 2017.

FOR FURTHER INFORMATION CONTACT:

LaShan Haynes, Document Control Officer, Office of Resource Conservation and Recovery, (5305P), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460, 703-605-0516.

SUPPLEMENTARY INFORMATION:**1. Access to Confidential Business Information**

Under EPA Contract EP-W-10-055, entitled "Advancing SMM: Waste Facts and Figures and Related Tasks," the Eastern Research Group (ERG) will assist the Office of Resource Conservation and Recovery, Resource Conservation and Sustainability Division in collecting and analyzing municipal solid waste (MSW) information. The contract addresses MSW and other waste such as construction and demolition debris, however, the confidential business information (CBI) only relates to the MSW information collected and analyzed in the contract. The contract period is from August 2017-February 28, 2018. Some of the data collected from industry are claimed by industry to contain trade secrets or CBI. In

¹ Supersedes Rate Schedule EE-11.

** Extended through September 30, 2019 by approval of Rate Order No. SWPA-72 by the Deputy Secretary of Energy.

accordance with the provisions of 40 CFR part 2, subpart B, ORCR has established policies and procedures for handling information collected from industry, under the authority of RCRA, including RCRA Confidential Business Information Security Manuals.

Eastern Research Group (ERG), shall protect from unauthorized disclosure all information designated as confidential and shall abide by all RCRA CBI requirements, including procedures outlined in the RCRA CBI Security Manual.

The U.S. Environmental Protection Agency has issued regulations (40 CFR part 2, subpart B) that outline business confidentiality provisions for the Agency and require all EPA Offices that receive information designated by the submitter as CBI to abide by these provisions. Eastern Research Group (ERG) will be authorized to have access to RCRA CBI under the EPA "Contractor Requirements for the Control and Security of RCRA Confidential Business Information Security Manual."

EPA is issuing this notice to inform all submitters of information under all sections of RCRA that EPA will provide Eastern Research Group access to the CBI records located in the RCRA Confidential Business Information Center. Access to RCRA CBI under this contract will take place at Eastern Research Group and EPA Headquarters only. Contractor personnel will be required to sign non-disclosure agreements and will be briefed on appropriate security procedures before they are permitted access to confidential information.

Dated: September 8, 2017.

Barnes Johnson,

Director, Office of Resource Conservation & Recovery.

[FR Doc. 2017-20594 Filed 9-25-17; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2017-0260; FRL-9968-45-OW]

Extension of Public Comment Period for the Draft Updated Aquatic Life Ambient Water Quality Criteria for Aluminum in Freshwater

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The Environmental Protection Agency (EPA) is extending the comment period for the Draft Updated Aquatic Life Ambient Water Quality Criteria for

Aluminum in Freshwater. The current comment period closes on September 26, 2017. The public comment period will be extended for an additional 30 days.

DATES: Comments must be received on or before October 26, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OW-2017-0260, to the *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Diana Eignor, Health and Ecological Criteria Division, Office of Water (Mail Code 4304T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone: (202) 566-1143; email address: eignor.diana@epa.gov.

SUPPLEMENTARY INFORMATION: On July 28, 2017, EPA announced the availability of the Draft Updated Aquatic Life Ambient Water Quality Criteria for Aluminum in Freshwater and opened a 60-day public review and comment period to seek additional scientific views, data, and information regarding the science and technical approach used in the derivation of the draft document.

The original deadline to submit comments was September 26, 2017. This action extends the comment period for 30 days. Written comments must now be received by October 26, 2017. The draft report and other supporting materials may also be viewed and downloaded from EPA's Web site at <https://www.epa.gov/wqc/2017-draft-aquatic-life-criteria-aluminum-freshwater-documents>.

Dated: September 20, 2017.

Michael H. Shapiro,

Acting Assistant Administrator.

[FR Doc. 2017-20597 Filed 9-25-17; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-1013]

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), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before November 27, 2017. 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 contacts 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: As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501-3520), the FCC 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.

OMB Control No.: 3060-1013.

Title: Mitigation of Orbital Debris.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents: 10 respondents; 10 responses.

Estimated Time per Response: 3 hours.

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 47 U.S.C. 151, 154(i), 301, 303, 308, 309 and 310.

Total Annual Burden: 30 hours.

Annual Cost Burden: \$19,250.

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 after this 60-day comment period has ended in order to obtain the full three-year clearance from OMB.

Orbital debris consists of artificial objects orbiting the Earth that are not functional spacecraft. It consists of a wide range of non-functioning man-made objects that have been placed in the Earth's orbit, both accidentally and

on purpose. Orbital debris consists of small objects such as paint flakes, discarded lens caps, ejected bolts and pieces of debris from exploded spacecraft and rocket bodies. Since human activity in space began, there has been a steady growth in the number and total mass of orbital debris. Once created, debris remains in orbit indefinitely, absent other forces. Growth in the orbital debris population may limit the usefulness of space for communications and other uses in the future by raising the costs and lowering the reliability of space based systems. Furthermore, the effects of collisions involving orbital debris can be catastrophic and may cause significant damage to functional spacecraft or to persons or property on the surface of the Earth, if the debris re-enters the Earth's atmosphere in an uncontrolled manner.

The information collection requirements accounted for in this collection are necessary to mitigate the potential harmful effects of orbital debris accumulation. Without such information collection requirements, the growth in the orbital debris population may limit the usefulness of space for communications and other uses in the future by raising the costs and lowering the reliability of experimental and amateur systems. Furthermore, the effects of collisions involving orbital debris can be catastrophic and may cause significant damage to functional spacecraft or to persons or property on the surface of the Earth, if the debris re-enters the Earth's atmosphere in an uncontrolled manner.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2017-20587 Filed 9-25-17; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-1228]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, 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 November 27, 2017. 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 Nicole Ongele, FCC, via email PRA@fcc.gov and to Nicole.Ongele@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele at (202) 418-2991.

SUPPLEMENTARY INFORMATION: 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.

OMB Control Number: 3060–1228.

Title: Connect America Fund—High Cost Portal Filing.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit, not-for-profit institutions.

Number of Respondents and

Responses: 1,599 unique respondents; 3,731 responses.

Estimated Time per Response: 8 hours–60 hours.

Frequency of Response: On occasion, quarterly reporting requirements, annual reporting requirements, one-time reporting requirement and recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151–154, 155, 201–206, 214, 218–220, 251, 252, 254, 256, 303(r), 332, 403, 405, 410, and 1302.

Total Annual Burden: 68,607 hours.

Total Annual Cost: No Cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: We note that USAC must preserve the confidentiality of certain data obtained from respondents; must not use the data except for purposes of administering the universal service programs or other purposes specified by the Commission; and must not disclose data in company-specific form unless directed to do so by the Commission. Respondents may request materials or information submitted to the Commission or the Administrator believed confidential to be withheld from public inspection under 47 CFR 0.459 of the FCC's rules.

Needs and Uses: The Commission is requesting approval for this revised information collection. In March 2016, the Commission adopted an order reforming its universal service support program in areas served by rate-of-return carriers. Connect America Fund et al., WC Docket Nos. 10–90 et al., Report and Order, Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 16–33 (*Rate-of-Return Order*). In May 2016, the Commission adopted rules to implement a competitive bidding process for Phase II of the Connect America Fund. Connect America Fund et al., WC Docket Nos. 10–90 et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 16–64 (*Phase II Auction Order*). In August 2016, the Commission adopted a plan

tailored to certain carriers, both fixed and mobile, serving Alaska. Connect America Fund et al., WC Docket No. 10–90 et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 16–115 (*Alaska Plan Order*). Also, in January 2017 the Commission adopted an order which granted New York State waiver of the Connect America Phase II auction program rules, subject to certain conditions. Connect America Fund et al., WC Docket Nos. 10–90 et al., FCC 17–2 (*New York Auction Order*). The Commission made up to \$170.4 million in Connect America Phase II support available to applicants selected in New York's New NY Broadband Program in accordance with the framework adopted in the order. New York winning bidders that are ultimately authorized to receive Connect America Phase II support will be subject to the same location reporting, build-out milestone certifications, and non-compliance measures as Connect America Phase II auction recipients.

This information collection addresses the requirement that certain carriers with high cost reporting obligations must file information about their locations which meet their broadband deployment public interest obligations via an electronic portal (“portal”). The *Rate-of-Return Order* required that the Universal Service Administrative Company (USAC) establish the portal so that carriers could file their location data with the portal starting in 2017. The *Rate-of-Return Order* required all recipients of Phase II model-based support and rate-of-return carriers to submit geocoded location data and related certifications to the portal. Recipients of Phase II model-based support had been required to file such information in their annual reports due by July 1. The *Phase II Auction Order* requires auction winners to build-out networks capable of meeting their public interest obligations and report, to an online portal, locations to which auction winners had deployed such networks. This information collection also addresses the new portal reporting requirements for carriers receiving Alaska Plan support, including their submission of fiber/microwave middle-mile network maps, and recipients of Phase II support that is awarded in partnership with New York's New NY Broadband Program.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2017–20549 Filed 9–25–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0161 and 3060–0685]

Information Collections Being Submitted for Review and Approval to the Office of Management and Budget

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, 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 Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before October 26, 2017. 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 contacts listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via email Nicholas_A.Fraser@omb.eop.gov; and to Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy

Williams at (202) 418–2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the Web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the Web page called “Currently Under Review,” (3) click on the downward-pointing arrow in the “Select Agency” box below the “Currently Under Review” heading, (4) select “Federal Communications Commission” from the list of agencies presented in the “Select Agency” box, (5) click the “Submit” button to the right of the “Select Agency” box, (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: 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.

OMB Control Number: 3060–0161.

Title: Section 73.61, AM Directional Antenna Field Strength Measurements.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities.

Number of Respondents and Responses: 2,268 respondents and 2,268 responses.

Estimated Time per Response: 4–50 hours.

Frequency of Response: Recordkeeping requirement.

Total Annual Burden: 36,020 hours.

Total Annual Cost: None.

Obligation to Respond: Required to obtain or retain benefits. The statutory

authority for this collection of information is contained in Sections 154(i) and 303 of the Communications Act of 1934, as amended.

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Privacy Impact Assessment: No impact(s).

Needs and Uses: 47 CFR 73.61 requires that each AM station using directional antennas to make field strength measurement as often as necessary to ensure proper directional antenna system operation. Stations not having approved sampling systems make field strength measurements every three months. Stations with approved sampling systems must take field strength measurements as often as necessary. Also, all AM stations using directional signals must take partial proofs of performance as often as necessary. The FCC staff used the data in field inspections/investigations. AM licensees with directional antennas use the data to ensure that adequate interference protection is maintained between stations and to ensure proper operation of antennas.

OMB Control Number: 3060–0685.

Title: Updating Maximum Permitted Rates for Regulated Services and Equipment, FCC Form 1210; Annual Updating of Maximum Permitted Rates for Regulated Cable Services, FCC Form 1240.

Form Number: FCC Form 1210 and FCC Form 1240.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; State, Local or Tribal Government.

Number of Respondents and Responses: 3,400 respondents; 5,350 responses.

Estimated Time per Response: 1 hour to 15 hours.

Frequency of Response: Annual reporting requirement; Quarterly reporting requirement; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in 4(i) and 623 of Communications Act of 1934, as amended.

Total Annual Burden: 44,800 hours.

Total Annual Cost: \$3,196,875.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: Cable operators use FCC Form 1210 to file for adjustments in maximum permitted rates for

regulated services to reflect external costs. Regulated cable operators submit this form to local franchising authorities.

FCC Form 1240 is filed by cable operators seeking to adjust maximum permitted rates for regulated cable services to reflect changes in external costs.

Cable operators submit Form 1240 to their respective local franchising authorities (“LFAs”) to justify rates for the basic service tier and related equipment or with the Commission (in situations where the Commission has assumed jurisdiction).

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2017–20547 Filed 9–25–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[IB Docket No. 16–185; DA 17–894]

Fourth Meeting of the World Radiocommunication Conference Advisory Committee

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In accordance with the Federal Advisory Committee Act, this notice advises interested persons that the fourth meeting of the World Radiocommunication Conference Advisory Committee (Advisory Committee) will be held on October 30, 2017, at the Federal Communications Commission (FCC). The Advisory Committee will consider any preliminary views or draft proposals introduced by the Advisory Committee’s Informal Working Groups.

DATES: October 30, 2017; 11:00 a.m.

ADDRESSES: Federal Communications Commission, 445 12th Street SW., Room TW–C305, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Michael Mullinix, Designated Federal Official, World Radiocommunication Conference Advisory Committee, FCC International Bureau, Global Strategy and Negotiation Division, at (202) 418–0491.

SUPPLEMENTARY INFORMATION: The FCC established the Advisory Committee to provide advice, technical support and recommendations relating to the preparation of United States proposals and positions for the 2019 World Radiocommunication Conference (WRC–19).

In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, this notice advises interested persons of the fourth meeting of the Advisory Committee. Additional information regarding the Advisory Committee is available on the Advisory Committee's Web site, www.fcc.gov/wrc-19. The meeting is open to the public. The meeting will be broadcast live with open captioning over the Internet from the FCC Live Web page at www.fcc.gov/live. Comments may be presented at the Advisory Committee meeting or in advance of the meeting by email to: WRC-19@fcc.gov.

Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Requests for such accommodations should be submitted via email to fcc504@fcc.gov or by calling the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). Such requests should include a detailed description of the accommodation needed. In addition, please include a way for the FCC to contact the requester if more information is needed to fill the request. Please allow at least five days' advance notice; last minute requests will be accepted, but may not be possible to accommodate.

The proposed agenda for the fourth meeting is as follows:

Agenda

Fourth Meeting of the World Radiocommunication Conference Advisory Committee, Federal Communications Commission, 445 12th Street SW., Room TW-C305, Washington, DC 20554

October 30, 2017; 11:00 a.m.

1. Opening Remarks
2. Approval of Agenda
3. Approval of the Minutes of the Third Meeting
4. NTIA Draft Preliminary Views and Proposals
5. IWG Reports and Documents Relating to Preliminary Views and Draft Proposals
6. Future Meetings
7. Other Business

Federal Communications Commission.

Troy F. Tanner,

Deputy Chief, International Bureau.

[FR Doc. 2017-20563 Filed 9-25-17; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0686]

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), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before November 27, 2017. 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 contacts 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: As part of its continuing effort to reduce paperwork burdens, and as required by

the PRA of 1995 (44 U.S.C. 3501-3520), the FCC 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.

OMB Control Number: 3060-0686.

Title: International Section 214

Authorization Process and Tariff Requirements—47 CFR 63.10, 63.11, 63.13, 63.18, 63.19, 63.21, 63.24, 63.25 and 1.1311.

Form Number: International Section 214—New Authorization; International Section 214 Authorization—Transfer of Control/Assignment; International Section 214—Special Temporary Authority and International Section 214—Foreign Carrier Affiliation Notification.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit.

Number of Respondents and Responses: 495 respondents; 748 responses.

Estimated Time per Response: 0.50 hour to 15 hours.

Frequency of Response: On occasion reporting requirement, Quarterly reporting requirement, Recordkeeping requirement and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in sections 1, 4(i), 4(j), 11, 201-205, 208, 211, 214, 219, 220, 303(r), 309, 310 and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 161, 201-205, 208, 211, 214, 219, 220, 303(r), 309, 310 and 403.

Total Annual Burden: 3,286 hours.

Total Annual Cost: \$755,400.

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: The Federal Communications Commission (“FCC”) is requesting that the Office of Management and Budget (OMB) approve a three-year extension of OMB Control No. 3060–0686. The information is used by the Commission staff in carrying out its duties under the Communications Act. The information collections are necessary largely to determine the qualifications of applicants to provide common carrier international telecommunications service, including applicants that are affiliated with foreign carriers, and to determine whether and under what conditions the authorizations are in the public interest, convenience, and necessity. The information collections are also necessary to maintain effective oversight of U.S. international carriers generally.

If the collections are not conducted or are conducted less frequently, applicants will not obtain the authorizations necessary to provide telecommunications services, and the Commission will be unable to carry out its mandate under the Communications Act of 1934. In addition, without the information collections, the United States would jeopardize its ability to fulfill the U.S. obligations as negotiated under the World Trade Organization (WTO) Basic Telecom Agreement because these collections are imperative to detecting and deterring anticompetitive conduct. They are also necessary to preserve the Executive Branch agencies’ and the Commission’s ability to review foreign investments for national security, law enforcement, foreign policy, and trade concerns.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2017–20548 Filed 9–25–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Open Commission Meeting, Tuesday, September 26, 2017

September 19, 2017.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Tuesday, September 26, 2017 which is scheduled to commence at 10:30 a.m. in Room TW–C305, at 445 12th Street SW., Washington, DC.

| Item No. | Bureau | Subject |
|----------|---|--|
| 1 | Media | <i>Title:</i> Amendment of Parts 74, 76 and 78 of the Commission’s Rules Regarding Maintenance of Copies of FCC Rules (MB Docket No. 17–231); Modernization of Media Regulation Initiative (MB Docket No. 17–105). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking that proposes to eliminate rules requiring certain broadcast and cable entities to maintain paper copies of FCC rules. |
| 2 | Media | <i>Title:</i> Cable Television Technical and Operational Standards (MB Docket No. 12–217). <i>Summary:</i> The Commission will consider a Report and Order that modernizes its cable television technical rules to reflect the cable industry’s use of digital transmission systems. |
| 3 | Media | <i>Title:</i> Revitalization of the AM Radio Service (MB Docket No. 13–249). <i>Summary:</i> The Commission will consider a Third Report and Order that will relax or eliminate certain rules pertaining to AM broadcasters employing and maintaining directional antenna arrays. |
| 4 | International | <i>Title:</i> Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters (IB Docket No. 16–408). <i>Summary:</i> The Commission will consider a Report and Order and Further Notice of Proposed Rulemaking that recommends updating and streamlining the Commission’s rules to facilitate the licensing of the next generation of non-geostationary, fixed-satellite service systems. |
| 5 | Wireless Telecommunications | <i>Title:</i> Revisions to Reporting Requirements Governing Hearing Aid-Compatible Mobile Handsets (WT Docket No. 17–228). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking that seeks comment on revisions to the wireless hearing aid compatibility annual reporting requirement to provide relief to non-nationwide service providers. |
| 6 | Wireline Competition | <i>Title:</i> Toll Free Assignments Modernization (WC Docket No. 17–192); Toll Free Service Access Codes (CC Docket No. 95–155). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking that proposes to amend the Commission’s rules to allow for use of auctions to assign certain toll free numbers and considers other means by which to modernize the administration and assignment of toll free numbers. |
| 7 | Public Safety & Homeland Security | <i>Title:</i> Inquiry Concerning 911 Access, Routing, and Location in Enterprise Communications Systems (PS Docket No. 17–239). <i>Summary:</i> The Commission will consider a Notice of Inquiry that seeks comment on the provision of 911 by enterprise communications systems that serve businesses, hotels, educational institutions, and government entities. |
| 8 | Wireless Telecommunications | <i>Title:</i> Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993; Annual Report and Analysis of Competitive Market Conditions With Respect to Mobile Wireless, Including Commercial Mobile Services (WT Docket No. 17–69). <i>Summary:</i> The Commission will consider a Report analyzing the state of competition in the mobile wireless industry. |
| 9 | Enforcement | <i>Title:</i> Enforcement Bureau Action. <i>Summary:</i> The Commission will consider an enforcement action. |
| 10 | Public Safety and Homeland Security | <i>Presentation:</i> The Commission will receive a briefing from the Public Safety & Homeland Security Bureau on the Commission’s response to recent hurricanes. |

* * * * *

The meeting site is fully accessible to people using wheelchairs or other mobility aids. Sign language interpreters, open captioning, and assistive listening devices will be provided on site. Other reasonable accommodations for people with disabilities are available upon request. In your request, include a description of the accommodation you will need and a way we can contact you if we need more information. Last minute requests will be accepted, but may be impossible to fill. Send an email to: fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Additional information concerning this meeting may be obtained from the Office of Media Relations, (202) 418-0500; TTY 1-888-835-5322. Audio/Video coverage of the meeting will be broadcast live with open captioning over the Internet from the FCC Live Web page at www.fcc.gov/live.

For a fee this meeting can be viewed live over George Mason University's Capitol Connection. The Capitol Connection also will carry the meeting live via the Internet. To purchase these services, call (703) 993-3100 or go to www.capitolconnection.gmu.edu.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2017-20589 Filed 9-25-17; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-1124]

Information Collection Being Submitted for Review and Approval to the Office of Management and Budget

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, 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 Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before October 26, 2017. 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 contacts listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via email Nicholas.A.Fraser@omb.eop.gov; and to Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418-2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the Web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the Web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: 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.

OMB Control No.: 3060-1124.

Title: 80.231, Technical Requirements for Class B Automatic Identification System (AIS) Equipment.

Form No.: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 20 respondents; 50,020 responses.

Estimated Time per Response: 1 hour per requirement.

Frequency of Response: On occasion reporting requirement and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 154, 303, 307(e), 309 and 332 of the Communications Act of 1934, as amended.

Total Annual Burden: 50,020 hours.

Annual Cost Burden: \$25,000.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: On September 19, 2008, the Commission adopted a Second Report and Order, FCC 08-208, which added a new section 80.231, which requires that manufacturers of Class B Automatic Identification Systems (AIS) transmitters for the Marine Radio Service include with each transmitting device a statement explaining how to enter static information accurately and a warning statement that entering inaccurate information is prohibited. The Commission is seeking to extend this collection in order to obtain the full three-year clearance from OMB. Specifically, the information collection requires that manufacturers of AIS transmitters label each transmitting

device with the following statement: WARNING: It is a violation of the rules of the Federal Communications Commission to input an MMSI hat has not been properly assigned to the end user, or to otherwise input any inaccurate data in this device. Additionally, prior to submitting a certification application (FCC Form 731, OMB Control Number 3060-0057) for a Class B AIS device, the following information must be submitted in duplicate to the Commandant (CG-521), U.S. Coast Guard, 2100 2nd Street SW., Washington, DC 20593-0001: (1) The name of the manufacturer or grantee and the model number of the AIS device; and (2) copies of the test report and test data obtained from the test facility showing that the device complies with the environmental and operational requirements identified in IEC 62287-1. After reviewing the information described in the certification application, the U.S. Coast Guard will issue a letter stating whether the AIS device satisfies all of the requirements specified in IEC 62287-1. A certification application for an AIS device submitted to the Commission must contain a copy of the U.S. Coast Guard letter stating that the device satisfies all of the requirements specified in IEC-62287-1, a copy of the technical test data and the instruction manual(s).

These reporting and third party disclosure requirements aid the Commission monitoring advance marine vessel tracking and navigation information transmitted from Class B AIS devices to ensure that they are accurate and reliable, while promoting marine safety.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2017-20588 Filed 9-25-17; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on the renewal of existing information collections, as required by the Paperwork Reduction Act of 1995. On June 26, 2017, the FDIC requested comment for 60 days on a proposal to renew the information collections described below. No comments were received. The FDIC hereby gives notice of its plan to submit to OMB a request to approve the renewal of these collections, and again invites comment on this renewal.

DATES: Comments must be submitted on or before October 26, 2017.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- <http://www.FDIC.gov/regulations/laws/federal/notices.html>.
- Email: comments@fdic.gov. Include the name and number of the collection in the subject line of the message.

• **Mail:** Jennifer Jones (202-898-6768), Counsel, MB-3105, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.

• **Hand Delivery:** Comments may be hand-delivered to the guard station at the rear of the 17th Street Building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Jennifer Jones, at the FDIC address above.

SUPPLEMENTARY INFORMATION: On June 26, 2017, (82 FR 28848), the FDIC requested comment for 60 days on a proposal to renew the information collections described below. No comments were received. The FDIC hereby gives notice of its plan to submit to OMB a request to approve the renewal of these collections, and again invites comment on this renewal.

Proposal to renew the following currently approved collections of information:

1. **Title:** Recordkeeping and Disclosure Requirements in Connection with Regulation M (Consumer Leasing).

OMB Number: 3064-0083.

Form Number: None.

Affected Public: State nonmember banks and state savings associations engaging in consumer leasing.

Burden Estimate:

| | Type of burden | Estimated number of respondents | Estimated number of responses | Estimated time per response | Frequency of response | Total annual estimated burden (hours) |
|---|------------------------------|---------------------------------|-------------------------------|-----------------------------|-----------------------|---------------------------------------|
| Recordkeeping Requirements in Connection with Regulation M (Consumer Leasing). | Recordkeeping | 52 | 100 | 0.375 | On Occasion | 1,950 |
| Third-Party Disclosure Requirements in Connection with Regulation M (Consumer Leasing). | Third-Party Disclosure | 52 | 100 | 0.375 | On Occasion | 1,950 |
| Total Hourly Burden ..... | ..... | ..... | ..... | ..... | ..... | 3,900 |

General Description of Collection: Regulation M (12 CFR 1013), issued by the Bureau of Consumer Financial Protection, implements the consumer leasing provisions of the Truth in Lending Act. Regulation M requires

lessors of personal property to provide consumers with meaningful disclosures about the costs and terms of the leases for personal property. Lessors are required to retain evidence of

compliance with Regulation M for twenty-four months.

There is no change in the method or substance of the collection. The overall reduction in burden hours is a result of (1) economic fluctuation and (2) an

updated estimate (based on historical information) of state nonmember banks and state savings associations engaged in consumer leasing. In particular, the number of respondents has decreased while the hours per response remain the same.

2. Title: Covered Financial Company Asset Purchaser Eligibility Certification.
OMB Number: 3064-0194.
Form Number: Covered Financial Company Asset Sales Purchaser Eligibility Certification—7300/10.
Affected Public: Any individual or entity that is a potential purchaser of assets from (1) the FDIC as receiver for

a Covered Financial Company (“CFC”); or (2) a bridge financial company (“BFC”) which requires the approval of the FDIC, as receiver for the predecessor CFC and as the sole shareholder of the BFC (e.g., the BFC’s sale of a significant business line).

Burden Estimate:

| | Type of burden | Estimated number of respondents | Estimated number of responses | Estimated time per response (minutes) | Frequency of response | Total annual estimated burden (hours) |
|--|-----------------|---------------------------------|-------------------------------|---------------------------------------|-----------------------|---------------------------------------|
| Covered Financial Company Asset Sales Purchaser Eligibility Certification. | Reporting | 10 | 1 | 30 | Annual | 5 |
| Total Hourly Burden ..... | ..... | ..... | ..... | ..... | ..... | 5 |

General Description of Collection: Assets held by the FDIC in the course of liquidating any covered financial company must not be sold to persons who contributed to the demise of a covered financial company in specified ways (e.g., individuals who profited or engaged in wrongdoing at the expense of the failed institution, or seriously mismanaged the failed institution). 12 CFR part 380 requires prospective purchasers to complete and submit a Purchaser Eligibility Certification (“PEC”) to the FDIC. The PEC is a self-certification by a prospective purchaser that it does not fall into any of the categories of individuals or entities that are prohibited by statute or regulation from purchasing the assets of covered financial companies. The PEC will be required in connection with the sale of assets by the FDIC, as receiver for a CFC, or the sale of assets by a BFC which requires the approval of the FDIC, as receiver for the predecessor CFC and as the sole shareholder of the BFC.

There is no change in the method or substance of the collection. The number of respondents and the hours per response remain the same.

Request for Comment

Comments are invited on: (a) Whether the collections of information are necessary for the proper performance of the FDIC’s functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collections, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collections of information on respondents, including through the use of automated collection techniques or other forms of information

technology. All comments will become a matter of public record.

Dated at Washington, DC, this 20th day of September 2017.

Federal Deposit Insurance Corporation.

Valerie J. Best,

Assistant Executive Secretary.

[FR Doc. 2017–20593 Filed 9–25–17; 8:45 am]

BILLING CODE 6714-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–17–1080; Docket No. CDC 2017–0078]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing efforts to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comment on *HIV Outpatient Study (HOPS)*.

DATES: Written comments must be received on or before November 27, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2017–0078 by any of the following methods:

• **Federal eRulemaking Portal:** *Regulations.gov*. Follow the instructions for submitting comments.

• **Mail:** Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov*, including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov*.

Please note: All public comment should be submitted through the Federal eRulemaking portal (*Regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329; phone: 404–639–7570; Email: *omb@cdc.gov*.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information

collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (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; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Proposed Project

HIV Outpatient Study (HOPS) (OMB Control Number 0920-1080, Expiration, 8/31/2018)—Revision—National Center for HIV/AIDS, Viral Hepatitis, STD, and TB Prevention (NCHHSTP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The CDC requests a three-year approval and a revision to the *HIV Outpatient Study* data collection activity. The *HIV Outpatient Study (HOPS)* is a prospective longitudinal

cohort of HIV-infected outpatients at eight well-established private HIV care practices and university-based U.S. clinics, in Tampa, Florida; Washington, DC; Stony Brook, New York; Chicago, Illinois; Denver, Colorado; and Philadelphia, Pennsylvania. Researchers abstract clinical data on an ongoing basis from the medical records of adult HIV-infected HOPS study participants, who also complete an optional telephone/Web-based behavioral assessment as part of their annual clinic visit, which on average takes about seven minutes. Before enrolling in this study, all potential study participants will undergo an informed consent process (including signing of a written informed consent), which is estimated to take 15 minutes.

The revisions consist of adding 12 additional survey questions to assess additional risk behaviors that may affect the long-term care and treatment of HIV positive patients participating in the HIV Outpatient Study. Based on review of the current survey response items and the average completion time, these new questions will not pose additional burden on participants.

The core areas of HOPS research extending through the present HIV treatment era include: (i) Monitoring death rates and causes of death; (ii) characterizing the optimal patient management strategies to reduce HIV related morbidity and mortality (e.g., effectiveness of antiretroviral therapies and other clinical interventions); (iii) monitoring of sexual and drug use behaviors to inform Prevention with Positives; and (iv) investigating disparities in the HIV care continuum by various demographic factors.

In recent years, the HOPS has been instrumental in bringing attention to emerging issues in chronic HIV infection with actionable opportunities for prevention, including cardiovascular disease, fragility fractures, renal and hepatic disease, and cancers. The HOPS remains an important source for multi-year trend data concerning conditions and behaviors for which data are not readily available elsewhere, to include: Rates of opportunistic illnesses, rates of comorbid conditions (e.g., hypertension,

obesity, diabetes) and antiretroviral drug resistance.

Researchers will collect data through medical record abstraction by trained abstractors and by telephone or Internet based, computer-assisted interviews at eight funded study sites in six U.S. cities. Collection of data abstracted from patient medical records provides data in five general categories: Demographics and risk behaviors for HIV infection; symptoms; diagnosed conditions (definitive and presumptive); medications prescribed (including dose, duration, and reasons for stopping); all laboratory values, including CD4+ Tlymphocyte (CD4+) cell counts, plasma HIV-RNA determinations, and genotype, phenotype, and trophile results. Researchers will acquire data on visit frequency, AIDS, and death from the clinic chart. Data collected using a brief Telephone Audio-Computer Assisted Self-Interview (T-ACASI) survey or an identical Web-based Audio-Computer Assisted Self-Interview (ACASI) include: Age, sex at birth, use of alcohol and drugs, cigarette smoking, adherence to antiretroviral medications, types of sexual intercourse, condom use, and disclosure of HIV status to partners.

We anticipate the annual recruitment of 450 new HOPS study participants into the HOPS from a pool of HIV-infected individuals currently in HIV-care at nine clinics (50 patients per site). Researchers will approach patients during one of the patients' routine clinic visits to participate in the HOPS. Researchers will give patients interested in participating in the HOPS detailed information about the nature of the study and provide them with a written informed consent form that the patient must complete prior to enrollment. Annually, the researchers will add the 450 newly enrolled participants to the database of existing participants. Researchers will conduct medical record abstractions and will not impose direct burden on HOPS study participants.

Participation of respondents is voluntary. There is no cost to the respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

| Type of respondent | Form name | Number of respondents | Number of responses per respondent | Average burden per response (in hours) | Total burden hours |
|---------------------------|-------------------------|-----------------------|------------------------------------|--|--------------------|
| HOPS study Patients | Behavioral survey | 2,500 | 1 | 7/60 | 292 |
| HOPS Study Patients | Consent form | 450 | 1 | 15/60 | 113 |
| Total ..... | ..... | ..... | ..... | ..... | 405 |

Leroy A. Richardson,

*Chief, Information Collection Review Office,
Office of Scientific Integrity, Office of the
Associate Director for Science, Office of the
Director, Centers for Disease Control and
Prevention.*

[FR Doc. 2017-20511 Filed 9-25-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day-17-17NW]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. CDC previously published a "Proposed Data Collection Submitted for Public Comment and Recommendations" notice on April 27, 2017 to obtain comments from the public and affected agencies. CDC received one comment related to the previous notice. The purpose of this notice is to allow an additional 30 days for public comments.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. The Office of Management and Budget is particularly interested in comments that:

- (a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (c) Enhance the quality, utility, and clarity of the information to be collected;
- (d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses; and
- (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639-7570 or send an email to omb@cdc.gov. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503 or by fax to (202) 395-5806. Provide written comments within 30 days of notice publication.

Proposed Project

A Novel Framework for Structuring Industry-Tuned Public-Private Partnerships and Economic Incentives for U.S. Health Emergency Preparedness and Response—New—Office of Public Health Preparedness and Response (OPHPR), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Despite the important role of public-private partnerships in supporting the US's public health preparedness and response mission, many partnership efforts are not successful due to poorly aligned incentives or lack of awareness of external market factors. There is little research or information on private sector incentive structures and partnership opportunities and barriers specific to public health preparedness and response. This study will evaluate the effectiveness of public-private partnership incentives from the perspective of private sector industries within the public health preparedness and response space.

Study activities include the following:

- (1) Identification of public-private partnership incentives and target industries for public health preparedness and response; (2) interviews with industry leaders (in person or via telephone) to identify related public health emergency preparedness activities and partnership opportunities and barriers; (3) survey of private sector organization managers using on-line technology (Qualtrics) on key issues and attractiveness of partnership opportunities and incentives; and (4) framework development to identify partnership target organizations, opportunities, and incentives to promote public health emergency preparedness capabilities.

CDC proposes to collect information from the private industry leaders in the public health preparedness and response space to accomplish this goal.

The information collection project is composed of two parts: (1) Interviews and (2) an on-line general survey. The

targeted interviews will seek respondents in the following eight sectors: Pharmaceutical/life sciences (n=8), health IT/mobile (n=8), retailers/distributors (n=6), academia/research organization (n=6), hospital/healthcare provider (n=5), health insurance (n=4), logistics/transportation (n=4), and charitable organization/foundation (n=4). The interview questions and the information collected will vary significantly across the different sectors.

The survey portion of the information collection consists of a larger survey administered to 200 individuals to reach a total sample population of 100 (assuming a 50% response rate). CDC will conduct the interviews and administer the survey only one time to each individual respondent. CDC plans to conduct interviews and surveys within six months after OMB approval.

Members of the research team will conduct the interviews. CDC will administer the surveys using the secure online software Qualtrics, and respondents will receive an email with a unique link that will direct them to the Qualtrics survey platform. The research team will then transfer data to CDC's preferred Secure File Transfer Protocol (SFTP) client for secure storage and access. After this transfer, CDC will destroy all copies of the data that reside outside of the SFTP. Only the research team will have access to the interview transcripts and survey responses that will link responses to personally identifiable information. Researchers will use locked file cabinets to store securely, any printed or hand-written documents containing personal identifiable information. Once scanned or otherwise transferred into electronic files (which will also be transferred to the SFTP client), researchers will appropriately destroy the information.

Only the research team will have access to the SFTP, which will require the user to enter a host address, username, password and port number. Any information removed from the SFTP client to be shared with outside parties will be presented in aggregated and de-identified form, unless otherwise compelled by law. CDC will retain and destroy all records in accordance with the applicable CDC Records Control Schedule.

OPHPR is requesting an approval period of one year to collect this information. There is no cost to respondents other than the time to participate. The total estimated annual burden hours is 70 hours. A summary of annualized burden hours is below.

ESTIMATED ANNUALIZED BURDEN HOURS

| Type of respondents | Form name | Number of respondents | Number of responses per respondent | Average burden per response (in hours) |
|--|----------------------|-----------------------|------------------------------------|--|
| Private Sector Organization Senior Leader | Interview Plan | 45 | 1 | 1 |
| Private Sector Organization Manager | Survey Plan | 100 | 1 | 15/60 |

Leroy A. Richardson,

Chief, Information Collection Review Office,
Office of Scientific Integrity, Office of the
Associate Director for Science, Office of the
Director, Centers for Disease Control and
Prevention.

[FR Doc. 2017-20508 Filed 9-25-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day-17-0199; Docket No. CDC-2017-0058]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comment on the *Import Permit Applications* information collection project.

DATES: Written comments must be received on or before November 27, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC-2017-0058 by any of the following methods:

- *Federal eRulemaking Portal:* Regulations.gov. Follow the instructions for submitting comments.

- *Mail:* Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments

received will be posted without change to Regulations.gov, including any personal information provided. For access to the docket to read background documents or comments received, go to Regulations.gov.

Please note: All public comments should be submitted through the Federal eRulemaking portal (Regulations.gov) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Leroy A. Richardson, of the Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329; phone: 404-639-7570; Email: omb@cdc.gov.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (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; and (e) estimates of capital

or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden is the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel to respond to a collection of information, search data sources, and complete and review the collection of information; and to transmit or otherwise disclose the information.

Proposed Project

Importation of Etiologic Agents (42 CFR 71.54) (OMB Control No. 0920-0199, exp. 12/31/2019)—Revision—Office of Public Health Preparedness and Response (OPHPR), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Section 361 of the Public Health Service Act (42 U.S.C. 264), as amended, authorizes the Secretary of Health and Human Services to make and enforce such regulations as are necessary to prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the States or possessions, or from one State or possession into any other State or possession. Part 71 of Title 42, Code of Federal Regulations (Foreign Quarantine) sets forth provisions to prevent the introduction, transmission, and spread of communicable disease from foreign countries into the United States. Subpart F—Importations—contains provisions for the importation of infectious biological agents, infectious substances, and vectors (42 CFR 71.54); requiring persons that import these materials to obtain a permit issued by the CDC.

The Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States form is used by laboratory facilities, such as those operated by

government agencies, universities, and research institutions to request a permit for the importation of biological agents, infectious substances, or vectors of human disease. This form currently requests applicant and sender contact information; description of material for importation; facility isolation and containment information; and personnel qualifications. CDC plans to revise this application to:

(1) Based on processing applications, remove questions that duplicative or not required to process the import permit request such as CDC plans to revise this application to request information on where the imported material will be stored at the recipient facility and who would be responsible for this location and revise the format for the form to ease of user to complete the form.

(2) Request information the biosafety officer's contact information for the permittee to provide biosafety information in case the permittee is unavailable.

These additional data requests will not affect the burden hours.

In addition, CDC proposes to revise the Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States form to verify that the recipient for subsequent transfers has implemented biosafety measures commensurate with the hazard posed by the infectious biological agent, infectious substance, and/or vector to be imported, and the level of risk given its intended use. CDC believes that it will take the applicant additional 10 minutes to complete this section for subsequent transfers. Estimates of burden for the additional questions survey are based on information obtained from the CDC import permit database on the number of permits issued for 2016 for subsequent transfers, which is 380 permits.

The Application for Permit to Import or Transport Live Bats form is used by laboratory facilities such as those

operated by government agencies, universities, research institutions, and for educational, exhibition, or scientific purposes to request a permit for the importation, and any subsequent distribution after importation, of live bats. This form currently requests the applicant and sender contact information; a description and intended use of bats to be imported; and facility isolation and containment information. CDC plans to revise this application to add a question about what personal protective measures will be used. This additional data request will not affect the burden hours.

Estimates of burden for the survey are based on information obtained from the CDC import permit database on the number of permits issued on annual basis since 2010. The total estimated burden for the one-time data collection is 1592.

There are no costs to respondents except their time.

ESTIMATED ANNUALIZED BURDEN HOURS

| Type of respondent | Form name | Number of respondents | Number of responses per respondent | Average burden per response (in hours) | Total burden hours |
|---|---|-----------------------|------------------------------------|--|--------------------|
| Applicants Requesting to Import Biological Agents, Infectious Substances and Vectors. | Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States. | 2380 | 1 | 30/60 | 1190 |
| Applicants Requesting to Import Biological Agents, Infectious Substances and Vectors. | Application for Permit to Import Biological Agents, Infectious Substances and Vectors of Human Disease into the United States Guidance. | 2380 | 1 | 10/60 | 397 |
| Applicants Requesting to Import Live Bats. | Application for a Permit to Import Live Bats. | 10 | 1 | 20/60 | 3 |
| Applicants Requesting to Import Live Bats. | Application for a Permit to Import Live Bats. | 10 | 1 | 10/60 | 2 |
| Total ..... | ..... | ..... | ..... | ..... | 1592 |

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2017-20509 Filed 9-25-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day-17-17HO]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Enhance the quality, utility, and clarity of the information to be collected; (d) Minimize the burden of the collection of information on those who are to respond, including through

the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639-7570 or send an email to omb@cdc.gov. Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395-5806. Written comments should be received within 30 days of this notice.

Proposed Project

Test Predictability of Falls Screening Tools—New—National Center for Injury Prevention and Control (NCIPC), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Falls are the leading cause of fatal and nonfatal injuries among adults aged 65 and older in the US and represent a significant burden to the healthcare system. The first step in clinical falls prevention is for health care practitioners to administer a fall risk screening. The screening identifies whether adults 65 and older are at “increased risk” for a fall. Additional assessments and follow-up medical care (*e.g.*, medication review, vitamin D supplements, vision testing, and

physical therapy) are then given to those at increased risk. The initial screening step is critical because it identifies who will receive the assessments and follow-up care, which has the potential to place a large burden on health care practitioners and the health care system. Given the demands on health care practitioners, among them to reduce health care costs, it is important to have a screening tool that can reliably identify adults 65 and older who are likely to fall and thus need this additional care. Although there are a number of tools used to screen older adults for fall risk, there is currently no standard for fall risk screening across care settings. This is in part because many of the existing tools have never been tested to determine how well they predict future falls. Thus, research is needed to test the ability of existing screening tools and questions to predict falls in subsequent years.

The proposed data collection will compile a brief set of screening questions that are clinically useful for quickly sorting patients into risk levels for falls. It is expected that the screening questions identified in this project will be recommended for use by CDC as the standard for screening of falls for adults 65 and older in clinical settings.

Questions will be asked to a nationally representative sample of adults 65 and older, who will then be followed with surveys repeated monthly over the following year to determine whether and how often they fall. Study data will be collected by internet or phone interviews, depending on respondents' preference. Interviews will consist of a

baseline survey beginning immediately after OMB approval, 11 brief monthly update surveys for the 11 months after initial survey, and a final survey (similar in content to the baseline survey) 12 months after initial survey.

At baseline, exploratory factor analysis and confirmatory factor analysis will be used to demonstrate which survey items have the greatest likelihood of predicting future falls. To narrow down the larger list of survey items, item response theory will be used. Descriptive data analysis techniques will be used at every data collection time point in order to clean the data and to look for trends and outliers. Univariate and multivariate data analysis (primarily logistic regression) techniques will be used at 6 and 12 months after initial survey in order to determine which survey questions are related to fall status with statistical significance and to identify which survey questions have the greatest likelihood of predicting fall status while considering whether separate tools are necessary for key subgroups at high risk for falls, such as women and persons with prior history of falls.

OMB approval is requested for two years for this new collection. Findings from this data collection will be used to examine the predictability (sensitivity and specificity) of various sets of screening questions on the occurrence of falls, including medically treated falls. The estimated annual burden hours are 2,970. There are no costs to respondents.

ESTIMATED ANNUALIZED BURDEN HOURS

| Type of respondents | Form name | Number of respondents | Number of responses per respondent | Average burden per response (in hours) |
|--|---|-----------------------|------------------------------------|--|
| Participating AmeriSpeak Panelists | Initial Postcard-Email | 1,463 | 1 | 2/60 |
| | Baseline Survey Web Mode | 570 | 1 | 20/60 |
| | Baseline Survey Phone Mode | 380 | 1 | 30/60 |
| | Monthly Update Survey (months 1–11) Web Mode. | 570 | 11 | 10/60 |
| | Monthly Update Survey (months 1–11) Phone Mode. | 380 | 11 | 15/60 |
| | Final Survey Web Mode | 570 | 1 | 20/60 |
| | Final Survey Phone Mode | 380 | 1 | 30/60 |
| | Falls Diary | 276 | 2 | 5/60 |
| | Proxy Survey Web Mode | 57 | 4 | 3/60 |
| Proxy Respondents | Proxy Survey Phone Mode | 38 | 4 | 5/60 |

Leroy A. Richardson,
*Chief, Information Collection Review Office,
 Office of Scientific Integrity, Office of the
 Associate Director for Science, Office of the
 Director, Centers for Disease Control and
 Prevention.*

[FR Doc. 2017-20507 Filed 9-25-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[CDC-2015-0021; Docket Number NIOSH-153-C]

Final Skin Notation Profiles

AGENCY: National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of availability.

SUMMARY: NIOSH announces the availability of the following 9 Skin Notation Profile documents: 1-Bromopropane [CAS No. 106-94-5], Disulfoton [CAS No. 298-04-4], Heptachlor [CAS No. 76-44-8], 2-Hydropropyl acrylate [CAS No. 999-61-1], Trichloroethylene [CAS No. 79-01-7], Tetraethyl lead [CAS No. 78-00-2], Tetramethyl lead [CAS No. 75-74-1], Dimethyl sulfate [CAS No. 77-78-1], Arsenic and compounds [CAS No. 7440-38-2].

DATES: The final Skin Notation Profile documents were published on August 17, 2017.

ADDRESSES: These documents may be obtained at the following link: http://www.cdc.gov/niosh/topics/skin/skin-notation_profiles.html.

FOR FURTHER INFORMATION CONTACT: Naomi Hudson, Dr. Ph.D., NIOSH, Education and Information Division (EID), Robert A. Taft Laboratories, 1090 Tusculum Ave., MS-C32, Cincinnati, OH 45226, phone 513/533-8388 (not a toll-free number), email: iuz8@cdc.gov.

SUPPLEMENTARY INFORMATION: On May 1, 2015, NIOSH published a request for public review in the **Federal Register** [80 FR 24932] on skin notation profiles and technical documents. All comments received were reviewed and addressed where appropriate.

Dated: September 18, 2017.

John Howard,

Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention.

[FR Doc. 2017-20126 Filed 9-25-17; 8:45 am]

BILLING CODE 4163-19-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60 Day-17-1053; Docket No. CDC-2017-0079]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comment on Monitoring and Reporting System for the Division of Community Health's Cooperative Agreement Programs. CDC seeks to continue the collection of information from awardees funded through the Racial and Ethnic Approaches to Community health (REACH) cooperative agreement to provide semi-annual reports to CDC describing their work plan, activities and progress toward achieving objectives during the fourth year of funding.

DATES: Written comments must be received on or before November 27, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC-2017-0079 by any of the following methods:

- *Federal eRulemaking Portal:* *Regulations.gov*. Follow the instructions for submitting comments.
- *Mail:* Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov*, including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov*.

Please note: All public comment should be submitted through the Federal eRulemaking portal (*regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329; phone: 404-639-7570; Email: omb@cdc.gov.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (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; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Proposed Project

Monitoring and Reporting System for the Division of Community Health's Cooperative Agreement Programs (OMB Control Number 0920–1053, Expiration 03/31/2018)—Revision—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC) established the Division of Community Health (DCH) to support multi-sectorial, community-based programs that promote healthy living. In 2014, DCH announced a new cooperative agreement program, Racial and Ethnic Approaches to Community Health (REACH) program, authorized by the Public Health Service Act and the Prevention and Public Health Fund of the Affordable Care Act (Funding Opportunity Announcement (FOA) FOA DP14–1419PPHF14). CDC designed the REACH program to address chronic diseases and risk factors for chronic diseases, including physical inactivity, poor diet, obesity, and tobacco use. The program will provide support for implementation of broad, evidence- and practice-based policy and environmental improvements in large and small cities, urban rural areas, tribes, multi-sectorial community coalitions, and racial and ethnic communities experiencing chronic disease disparities. The REACH program aligns with the *National Prevention Strategy* and “Healthy People 2020” focus areas.

CDC's Division of Community Health (DCH) and Division of Nutrition, Physical Activity and Obesity (DNPAO) receive semi-annual progress reports from REACH awardees through an

electronic management information system, the DCH-Performance Monitoring Database (DCH-PMD), (in the original OMB request the DCH-DMD was also referred to as the DCH-Performance Monitoring and Reporting System). This system collects information from awardees funded through the Racial and Ethnic Approaches to Community Health (REACH) cooperative agreement. REACH awardees include 18 state, local and tribal governmental agencies, and 31 non-governmental organizations.

CDC DNPAO is proposing a revision to the information collection request, effective immediately, to request additional time to facilitate awardees reporting critical information in a consistent manner. Specifically, CDC DNPAO requests to extend the current OMB approval period to collect information needed to monitor the REACH cooperative agreement program for an additional year ending in March 31, 2019. This will allow REACH awardees to continue to provide semi-annual reports to CDC describing their work plan, activities and progress toward achieving objectives during a fourth year of supplemental funding.

Information collection will continue to be conducted primarily via DCH-PMD, which enables the accurate, reliable, uniform and timely submission to CDC of each awardee's work plans and progress reports, including objectives and milestones. The DCH-PMD will also generate a variety of routine and customizable reports. Local level reports will allow each awardee to summarize its activities and progress towards meeting work plan objectives. CDC will use the information collected in the DCH-PMD to monitor each awardee's progress and to identify its strengths and weaknesses. Monitoring

allows CDC to determine whether an awardee is meeting performance goals and to make adjustments in the type and level of technical assistance provided to them to support attainment of their objectives. CDC's monitoring and evaluation activities allow CDC to provide oversight of the use of federal funds, and to identify and disseminate information about successful prevention and control strategies implemented by awardees. Finally, the information collection will allow CDC to monitor the increased emphasis on partnerships and programmatic collaboration. CDC expects to reduce duplication of effort, enhance program impact and maximize the use of federal funds. The estimated time burden of producing each semi-annual report is 3 hours.

Due to substantial interest in the REACH program from a variety of stakeholders, CDC may also seek OMB approval to conduct targeted, special-purpose information collections on an as-needed basis. CDC will ask each REACH awardee to participate in one special purpose information collection. Methods for these data collections could include telephone interviews, in-person interviews, Web-based surveys, or paper-and-pencil surveys. CDC will submit each special-purpose information collection request to OMB for approval through the Change Request mechanism, and will include the data collection instrument(s) and a description of purpose and methods.

CDC seeks a one-year OMB approval, starting on April 1, 2018. Participation in semi-annual progress reporting is required for cooperative agreement awardees, but could be voluntary for some special-purpose data collections. There are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

| Type of respondents | Form name | Number of respondents | Number of responses per respondent | Avg. burden per response (in hours) | Total burden (in hours) |
|---|---------------------------------|-----------------------|------------------------------------|-------------------------------------|-------------------------|
| DCH Program Awardees (state, local and tribal government sector). | DCH MIS: Semi-annual reporting. | 18 | 2 | 3 | 108 |
| | Special Data Request .. | 18 | 1 | 6 | 108 |
| DCH Program Awardees (private sector) | DCH MIS: Semi-annual reporting. | 31 | 2 | 3 | 186 |
| | Special Data Request .. | 31 | 1 | 6 | 186 |
| Total ..... | ..... | ..... | ..... | ..... | 588 |

Leroy A. Richardson,

*Chief, Information Collection Review Office,
Office of Scientific Integrity, Office of the
Associate Director for Science, Office of the
Director, Centers for Disease Control and
Prevention.*

[FR Doc. 2017-20510 Filed 9-25-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Agency Information Collection Activities; Public Comment Request; Redesign of Existing Data Collection; National Survey of Older Americans Act Participants

AGENCY: Administration for Community
Living, HHS.

ACTION: Notice.

SUMMARY: The Administration for
Community Living (ACL) is announcing
an opportunity for the public to
comment on the proposed collection of
certain information by the agency.
Under the Paperwork Reduction Act of
1995 (the PRA), Federal agencies are
required to publish a notice in the
Federal Register concerning each
proposed collection of information,
including each proposed extension of an
existing collection of information, and
to allow 60 days for public comment in
response to the notice. This notice
solicits comments on a proposed
revision to an existing data collection
related to the National Survey of Older
Americans Act Participants
(NSOAAP)(ICR Rev).

DATES: Submit written or electronic
comments on the collection of
information by November 27, 2017.

ADDRESSES: Submit electronic
comments on the collection of
information to: heather.menne@acl.hhs.gov.

Submit written comments on the
collection of information to: U.S.
Department of Health and Human
Services, Administration for
Community Living, Washington, DC
20201, Attention: Heather Menne.

FOR FURTHER INFORMATION CONTACT:
Heather Menne by telephone: (202) 795-
7733 or by email: heather.menne@acl.hhs.gov.

SUPPLEMENTARY INFORMATION: Under the
PRA (44 U.S.C. 3501-3520), Federal
agencies must obtain approval from the
Office of Management and Budget
(OMB) for each collection of
information they conduct or sponsor.
“Collection of information” is defined
in 44 U.S.C. 3502(3) and 5 CFR

1320.3(c) and includes agency requests
or requirements that members of the
public submit reports, keep records, or
provide information to a third party.
Section 3506(c)(2)(A) of the PRA (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,
including each proposed extension or
update of an existing collection of
information, before submitting the
collection to OMB for approval.

To comply with the above
requirement, ACL is publishing a notice
of the proposed revision of a currently
approved collection of information set
forth in this document. With respect to
the following collection of information,
ACL invites comments on: (1) Whether
the proposed collection of information
is necessary for the proper performance
of ACL's functions, including whether
the information will have practical
utility; (2) the accuracy of ACL's
estimate of the burden of the proposed
collection of information, including the
validity of the methodology and
assumptions used; (3) ways to enhance
the quality, utility, and clarity of the
information to be collected; and (4)
ways to minimize the burden of the
collection of information on
respondents, including through the use
of automated collection techniques
when appropriate, and other forms of
information technology.

Purpose

The purpose of this data collection is
to fulfill requirements of the Older
Americans Act and the Government
Performance and Results Modernization
Act of 2010 (GPRAMA) and related
program performance activities. Section
202(a)(16) of the OAA requires the
collection of statistical data regarding
the programs and activities carried out
with funds provided under the OAA
and Section 207(a) directs the Assistant
Secretary for Aging to prepare and
submit a report to the President and
Congress based on those data. Section
202(f) directs the Assistant Secretary to
develop a set of performance measures
for planning, managing, and evaluating
activities performed and services
provided under the OAA. Requirements
pertaining to the measurement and
evaluation of the impact of all programs
authorized by the OAA are described in
section 206(a). The National Survey of
Older Americans Act Participants
(NSOAAP) is one source of data used to
develop and report performance
outcome measures and measure
program effectiveness in achieving the
stated goals of the OAA.

The National Survey of Older
Americans Act Participants (NSOAAP)
information collection will include
consumer assessment surveys for the
Congregate and Home-delivered meal
nutrition programs; Case Management,
Homemaker, and Transportation
Services; and the National Family
Caregiver Support Program. This survey
builds on earlier national pilot studies
and surveys, as well as performance
measurement tools developed by ACL
grantees in the Performance Outcomes
Measures Project (POMP). This
information will be used by ACL to
track performance outcome measures;
support budget requests; comply with
the GPRAMA Modernization Act of 2010
(GPRAMA) reporting requirements;
provide national benchmark
information; and inform program
development and management
initiatives.

Revisions

With the exception of changes to
selected questions (e.g., addition of
questions about oral health in 2014), the
NSOAAP has been collected in its
current form since 2008. This proposed
collection is a revision that will replace
the currently approved version (OMB
Control Number: 0985-0023) by
transitioning from a cross-sectional
survey to a longitudinal survey. The
current National Survey of Older
Americans Act Participants (NSOAAP),
an exclusively cross-sectional survey,
can transition to a longitudinal
information collection component by
establishing a baseline cohort and
conducting follow-up interviews with
that cohort at specified time intervals. A
baseline cohort can be selected in the
same manner as in prior cycles of the
cross-sectional NSOAAP. Area Agencies
on Aging (AAAs) would be selected
with a probability proportional to their
size, with some large AAAs sampled
with certainty. Random samples of
clients within each selected AAA will
be sampled from the agencies' client
lists. However, in a change from current
procedures, the target sample size
would be increased from current
standards (n=6000) to account for
attrition of individuals over time. For
the duration of the longitudinal cohort
analysis, the same sample of AAAs and
clients should be maintained to preserve
the longitudinal nature of the study.
Three strategies are key for transforming
the current survey into a longitudinal
study, while preserving the ability to
produce nationally representative cross-
sectional estimates of client
characteristics at each wave. The three
strategies include: (1) A higher initial
sample size (n=6600), (2) an intensive

operational campaign to keep track of respondents over time, and (3) limiting the number of waves for each cohort study (e.g., three waves are proposed).

The factors that influenced the proposed revision of the NSOAAP, include:

(1) The need to minimize reporting burden on the AAAs by only having AAAs provide client lists for the initial data collection (as there would be no need to re-contact the AAAs until such time as a new longitudinal cohort would be established);

(2) the opportunity to incorporate selected new questions and topics of interest based on public comment and the input from an expert workgroup comprised of gerontologists, survey methodologists, and OAA program experts;

(3) the ability to provide more precise estimates of changes over time in measured quantities than repeated cross-sectional studies with the same sample size;

(4) the ability to track certain types of attrition as outcomes (e.g., client transitions from independent living to group quarters; a client dies, a client no longer uses a service because of moving in with a family member);

(5) the ability to examine changes in the natural history of physical functioning and health and how these outcomes relate to patterns of service utilization over the three annual data

collections (e.g., to what extent do clients increase or decrease the use of services over time and what indicators are associated with the change in services?); and

(6) the opportunity to add a rotating topical module in waves 2 and 3 to collect information on emerging issues (e.g., nutrition; health care access; or client experiences with discrimination based on age, sexual orientation, race, or other characteristics) and provide a broader picture of the types of individuals receiving OAA services.

Burden Estimate

The proposed NSOAAP revision reduces the estimated average hour burden per respondent by 11% compared to the current NSOAAP due to the proposed change of a longitudinal data collection in which Area Agencies on Aging need only provide client lists in the first of three years of data collection (compared to annually in the current cross-sectional data collection). Limited expansions in data elements are found in the Family Caregiver Survey. The proposal includes the addition of new questions about caregiving and the well-being of the caregiver. Across the OAA services, greater detail regarding falls, life changes, and social integration are proposed; for clients of Case Management Services, Congregate Nutrition, Home-delivered Nutrition,

Homemaker Services, and Transportation Services, greater detail about food security is proposed. The ACL also seeks the opportunity to: (1) Introduce unique topical modules in waves 2 and 3 to collect information on emerging issues such as nutrition, health care access, or client experiences with discrimination based on age, sexual orientation, race, or other characteristics, and (2) conduct brief informant follow-up interviews in waves 2 and 3 when baseline respondents are unreachable.

Taken as a whole, the proposed reductions exceed the proposed increases in data burden. The proposed information collection instruments may be found on the ACL Web site under Proposed Revisions for National Survey of Older Americans Act Participants (NSOAAP), available at: <https://www.acl.gov/about-acl/public-input>.

The estimated average hour burden per respondent for the Redesigned NSOAAP will change from the 0.80 hour estimate in 2017 to 0.71 hours, a decrease due to the proposed change of a longitudinal data collection in which Area Agencies on Aging need only provide client lists in the first of three years of data collection (compared to annually in the current cross-sectional data collection). ACL estimates the burden of this revised collection of information as follows:

TABLE—ESTIMATED ANNUALIZED BURDEN HOURS

| Respondent/data collection activity | Number of respondents | Responses per respondent | Average hours per response | Annual burden hours |
|--|-----------------------|--------------------------|----------------------------|---------------------|
| Baseline | | | | |
| Area Agency on Aging: Respondent selection process | 250 | 1 | 4.0 | 1,000 |
| Service Recipients (i.e., Case Management; Congregate Nutrition; Home-delivered Nutrition; Homemaker; Transportation). | 4,400 | 1 | .6667 | 2,933 |
| National Family Caregiver Support Program Clients | 2,200 | 1 | .6667 | 1,467 |
| Year 2 | | | | |
| Area Agency on Aging: Respondent selection process | 0 | 0 | 0 | 0 |
| Service Recipients (i.e., Case Management; Congregate Nutrition; Home-delivered Nutrition; Homemaker; Transportation). | 4,200 | 1 | .6667 | 2,800 |
| National Family Caregiver Support Program Clients | 2,100 | 1 | .6667 | 1,400 |
| Year 3 | | | | |
| Area Agency on Aging: Respondent selection process | 0 | 0 | 0 | 0 |
| Service Recipients (i.e., Case Management; Congregate Nutrition; Home-delivered Nutrition; Homemaker; Transportation). | 4,000 | 1 | .6667 | 2,667 |
| National Family Caregiver Support Program Clients | 2,000 | 1 | .6667 | 1,333 |
| Total | 19,150 | Varies | .710 (weighted mean) | 13,600 |

Dated: September 19, 2017.

Lance Robertson,

Administrator and Assistant Secretary for Aging.

[FR Doc. 2017–20460 Filed 9–25–17; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2011–D–0429]

Classification of Products as Drugs and Devices and Additional Product Classification Issues; Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry and FDA staff entitled “Classification of Products as Drugs and Devices & Additional Product Classification Issues.” This guidance provides the Agency’s current thinking on approaches for classifying products as drugs and devices, and on certain additional product classification issues.

DATES: The announcement of the guidance is published in the **Federal Register** on September 26, 2017.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

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

- If you want to submit a comment with confidential information that you

do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

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

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

Instructions: All submissions received must include the Docket No. FDA–2011–D–0429 for “Classification of Products as Drugs and Devices & Additional Product Classification Issues.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff office 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: [\[fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf\]\(https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf\).](https://www.gpo.gov/

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

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the guidance document entitled “Classification of Products as Drugs and Devices & Additional Product Classification Issues” to the Office of Combination Products, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 5129, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: John Barlow Weiner, Associate Director for Policy, Office of Combination Products, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 5129, Silver Spring, MD 20993–0002, 301–796–8930.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry and FDA staff entitled “Classification of Products as Drugs and Devices & Additional Product Classification Issues.” This guidance finalizes two related draft guidance documents issued in June 2011, entitled “Classification of Products as Drugs and Devices & Additional Product Classification Issues” and “Interpretation of the Term ‘Chemical Action’ in the Definition of Device under Section 201(h) of the Federal Food, Drug, and Cosmetic Act.”

This guidance is intended to provide the Agency’s current thinking on approaches for classifying products as drugs and devices, and on certain additional product classification issues. FDA determines whether to classify a product as a drug or device based on the statutory definitions for these terms set forth in section 201(g) and (h) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 321(g) and (h)), respectively, as applied to the scientific data concerning the products

that are available to FDA at the time the classification determination is made.

FDA regularly receives questions from medical product sponsors concerning the classification of their products. We believe that efficient, effective regulation would be facilitated by providing guidance on this topic. This guidance discusses the request for designation (RFD) process for obtaining a formal determination of a product's classification, and provides general concepts regarding FDA's decision process for making classification determinations. While issues have arisen relating to whether a product should be classified as a drug, device, biological product, or combination product, issues most frequently arise regarding whether a product should be classified as either a drug or a device. Accordingly, this guidance focuses particularly on cases in which a product may be classified as a drug or device.

This guidance is organized into two substantive sections. Section II provides information on the RFD process for obtaining a formal determination of whether a product is classified as a drug or device and on obtaining other feedback from FDA on product classification questions. Section III discusses general concepts and definitions relating to FDA's decisional process for making classification determinations and addresses issues that may arise in determining whether products should be classified as drugs or devices.

FDA carefully considered the comments received on the two draft guidances in preparing this final guidance. We have combined the two documents into one and made other changes for clarity and ease of reference. For example, we have revised the discussion of the Agency's interpretation and application of the term "chemical action" in the definition of device at section 201(h) of the FD&C Act, to more clearly explain the Agency's approach. With regard to this issue and others, we have also included additional examples to illustrate the application of the Agency's current thinking.

In light of comments received, we have also reconsidered inclusion of content on the status of prior Agency classification determinations. FDA has had limited experience with reevaluating classification determinations as the issue rarely arises for FDA to consider. In addition, it can raise a variety of complex scientific and regulatory questions. Accordingly, we have concluded that it is not appropriate to address the topic further in guidance at this time. We will

continue to address the issue on a case-by-case, fact-specific basis as needed, in a transparent manner as permitted by, and consistent with, applicable legal requirements. Any stakeholder who has questions regarding the classification of a currently marketed product or whether that classification should be relied upon with respect to a proposed product is encouraged to contact the Office of Combination Products.

II. Significance of Guidance

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on "Classification of Products as Drugs and Devices & Additional Product Classification Issues." It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

III. Paperwork Reduction Act of 1995

This guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR part 3 have been approved under OMB control number 0910–0523.

IV. Electronic Access

Persons with access to the internet may obtain the document at <https://www.fda.gov/RegulatoryInformation/Guidances/ucm258946.htm>.

Dated: September 21, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–20522 Filed 9–25–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–N–5319]

Devices Proposed for a New Use With an Approved, Marketed Drug; Public Hearing; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notification of public hearing; request for comments.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is announcing a public hearing on a potential approach for device sponsors who seek to obtain marketing authorization for their products that are labeled for a new use with an approved, marketed drug when the sponsor for the approved drug does not wish to pursue or collaborate on the new use.

DATES: The public hearing will be held on November 16, 2017, from 9 a.m. to 5 p.m. The public hearing may be extended or may end early depending on the level of public participation. Persons seeking to attend or to present at the public hearing must register by October 26, 2017. Sections II and III provides attendance and registration information. Electronic or written comments will be accepted after the public hearing until January 15, 2018. Late, untimely filed comments will not be considered.

ADDRESSES: The public hearing will be held at the FDA White Oak Campus, 10903 New Hampshire Ave., Building 31 Conference Center, the Great Room (Rm. 1503, Section A), Silver Spring, MD 20993–0002. Entrance for the public hearing participants (non-FDA employees) is through Building 1, where routine security check procedures will be performed. For parking and security information, please refer to <https://www.fda.gov/AboutFDA/WorkingatFDA/BuildingsandFacilities/WhiteOakCampusInformation/ucm241740.htm>.

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-5319 for “Devices Referencing Drugs; Public Hearing; Request for Comments.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

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

Docket: For access to the docket to read background documents or the

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

FOR FURTHER INFORMATION CONTACT: John Barlow Weiner, Associate Director for Policy, Office of Combination Products, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 5129, Silver Spring, MD 20933, 301-796-8930, combination@fda.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Medical products are often intended and labeled for use in conjunction with other medical products marketed by different sponsors (as used in this document, “sponsor” includes an applicant or manufacturer). In some cases, the medical products are of different types (such as drug and device, biological product and device, or drug and biological product). Typically, the different sponsors collaborate when the two products are to be used together for a new intended use. In some cases, products intended for use with one another comprise a “combination product” as the term is defined in 21 CFR 3.2(e). Regardless of whether the products meet the definition of a combination product, collaboration between the sponsors can facilitate product development and obtaining marketing authorization for the products for the combined use, and can, thereby, enable access to innovative treatment options for patients. Inclusion of the combined use in the labeling of both products helps ensure user understanding, and the collaboration can also be important to ensuring the ongoing safety and effectiveness of the products for the combined use.

Sometimes, however, sponsors seek marketing authorization from FDA for a medical product for a new use with the approved, marketed medical product of another sponsor (*i.e.*, not included in the labeling for the approved, marketed product), and the sponsor of the approved, marketed product does not wish to pursue the new use or work with the other product sponsor. Generally, such proposed products have been devices proposing new uses with approved, marketed drugs (referred to in this notice as devices referencing drugs or DRDs), though other scenarios have been proposed as well, such as drugs proposed for new uses with cleared or

approved, marketed devices. This notice focuses on DRDs.

In FDA’s experience, DRDs may be proposed: (1) To enhance the safety or effectiveness of the marketed drug for its already approved indication; (2) for use with the approved drug for an indication for which the drug is not approved; or (3) to provide some other benefit, such as increasing user comfort or convenience. Such new uses have generally also involved a change in how the drug is used or administered, such as a change in dose, route, or rate of administration.

FDA seeks to ensure that safe and effective medical products can be brought onto the market in a timely manner. The Agency encourages development of products that advance public health, particularly those that significantly improve the safety or effectiveness of an existing treatment or that address an unmet medical need. DRDs have the potential to advance the public health by offering new uses with approved, marketed drugs that might not otherwise be developed, because the drug sponsor does not wish to pursue the new use. At the same time, DRDs raise unique public health, scientific, regulatory, and legal issues.

FDA, in cooperation with the Drug Information Association, held a public meeting in 2005 on combined uses of separately distributed products.¹ That meeting focused on the public health, legal, regulatory, and scientific issues² that arise when sponsors seek to develop or market a product of one type (device, drug, or biological product) that would be labeled for use with an approved product of a different type, where the proposed use is not included in the labeling for the approved product.

As reflected in the notice for that meeting and the presentations and discussions at the meeting, devices intended for a new combined use with a drug raise unique public health, scientific, regulatory and legal issues when the sponsors for the two products do not work together on the new combined use of the two products. Since that time, FDA has gained greater experience with these issues and believes that many of these issues for DRDs could be addressed under the approach described below.

FDA wishes to obtain further public input through a more focused hearing

¹ Links to the **Federal Register** notice for the workshop, presentations given, and a full transcript of the proceedings are available at: <https://www.fda.gov/combinationproducts/meetings/conferencesworkshops/ucm116623.htm>.

² Although the issues discussed at the meeting were described as public health or legal issues, they also included scientific and regulatory issues.

on the Agency's potential approach for premarket review of proposed DRDs. The Agency is seeking this type of public engagement because of the potential importance of the issue for the public health and the need for input across the medical product industry and among public health stakeholders regarding how FDA should proceed.

II. Purpose and Scope of the Public Hearing

The purpose of the public hearing is to obtain comment from stakeholders on the potential approach described below, for premarket review of DRDs. As described above, DRDs, for purposes of this document and hearing, are devices that are intended for a use with an approved, marketed drug that is not in the labeling for the approved drug, where the drug application is held by a different sponsor that does not wish to pursue or collaborate on the new use with the device sponsor. The approach described below might be appropriate, for example, for drug delivery systems seeking to be labeled for use with an approved drug, for an indication for which that drug has not been approved (e.g., to administer the drug to treat a different disease or condition or a new patient population). We also welcome comment on any public health, scientific, regulatory, or legal considerations relating to DRDs and other medical products seeking to be labeled for new uses with approved, marketed medical products of a different type where the sponsor for the approved, marketed product does not wish to pursue or collaborate on the new use. The comments that FDA receives from this public hearing may help inform the further development of this approach.

A. A Potential Approach for Premarket Review of DRDs

FDA strongly recommends collaboration between sponsors on new combined uses of their medical products. The Agency is prepared to work with sponsors to facilitate such collaboration. When sponsors work together, they usually have an ongoing relationship that enables them to resolve many of the public health, scientific, regulatory, and legal issues that may arise as a result of two products being the responsibility of two independent sponsors. Such collaboration also can provide important information to support a regulatory decision (see below). Where collaboration between sponsors is not feasible, for example, because one sponsor does not wish to collaborate, FDA believes that the following factors could help address

many of the public health, scientific, regulatory, and legal issues associated with DRDs. In doing so, these factors could allow for a DRD to be reviewed and approved via a device premarket authorization pathway³ without approval of conforming labeling changes for the approved, marketed drug through a new drug application (NDA) or supplement to an NDA (see Section II.B *Submission Considerations* for further discussion).

B. Factors

DRD sponsors should be able to address the following issues as discussed below:

1. **Safety and Effectiveness of the New Use of the Drug.** The DRD sponsor is able to demonstrate the safety and effectiveness of the new use of the drug that is included in the DRD labeling, by providing substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use described in the proposed DRD labeling and showing that the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed DRD labeling, as this is the standard that applies to new uses of drugs (see 21 U.S.C. 355(c) and (d)). If there are multiple approved versions of the approved drug product(s) referenced in the DRD labeling (including generic versions), the DRD sponsor is able to demonstrate the generalizability of the new use with all such versions of the drug product.

2. **User Confusion and Medication Error/Use Error.** Given the potential for user confusion or medication error/use error, for example, due to certain differences in the labeling for the DRD and the approved drug that it is referencing, the DRD sponsor is able to demonstrate that the potential for user confusion or error has been adequately addressed. The DRD labeling must provide adequate directions for the new use with the approved, marketed drug.

3. **Postmarket Change Management.** The DRD sponsor is able to demonstrate that it is able to address safety or effectiveness issues associated with changes to the approved, marketed drug, for example, by demonstrating: That the likelihood of changes to the approved, marketed drug is low; changes to the drug are unlikely to raise safety or effectiveness issues with respect to the conditions of use with the drug as described in the DRD labeling; and

periodic testing will be conducted and be adequate to assure ongoing safety and effectiveness of the combined use. It is important that these issues be addressed because the DRD sponsor does not have a relationship with the sponsor for the approved, marketed drug, and, therefore, any changes to the two products will not be coordinated or communicated in advance.

4. **Postmarket Safety.** The DRD sponsor is able to demonstrate that it has a postmarket safety plan to adequately address adverse events, including medication errors, related to the drug when used with the DRD. It is important that its postmarket safety plan allows the DRD sponsor to adequately capture, report, and respond appropriately to adverse events associated with the new drug use described in the DRD labeling, because the DRD sponsor does not have a relationship with the sponsor(s) of the approved, marketed drug and because the DRD sponsor will often be uniquely positioned to understand and address adverse events resulting from the new use of the drug described in the DRD labeling.

5. **Data Reliance.** The DRD sponsor is able to provide all information needed to evaluate the safety and effectiveness of the new use with the approved drug referenced in the DRD labeling, without relying on any proprietary information for the approved drug (e.g., by instead relying on non-product-specific published literature, generalizable knowledge). The DRD sponsor may also be able to include in its application safety and effectiveness data and information from the marketing application for the drug that are publicly available, for example, if the approved reference listed drug has been withdrawn from sale, provided that FDA has determined that the approved reference listed drug was not withdrawn from sale for reasons of safety or effectiveness (see 21 U.S.C. 355(l) and 21 CFR 314.161 and 314.430). Generally, a DRD sponsor would not have a right of reference to proprietary information on the approved drug with which the DRD is proposed to be used because the DRD sponsor has no relationship with the sponsor of the approved drug.

C. Submission Considerations

At the investigational stage, depending on the details of the investigational plan, a DRD sponsor may seek to submit an investigational new drug application (IND) or an investigational device exemption application (IDE). Either way, the Center for Drug Evaluation and Research

³ FDA has not determined at this time whether DRDs may be reviewed through other device premarket authorization pathways besides premarket approval applications (PMAs), but FDA intends to consider this issue and welcomes comment on it.

(CDER) and the Center for Devices and Radiological Health (CDRH) would collaborate on the review. DRD sponsors should consult with CDER and CDRH as to which application to submit for a particular investigation.

FDA believes that a PMA would generally be the appropriate device marketing application because, *e.g.*, DRDs are expected to represent a new intended use or raise different questions of safety or effectiveness as compared to a legally marketed predicate device. Generally, PMAs for DRDs would be reviewed by CDRH, and CDRH would collaborate with CDER on the review of the DRD. CDRH would have the lead on device-specific issues, and CDER would have the lead on drug-specific issues. The Centers would identify any review aspects where review considerations overlap, to ensure Agency alignment on how to address these considerations and communicate about them to DRD sponsors.

D. Questions for Commenters To Address

FDA welcomes all feedback on the potential approach and on any public health, scientific, regulatory, and legal issues raised by it. We seek public comment on the factors and submission considerations described in this notice, and propose the following questions in an effort to prompt substantive input from stakeholders:

1. Are there public health, scientific, regulatory, or legal issues that should be considered with respect to this potential approach for DRDs? If so, are there ways to address those issues?

2. Is each of the factors and submission considerations described above appropriate? If not, why not? What modifications would you propose and why? Are there additional factors or submission considerations that the Agency should take into account? Please provide examples to illustrate your view.

3. Should the approach described in this notice be limited to certain situations, such as where the combined use would potentially address an unmet medical need for a serious or life-threatening condition? If so, please provide a detailed analysis in support of your view, including its legal justification.

4. With respect to the user confusion and medication error/use error factor, are there other issues that DRD sponsors should address or that FDA should consider, to ensure that the DRD labeling provides adequate directions for the new use with the approved, marketed drug, without approval of conforming labeling changes for the

approved, marketed drug? What issues should be considered with respect to promotional activities by the DRD sponsor and/or by any sponsors for the drug being referenced?

5. With regard to the postmarket change management factor, what would be examples of circumstances in which the DRD sponsor would be able to adequately address this factor? What types of postmarket changes to the drug should the DRD sponsor be prepared to identify and address? What postmarket mechanisms, including specific testing or monitoring, would be appropriate to ensure ongoing safety and effectiveness of the combined use?

6. When multiple versions of the drug, including generics, are marketed, what challenges exist in identifying which versions of the drug can be used with the DRD? How can DRD sponsors make this information clear to health care providers, pharmacists, and patients?

7. What challenges exist at the investigational application stage, and how can those challenges be addressed? Are there circumstances where an IND would be the more appropriate investigational application for a clinical investigation of a DRD? Are there circumstances where an IDE would be the more appropriate investigational application?

8. How may this approach impact future product development?

9. Would an approach similar to the potential approach presented in this notice be appropriate for other types of combined uses (*e.g.*, drugs referencing devices where the device sponsor does not wish to collaborate on the new use)? If so, how should the factors, submission considerations, or both be modified for other types of combined uses? Are there additional factors that should be considered for other types of combined uses?

10. Are there other possible approaches that may be used to seek marketing authorization for combined uses of drugs and devices where product sponsors are unable or unwilling to collaborate? Please provide a detailed analysis in support of your proposed approach, including its legal justification.

11. Recognizing that collaboration is preferable, what actions can FDA and stakeholders take to encourage and facilitate collaboration between device sponsors and sponsors of approved, marketed drugs to develop new combined uses of their medical products?

12. Would an approach similar to the potential approach presented in this notice be appropriate in the case where

a drug sponsor would like to include in the drug labeling the use of one or more approved or cleared companion diagnostics for its new drug in the same class as the drugs for which the companion diagnostic is approved or cleared but none of the companion diagnostic sponsors intend to add the new drug to the device labeling? If so, how should the factors, submission considerations, or both be modified? Are there additional factors that should be considered? Are there other possible approaches that may be used for such circumstance? Please provide a detailed analysis in support of your proposed approach, including its legal justification.

III. Registration

Registration and Requests for Oral Presentations: The FDA Conference Center at the White Oak location is a Federal facility with security procedures and limited seating. Attendance will be free and on a first-come, first-served basis. If you wish to attend (either in person or by webcast (see *Streaming Webcast of the Public Hearing*)) and/or present at the hearing, please register for the hearing and/or make a request for oral presentations or comments at <https://www.fda.gov/NewsEvents/MeetingsConferencesWorkshops/ucm572528.htm> by October 26, 2017 and provide complete contact information for each attendee (*i.e.*, name, title, affiliation, address, email address, and telephone number). Those without email access can register by contacting John Barlow Weiner by October 26, 2017 (see **FOR FURTHER INFORMATION CONTACT**).

FDA will try to accommodate all persons who wish to make a presentation. Individuals wishing to present should identify the number of the question, or questions, they wish to address. This will help FDA organize the presentations. Individuals and organizations with common interests should consolidate or coordinate their presentations and request time for a joint presentation. FDA will notify registered presenters of their scheduled presentation times. The time allotted for each presentation will depend on the number of individuals who wish to speak. Once FDA notifies registered presenters of their scheduled times, they are encouraged to submit an electronic copy of their presentation to combination@fda.gov on or before November 2, 2017. Persons registered to make an oral presentation are encouraged to arrive at the hearing room early and check in at the onsite registration table to confirm their designated presentation time. An

agenda for the hearing and any other background materials will be made available 5 days before the hearing at <https://www.fda.gov/NewsEvents/MeetingsConferencesWorkshops/ucm572528.htm>.

If you need special accommodations because of a disability, please contact the Office of Combination Products at 301-796-8930 or combination@fda.gov at least 7 days before the hearing.

Streaming Webcast of the Public Hearing: For those unable to attend in person, FDA will provide a live webcast of the hearing. To join the hearing via the webcast, please go to <https://www.fda.gov/NewsEvents/MeetingsConferencesWorkshops/ucm572528.htm>.

Transcripts: Please be advised that as soon as a transcript is available, it will be accessible at <https://www.regulations.gov>. It may be viewed at the Dockets Management Staff (see **ADDRESSES**). A transcript will also be available in either hard copy or on CD-ROM, after submission of a Freedom of Information request. The Freedom of Information office address is available on the Agency's Web site at <https://www.fda.gov>.

IV. Notice of Hearing Under 21 CFR Part 15

The Commissioner of Food and Drugs is announcing that the public hearing will be held in accordance with 21 CFR part 15. The hearing will be conducted by a presiding officer, who will be accompanied by FDA senior management from the Office of the Commissioner, the Center for Drug Evaluation and Research, the Center for Devices and Radiological Health, and the Center for Biologics Evaluation and Research. Under § 15.30(f), the hearing is informal and the rules of evidence do not apply. No participant may interrupt the presentation of another participant. Only the presiding officer and panel members may pose questions; they may question any person during or at the conclusion of each presentation. Public hearings under part 15 are subject to FDA's policy and procedures for electronic media coverage of FDA's public administrative proceedings (21 CFR part 10, subpart C). Under § 10.205, representatives of the media may be permitted, subject to certain limitations, to videotape, film, or otherwise record FDA's public administrative proceedings, including presentations by participants. The hearing will be transcribed as stipulated in § 15.30(b) (see *Transcripts*). To the extent that the conditions for the hearing, as described in this notice, conflict with any provisions set out in part 15, this notice

acts as a waiver of those provisions as specified in § 15.30(h).

Dated: September 19, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017-20521 Filed 9-25-17; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

COMPETES Reauthorization Act Challenge Competition

AGENCY: Health Resources and Services Administration, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Health Resources and Services Administration's (HRSA's) Maternal and Child Health Bureau (MCHB) announces a prize competition to support the development and testing of low-cost, scalable technology-based innovations to meet the needs of families and health care providers of children with special health care needs (CSHCN), particularly children with medical complexity (CMC), to improve the quality of care, patient empowerment, and family experiences while saving costs to the health care system.

FOR FURTHER INFORMATION CONTACT:

James Resnick, Office of the Associate Administrator, MCHB, JResnick@hrsa.gov, (301) 443-3222, or Marie Mann, Division of Services for Children with Special Health Needs, MCHB, MMann@hrsa.gov, (301) 443-4925.

SUPPLEMENTARY INFORMATION: On January 4, 2011, the America COMPETES Reauthorization Act of 2010 was signed into law allowing the use of challenges and prize competitions increasing agencies' ability to promote and harness innovation. Competitions run by the federal government result in a number of benefits to the public, including the following:

- (a) Increasing the number and diversity of the individuals, teams, and organizations that are addressing a particular problem or challenge of national significance;
- (b) Improving the skills of the participants in the competition; and
- (c) Directing attention to new market opportunities and stimulating private sector investment.

This challenge structured in three phases, reach a diverse population of innovators and solvers, including

coders, public health experts, individuals affiliated with academic institutions, research and development communities in the private sector, and others. All submissions will be evaluated and separate prizes will be awarded for each of the three phases below.

Phase 1: Design

Phase 2: Development and Small Scale Testing

Phase 3: Scaling

Estimated dates for each phase are as follows:

Phase 1: Effective on January 22, 2018

Phase 1 Submission Period Ends: April 20, 2018, 11:59 p.m. ET

Phase 1 Judging Period: April 21–May 18, 2018

Phase 1 Winners Announced: May 25, 2018

Phase 2 Begins: May 29, 2018

Phase 2 Submission Period Ends: October 26, 2018

Phase 2 Judging Period: October 29–November 20, 2018

Phase 2 Winners Announced: December 4, 2018

Phase 3 Begins: December 7, 2018

Phase 3 Submission Period Ends: May 10, 2019

Phase 3 Winner Announced: May 30, 2019

Subject of Challenge Competition

MCHB is sponsoring the Making Technology Work for Care Planning and Coordination for Children with Special Health Care Needs Challenge. CSHCN, particularly CMC, often rely on multiple systems, services, and health professionals to maintain health and optimize well-being. Care coordination and care planning centered on the comprehensive needs of the child and family can lead to improved quality and experience of care, as well as more cost-effective care. Even with the presence of care coordinators and the development of shared care plans, communication and collaboration gaps remain because care coordinators and the shared care plans often are specific to providers and/or systems. Families have expressed frustration about working with the multiple systems and the lack of communication and coordination between them. They try to address the gap by assuming responsibility for their children's 24/7 care and care coordination. However, they often encounter numerous obstacles and barriers to fulfilling this role, including difficulty obtaining needed information or guidance from health professionals. They desire resources like electronic and informational tools to allow easy aggregation of information and sharing

from multiple providers to meet these expectations and responsibilities.

Health information technology can play a critical role in effecting care coordination and information sharing. Electronic tools can facilitate information sharing among families and their children's health care teams. Electronic care plans integrated into an electronic health record have the potential to facilitate information sharing between providers and families, particularly when coupled with patient/family portals. While electronic health records (EHR)-supported patient portals allow families access to the children's medical records, the information "pushed" to the patient/family portal reflects only care received from the specific providers or health systems. CSHCN and particularly CMC frequently receive care from multiple health systems and families must access multiple patient portals to obtain a full picture of the children's health information. Often the most complete information on CMC reside with their parents/caregivers, and a common need identified by families of CMC is improved and ready access to essential information for managing care, especially in urgent and emergency situations. This is particularly critical for families of CMC who reside in isolated or rural communities where the local health system is not able to care for the children.

Similarly, while a majority of child health professionals have adopted the EHR, a significant number do not have a fully functional EHR with added pediatric functionality. Lack of pediatric functionality requires that clinicians perform tasks outside the EHR or develop workarounds adding to workload and reducing productivity and efficiency. Clinicians report feeling overburdened and express frustration at not having adequate support for the increased demand to adopt processes for coordinating care and sharing information. For the time being, the primary "solution" for fragmented providers and systems communication and coordination has become the responsibility of the families of CSHCN and CMC, with their 3-ring binders that contain important information and care plans from the various providers and systems; these binders are cumbersome, and it is difficult and time-consuming to keep them current.

MCHB seeks innovations to address how to make technology work to improve care coordination and planning for CSHCN, their families, and the child health professionals who care for them. The solution allows for the electronic exchange of the children's shared plans

of care across multiple providers and care sites and consolidation of health information in a single user interface that supports access anytime, anywhere, with families maintaining control over who can modify or see this critical information. Information from the care plans could be extracted, compiled, and aggregated on a mobile platform so families can have 24/7 access to such information, specifically the information that lets parents/caregivers know when they need to call their primary care and/or specialty care providers and for what reason (*i.e.*, the information needed to manage emergencies). This responsive platform should have the potential to integrate with existing platforms. Additionally, the challenge will bring forth multiple solutions (products/services) that could better scale and enhance healthcare services and family experiences with care.

Key design features of the innovations include:

- Low-cost and scalable;
- Intuitively designed with needs of families in mind and information organized in a manner that makes sense to them;
- Control of the information resides with families;
- Engages child health professionals;
- Employs Office of the National Coordinator for Health Information Technology (ONC) certified standards, where appropriate;
- Advanced security architecture—HIPAA enabled; and
- Broadly applicable to CSHCN/CMC and not confined to a population of children with a specific condition.

Eligibility Rules for Participating in the Competition

To be eligible to win a prize under this challenge, an individual or entity—

(1) Shall have registered to participate in the competition under the rules promulgated by HRSA and the U.S. Department of Health and Human Services (HHS).

(2) Shall have complied with all the requirements under this section.

(3) In the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States.

(4) May not be a federal entity or federal employee acting within the scope of their employment.

(5) Shall not be an HHS employee working on their applications or submissions during assigned duty hours.

(6) May not be employees of HRSA or any other company, organization, or individual involved with the design, production, execution, judging, or distribution of the Challenge and their immediate family (*i.e.*, spouse, parents and step-parents, siblings and step-siblings, and children and step-children) and household members (*i.e.*, people who share the same residence at least 3 months out of the year).

(7) In the case of a federal grantee, may not use federal funds to develop COMPETES Act challenge applications unless consistent with the purpose of their grant award.

(8) In the case of a federal contractor, may not use federal funds from a contract to develop COMPETES Act challenge applications or to fund efforts in support of a COMPETES Act challenge submission.

(9) Shall not be deemed ineligible because the individual or entity used federal facilities or consulted with federal employees during a competition if the facilities and employees are made equitably available to all individuals and entities participating in the competition.

(10) Must agree to assume any and all risks and waive claims against the federal government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from the participation in this prize contest, whether the injury, death, damage, or loss arises through negligence or otherwise.

(11) Must also agree to indemnify the federal government against third party claims for damages arising from or related to competition activities.

(12) Shall not be currently on the Excluded Parties List (<https://www.epls.gov/>).

Submission Requirements

The Challenge has three phases.

Phase 1—Design

The first stage of the prize competition aims to attract a large set of ideas and innovators. The target product of the first stage will be the conceptualization of the most promising innovations to meet the care planning and coordination needs of families and health care providers of children with special health care needs (CSHCN), particularly children with medical complexity (CMC).

The submissions should aim to demonstrate that the proposed intervention will be accessible across

diverse backgrounds and easily implemented by users.

The Phase 1 Submission shall include:

1. A comprehensive description of the proposed intervention in five pages or less, including:

a. A one-paragraph executive summary that clearly states the question to be solved;

b. Background information linking the evidence to support the intervention;

c. A descriptive analysis of how the applicant arrived at their idea;

d. Descriptions of the methods and technologies involved in implementation of the intervention

e. An assessment describing the applicant's ability to execute the proposed solution in Phases 2 and 3.

Phase 2—Development and Small Scale Testing

The winners of Phase 1 of the prize competition will then advance to a second stage focused on prototyping the intervention, and testing the effectiveness of the intervention. Using support from the Phase 1 prize funding, intervention developers will test the efficacy of their models to show that the proposed intervention demonstrates an impact on the outcomes for CSHCN and their families. The applicants should demonstrate both the evidence base for the intervention and its usability. Mentors will be available to help participants design appropriate testing methodologies and learn more about the evidence base.

Phase 3—Scaling

The winners of Phase 2 will move to the final phase of the incentive prize, which will involve testing the most promising models at greater scale through rollout at the program or community level. This will test the scalability of the device at low-cost, the feasibility of implementation, and the impact on the intended outcomes.

Registration Process for Participants

Participants will be able to register and submit an entry at the Making Technology Work for Care Planning and Coordination for Children with Special Health Care Needs Challenge Web site. Participants can find out more information at <https://www.challenge.gov/list/>.

Prizes

- Total: \$375,000 in Prizes
 - Phase 1: 7–10 winners; up to a total of \$100,000 in prizes
 - Phase 2: 3–5 winners; up to a total of \$125,000 in prizes
 - Phase 3: 1 winner; up to a total of

\$150,000 prize

Payment of the Prizes

Prize payments will be paid by a contractor. Phase 1 winners may be expected to use a portion of the prize money for travel and lodging to attend a 2-day meeting in Washington, DC, to demonstrate their innovation to the judges.

Prizes awarded under this competition will be paid by electronic funds transfer and may be subject to Federal income taxes. HHS will comply with the Internal Revenue Service withholding and reporting requirements, where applicable.

Basis for Winner Selection

A review panel composed of HHS employees and experts will judge challenge entries in compliance with the requirements of the COMPETES Act and HHS judging guidelines: <http://www.hhs.gov/idealab/wp-content/uploads/2014/04/HHS-COMPETITION-JUDGING-GUIDELINES.pdf>.

The review panel will make selections based upon the following criteria:

Phase 1

In Phase 1, proposed interventions to be judged on the following criteria:

Accessibility

- Is the proposed intervention easily utilized by families of diverse economic, social, and cultural backgrounds? Is it functional across disciplines/users?

Measurability

- How easily will the proposed intervention be evaluated in order to determine its efficacy (in both lab testing and in the real world)? Is the proposed intervention measurable among various audiences?

Sustainability

- Does the proposed intervention compel users to utilize the technology often and/or for long periods of time (“sticky”)? Does it fit into daily life? Is it easy to use?

Impact

- Does the applicant present a theory or explanation of how the proposed intervention would inspire coordination and collaboration between families and providers?

Phase 2

In Phase 2, interventions will be judged on the following criteria:

Impact

- How did the intervention impact families and child health professionals? Were desired outcomes achieved?

Evidence Base

- Is the intervention grounded in existing science and patient/family/clinician preferences?

Sustainability

- Was the intervention “sticky” among users? Did users want to continuously engage with the development, testing, and scaling of the innovation?

Implementation

- How feasible is the intervention? How much support for implementation will the intervention require (estimated financial and time commitment).

Phase 3

In Phase 3, interventions will be judged on the following criteria:

Impact

- How effective was the intervention when implemented at scale? Did the impacts from Phase 2 remain consistent?

Implementation

- How feasible was the intervention on a larger scale? How much support for implementation did the model require (financial and time commitment). How challenging was the actual program implementation?

Scalability

- How costly was the intervention in a real-world setting? How likely are cost efficiencies for program delivery at greater scale? Can the device be used in existing platforms?

Additional Information

General Conditions

- HRSA reserves the right to cancel, suspend, and/or modify the contest, or any part of it, for any reason, at HRSA's sole discretion.
- The interventions submitted across all phases should not use the HHS or HRSA logos or official seals in the submission, and must not claim endorsement.

Intellectual Property

- Each entrant retains full ownership and title in and to their submission. Entrants expressly reserve all intellectual property rights not expressly granted under the challenge agreement.
- By participating in the challenge, each entrant hereby irrevocably grants to HRSA a limited, non-exclusive, royalty-free, worldwide license and right to reproduce, publically perform, publically display, and use the submission for internal HHS business

and to the extent necessary to administer the challenge, and to publicly perform and publically display the submission, including, without limitation, for advertising and promotional purposes relating to the challenge.

- **Record Retention and FOIA:** All materials submitted to HRSA as part of a submission become HRSA records and cannot be returned. Any confidential commercial information contained in a submission should be designated at the time of submission. Participants will be notified of any Freedom of Information Act requests for their submissions in accordance with 45 CFR 5.65.

The statutory authority for this challenge competition is Section 105 of the America COMPETES Reauthorization Act of 2010 (COMPETES Act, Pub. L. 111–358) as amended by section 401(b) of the American Innovation and Competitiveness Act, Public Law 114–329.

Dated: September 19, 2017.

George Sigounas,
Administrator.

[FR Doc. 2017–20536 Filed 9–25–17; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Challenge Competition: Using Technology to Prevent Childhood Obesity in Low-Income Families and Communities

AGENCY: Health Resources and Services Administration, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Health Resources and Services Administration's (HRSA's) Maternal and Child Health Bureau (MCHB) announces a prize competition to support the development of low-cost, scalable technology-based innovations to promote healthy weight for low-income children and families in the socio-cultural and environmental contexts of their communities.

The statutory authority for this challenge competition is Section 105 of the America COMPETES Reauthorization Act of 2010.

This challenge, structured in three phases, will reach a diverse population of innovators and problem solvers, including families, coders, public health experts, community leaders, individuals affiliated with academic institutions,

research and development communities in the private sector, and others.

All submissions will be evaluated and separate prizes will be awarded for each of the three phases below.

Phase 1: Design

Phase 2: Development and Small Scale Testing

Phase 3: Scaling

Estimated dates for each phase are as follows:

Phase 1: Effective on January 2, 2018

Phase 1 Submission Period Ends:

January 31, 2018, 11:59 p.m. ET

Phase 1 Judging Period: February 1–February 28, 2018

Phase 1 Winners Announced: March 12, 2018

Phase 2 Begins: March 13, 2018

Phase 2 Submission Period Ends: July 11, 2018

Phase 2 Judging Period: July 12–August 12, 2018

Phase 2 Winners Announced: August 20, 2018

Phase 3 Begins: August 21, 2018

Phase 3 Submission Period Ends: February 21, 2019

Phase 3 Winner Announced: March 1, 2019

FOR FURTHER INFORMATION CONTACT:

Meredith Morrisette, Division of Maternal and Child Health Workforce Development, MCHB, MMorrisette@hrsa.gov, (301) 443–6392, or James Resnick, Office of the Associate Administrator, MCHB, JResnick@hrsa.gov, (301) 443–3222.

SUPPLEMENTARY INFORMATION:

On January 4, 2011, the America COMPETES Reauthorization Act of 2010 was signed into law allowing the use of challenges and prize competitions increasing agencies' ability to promote and harness innovation. Competitions run by the federal government result in a number of benefits to the public, including the following:

- (a) Increasing the number and diversity of the individuals, teams, and organizations that are addressing a particular problem or challenge of national significance;
- (b) Improving the skills of the participants in the competition; and
- (c) Directing attention to new market opportunities and stimulating private sector investment.

Subject of Challenge Competition

Secretary Price identified reducing childhood obesity as a priority for the Department of Health and Human Services (HHS), acknowledging this is a growing epidemic in the United States. Since 1980, childhood obesity rates for 2- to 19-year-olds have tripled, with rates of obesity in 6- to 11-year-olds

more than doubling, and rates of obesity in 12- to 19-year-olds quadrupling.

While improved eating behaviors and increased physical activity play a large role in obesity prevention, additional public health factors such as limited access to affordable, healthy food options, social and cultural norms, and limited availability of safe places to play also impact childhood obesity rates. While existing apps and tools address individual behaviors, such as exercise and nutrition, their uptake in underserved communities is limited because they are not tailored to the needs, challenges, and barriers to healthy weight in these communities. The goal of this challenge is to make technology work for the family as a unit within the reality of their larger community environment.

Addressing childhood obesity from a population-based, public health perspective as a complement to the individual clinical perspective requires innovative, community-based solutions and partnerships. A challenge will maximize competition and spur innovation for communities in a cost-effective and accelerated timeframe. It will reach a broad stakeholder group and allow involvement of non-traditional partners who are knowledgeable about the strengths and challenges affecting the community, and who can bring new ideas towards addressing this issue. A challenge will provide support for the development of several innovative ideas through a pay-for-results mechanism, ultimately leading to the development of multiple novel and scalable interventions.

Potential areas of focus include, but are not limited to:

- Promoting access to healthy, affordable food;
- Supporting community-owned solutions that increase families' knowledge and skills related to healthy eating and nutrition;
- Finding innovative ways that increase physical activity, such as gamification, while accounting for environmental barriers to physical activity in underserved communities; and
- Empowering families to achieve healthy eating practices, healthy lifestyles, and sustainable changes in the home environment, while accounting for limited access to healthy foods in under-resourced communities.

Key design features of the innovations may address one or more of the following:

- Be at low-cost to families and scalable;

- Account for social, cultural, and environmental barriers to healthy weight behaviors;
- Incorporate a two-generation approach in targeting the family unit (children and parents/caregivers);
- Be focused on underserved families and communities;
- Address the supply and demand of food (*i.e.*, use innovative means to connect families in food deserts or families that are food insecure to healthy food);
- Be grounded in behavioral science for long-term behavior change around nutrition and healthy behaviors; and
- Address nutrition and physical activity.

Eligibility Rules for Participating in the Competition

To be eligible to win a prize under this challenge, an individual or entity—

(1) Shall have registered to participate in the competition under the rules promulgated by HRSA and HHS.

(2) Shall have complied with all the requirements under this section.

(3) In the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States.

(4) May not be a federal entity or federal employee acting within the scope of their employment.

(5) Shall not be an HHS employee working on their applications or submissions during assigned duty hours.

(6) May not be employees of HRSA or any other company, organization, or individual involved with the design, production, execution, judging, or distribution of the Challenge and their immediate family (*i.e.*, spouse, parents and step-parents, siblings and step-siblings, and children and step-children) and household members (*i.e.*, people who share the same residence at least 3 months out of the year).

(7) In the case of a federal grantee, may not use federal funds to develop COMPETES Act challenge applications unless consistent with the purpose of their grant award.

(8) In the case of a federal contractor, may not use federal funds from a contract to develop COMPETES Act challenge applications or to fund efforts in support of a COMPETES Act challenge submission.

(9) Shall not be deemed ineligible because the individual or entity used federal facilities or consulted with federal employees during a competition if the facilities and employees are made

equitably available to all individuals and entities participating in the competition.

(10) Must agree to assume any and all risks and waive claims against the federal government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from the participation in this prize contest, whether the injury, death, damage, or loss arises through negligence or otherwise.

(11) Must also agree to indemnify the federal government against third party claims for damages arising from or related to competition activities.

(12) Shall not be currently on the Excluded Parties List (<https://www.epls.gov/>).

Submission Requirements

The Challenge has three phases.

Phase 1—Design

The first stage of the prize competition aims to attract a large set of ideas and innovators. The target product of the first stage will be the conceptualization of the most promising innovations to promote healthy weight behaviors in children and families in vulnerable populations. The submissions should demonstrate that the proposed intervention will be accessible to traditionally underserved populations and easily implemented by users.

The Phase 1 Submission shall include:

1. A comprehensive description of the proposed intervention in five pages or less, including:

- A one-paragraph executive summary that clearly states the question to be solved;
- Background information linking the evidence to support the intervention;
- A descriptive analysis of how the applicant arrived at their idea;
- Descriptions of the methods and technologies involved in implementation of the intervention; and
- An assessment describing the applicant's ability to execute the proposed solution in Phase 2 and 3.

Phase 2—Development and Small Scale Testing

The winners of Phase 1 of the prize competition will then advance to a second stage focused on prototyping the intervention and testing the effectiveness of the intervention. Using support from the Phase 1 prize funding, innovation developers will test the efficacy of their models to show that the

proposed innovation demonstrates an impact on the outcomes of interest for children and families. The applicants should demonstrate both the evidence base for the innovation and its usability. Mentors will be available to help participants design appropriate testing methodologies and learn more about the evidence base.

Phase 3—Scaling

The winners of Phase 2 will move to the final phase of the incentive prize, which will involve testing the most promising models at greater scale through rollout at the program or community level. This will test the scalability of the device at low-cost, the feasibility of implementation, and the impact on the intended outcomes. Applicants are encouraged to work closely with a community or city to facilitate scaling the intervention in order to reach more families.

Registration Process for Participants

Participants will be able to register and submit an entry at the Using Technology to Prevent Childhood Obesity in Low-Income Families and Communities Challenge Web site. Participants can find out more information at <https://www.challenge.gov/list>.

Prizes

- Total: \$375,000 in Prizes
 - Phase 1: 7–10 winners; up to a total of \$100,000 in prizes
 - Phase 2: 3–5 winners; up to a total of \$125,000 in prizes
 - Phase 3: 1 winner; up to a total of \$150,000 prize

Payment of the Prizes

Prize payments will be paid by a contractor. Phase 1 winners may be expected to use a portion of the prize money for travel and lodging to attend a 2-day meeting in Washington, DC, to demonstrate their innovation to the judges.

Prizes awarded under this competition will be paid by electronic funds transfer and may be subject to federal income taxes. HHS will comply with the Internal Revenue Service withholding and reporting requirements, where applicable.

Basis for Winner Selection

A review panel composed of HHS employees and experts will judge challenge entries in compliance with the requirements of the COMPETES Act and HHS judging guidelines: <http://www.hhs.gov/idealab/wp-content/uploads/2014/04/HHS-COMPETITION-JUDGING-GUIDELINES.pdf>.

The review panel will make selections based upon the following criteria:

Phase 1

Accessibility

- Is the proposed innovation able to be easily utilized by families of diverse economic, social, and cultural backgrounds?

Measurability

- How easily will the proposed innovation be evaluated in order to determine its efficacy (in both lab testing and in the real world)? Is the proposed innovation measurable among various audiences?

Sustainability

- Is the proposed innovation “sticky?” Does the proposed intervention compel users to utilize the technology often and/or for long periods of time? Does it fit into usual family and/or community routines? Is it engaging for users?

Impact

- Does the applicant present a theory or explanation of how the proposed innovation would promote healthy weight behaviors and/or access to healthy food?

Phase 2

Impact

- How did the innovation impact target outcomes? What did the data show?

Evidence Base

- Is the intervention grounded in existing science related to healthy weight behaviors, childhood obesity, behavior change, etc.?

Sustainability

- Was the intervention compelling to users and did it encourage users to use the technology often? Did users want to continuously engage with the technology?

Implementation

- How feasible is the intervention? How much support for implementation will the intervention require (estimated financial and time commitment)?

Phase 3

Impact

- How effective was the intervention when implemented at scale? Did the impacts from Phase 2 remain consistent?

Implementation

- How feasible was the intervention on a larger scale? How much support for

implementation did the model require (financial and time commitment)? How challenging was the actual program implementation?

Scalability

- How costly was the intervention in a real-world setting? How likely are cost efficiencies for program delivery at greater scale? Can the innovation be used in other communities?

Additional Information

General Conditions:

- HRSA reserves the right to cancel, suspend, and/or modify the contest, or any part of it, for any reason, at HRSA's sole discretion.
- The interventions submitted across all phases should not use the HHS or HRSA logos or official seals in the submission, and must not claim endorsement.

Intellectual Property

- Each entrant retains full ownership and title in and to their submission. Entrants expressly reserve all intellectual property rights not expressly granted under the challenge agreement.

- By participating in the challenge, each entrant hereby irrevocably grants to HRSA a limited, non-exclusive, royalty-free, worldwide license and right to reproduce, publically perform, publically display, and use the submission for internal HHS business and to the extent necessary to administer the challenge, and to publically perform and publically display the submission, including, without limitation, for advertising and promotional purposes relating to the challenge.

- Record Retention and FOIA: All materials submitted to HRSA as part of a submission become HRSA records and cannot be returned. Any confidential commercial information contained in a submission should be designated at the time of submission. Participants will be notified of any Freedom of Information Act requests for their submissions in accordance with 45 CFR 5.65.

Dated: September 19, 2017.

George Sigounas,
Administrator.

[FR Doc. 2017-20537 Filed 9-25-17; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

COMPETES Reauthorization Act Challenge Competition

AGENCY: Health Resources and Services Administration, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Health Resources and Services Administration's (HRSA's) Maternal and Child Health Bureau (MCHB) announces a prize competition for the Improving Care for Children and Youth—Incentive Prize. MCHB is sponsoring the Improving Care for Children and Youth challenge to spur innovative solutions to overcoming barriers to accessing health care and high-quality services faced by families. This challenge will reward the development and testing of scalable innovations that improve care for children and youth.

FOR FURTHER INFORMATION CONTACT: Jessie Buerlein, Office of Policy and Planning, MCHB, JBuerlein@hrsa.gov, (301) 443-8931 and James Resnick, Office of the Associate Administrator, MCHB, JResnick@hrsa.gov, (301) 334-3222.

SUPPLEMENTARY INFORMATION: On January 4, 2011, the America COMPETES Reauthorization Act of 2010 was signed into law allowing the use of challenges and prize competitions increasing agencies' ability to promote and harness innovation. Competitions run by the federal government result in a number of benefits to the public, including the following:

(a) Increasing the number and diversity of the individuals, teams, and organizations that are addressing a particular problem or challenge of national significance;

(b) Improving the skills of the participants in the competition; and

(c) Directing attention to new market opportunities and stimulating private sector investment.

This challenge, which will be structured in phases with a narrowing of applicants through each phase to result in one final winner, will reach a diverse population of innovators and problem solvers, including families, coders, public health experts, community leaders, individuals affiliated with academic institutions, research and development communities in the private sector, and others.

All submissions will be evaluated and separate prizes will be awarded for each of the three phases below.

Phase 1: Design

Phase 2: Development and Small Scale Testing

Phase 3: Scaling

Estimated dates for each phase are as follows:

Phase 1: Effective on January 2, 2018

Phase 1 Submission Period Ends:

January 31, 2018, 11:59 p.m. ET

Phase 1 Judging Period: February 1–February 28, 2018

Phase 1 Winners Announced: March 12, 2018

Phase 2 Begins: March 13, 2018

Phase 2 Submission Period Ends: July 11, 2018

Phase 2 Judging Period: July 12–August 12, 2018

Phase 2 Winners Announced: August 20, 2018

Phase 3 Begins: August 21, 2018

Phase 3 Submission Period Ends: February 21, 2019

Phase 3 Winner Announced: March 1, 2019

Subject of Challenge Competition

MCHB is sponsoring the Improving Care for Children and Youth Challenge. The goal is to spur innovative solutions to overcoming barriers to accessing high-quality health care faced by families. This challenge will reward the development and testing of scalable innovations that can improve health outcomes for children and youth.

While insurance coverage is the first critical step in ensuring access to health care, it alone does not ensure access to care, and children who have insurance coverage may still face hurdles in receiving the high-quality, individualized care they need. Other factors that include social determinants of health also impact access to high-quality care, such as socioeconomic, environmental, and behavioral factors.¹

Various types of technology have proven successful in improving access to care, improving efficiency in health care, improving quality of care, and empowering patients and consumers.² E-health is a field of research and practice that involves the application of digital technologies to assist or deliver health interventions. These health interventions can be in various forms, including: Web sites offering information, support and interactive e-therapies including health apps, virtual

reality systems, relaxation training, etc.³ Another example is the development and use of assistive technologies, which can greatly aid those living with disabilities. Many agencies have effectively used prizes and challenges, such as NASA, the Department of Energy, and the Environmental Protection Agency. This challenge will be an effective mechanism to cultivate innovations by creating the incentives needed to attract a broad array of competing innovators to improve care for children and youth.

Eligibility Rules for Participating in the Competition

To be eligible to win a prize under this challenge, an individual or entity—

(1) Shall have registered to participate in the competition under the rules promulgated by HRSA and the U.S. Department of Health and Human Services (HHS).

(2) Shall have complied with all the requirements under this section.

(3) Private entities shall be incorporated in and maintain a primary place of business in the United States, and individuals, whether participating singly or in a group, shall be a citizen or permanent resident of the United States.

(4) May not be a federal entity or federal employee acting within the scope of their employment.

(5) Shall not be an HHS employee working on their applications or submissions during assigned duty hours.

(6) May not be employees of HRSA or any other company, organization, or individual involved with the design, production, execution, judging, or distribution of the Challenge and their immediate family (spouse, parents and step-parents, siblings and step-siblings, and children and step-children) and household members (people who share the same residence at least three months out of the year).

(7) In the case of a federal grantee, may not use federal funds to develop COMPETES Act challenge applications unless consistent with the purpose of their grant award.

(8) In the case of a federal contractor, may not use federal funds from a contract to develop COMPETES Act challenge applications or to fund efforts in support of a COMPETES Act challenge submission.

(9) Shall not be deemed ineligible because the individual or entity used

federal facilities or consulted with federal employees during a competition if the facilities and employees are made equitably available to all individuals and entities participating in the competition.

(10) Must agree to assume any and all risks and waive claims against the federal government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from the participation in this prize contest, whether the injury, death, damage, or loss arises through negligence or otherwise.

(11) Must also agree to indemnify the federal government against third party claims for damages arising from or related to competition activities.

(12) Shall not be currently on the Excluded Parties List (<https://www.epls.gov/>).

Submission Requirements

The Challenge has three phases.

Phase 1—Design

The first stage of the prize competition aims to attract a large set of ideas and innovators. The target product of the first stage will be the conceptualization of the most promising innovations to help support improvements in health care for children and youth (and their families). The submissions should aim to demonstrate that the proposed intervention will be accessible across and impactful to users from diverse backgrounds.

The Phase 1 submission shall include:

1. A comprehensive description of the proposed intervention in five pages or less, including:

- a. A one-paragraph executive summary that clearly states the barrier(s) to access to be overcome by the intervention and a brief description of the proposed intervention;
- b. Background information providing evidence to support the intervention;
- c. A description of how the applicant arrived at their idea;
- d. Descriptions of the methods and technologies involved in implementation of the intervention; and
- e. An assessment describing the applicant's ability to execute the proposed solution in Phase 2 and 3.

Phase 2—Development and Small Scale Testing

The winners of Phase 1 of the prize competition will then advance to a second stage focused on prototyping the technology and testing the effectiveness

¹ Future Child. 2015 Spring; 25(1): 65–90.

² Harrison, J et al (2006) The Role of E-health in the Changing Health Care Environment. Nurse Econ. 24(6): 283–288.

³ Thabrew, Hiran et al (2016). Game for health: How eHealth approaches might address psychological needs of children and young people with long-term physical conditions. Journal of Paediatrics and Clinical Health.

of the intervention. Using support from the Phase 1 prize funding, intervention developers will test the efficacy of their models to show that the proposed intervention will improve health care for children and families. The applicants should also demonstrate the intervention's usability among the target population. Mentors will be available to help participants design appropriate testing methodologies and learn more about the evidence base.

Phase 3—Scaling

The final phase will involve testing the most promising models at greater scale through rollout at the program or community level. This will test the scalability of the device, the feasibility of implementation, and the impact on intended outcomes.

Registration Process for Participants

Participants will be able to register and submit an entry at the Improving Care for Children and Youth Challenge Web site. Participants can find out more information at <https://www.challenge.gov/list/>.

Prizes

- Total: \$375,000 in Prizes
 - Phase 1: 7–10 winners; up to a total of \$100,000 in prizes
 - Phase 2: 3–5 winners; up to a total of \$125,000 in prizes
 - Phase 3: 1 winner; up to a total of \$150,000 prize

Payment of the Prizes

Prize payments will be paid by a contractor. Phase 1 winners may be expected to use a portion of the prize money for travel and lodging to attend a 2-day meeting in Washington, DC, to demonstrate their innovation to the judges.

Prizes awarded under this competition will be paid by electronic funds transfer and may be subject to Federal income taxes. HHS will comply with the Internal Revenue Service withholding and reporting requirements, where applicable.

Basis for Winner Selection

A review panel composed of HHS employees and experts will judge challenge entries in compliance with the requirements of the America COMPETES Act and HHS judging guidelines: <http://www.hhs.gov/idealab/wp-content/uploads/2014/04/HHS-COMPETITION-JUDGING-GUIDELINES.pdf>.

The review panel will make selections based upon the following criteria:

Phase 1

Accessibility

- Is the proposed intervention easily utilized by families of diverse economic, social, and cultural backgrounds? Is it functional across disciplines/users?

Measurability

- How easily will the proposed intervention be evaluated in order to determine its efficacy (in both lab testing and in the real world)? Is the proposed intervention measurable among various audiences?

Sustainability

- Does the proposed intervention compel users to utilize the technology often and/or for long periods of time? Does it fit into daily life? Is it fun to use?

Impact

- Does the applicant present a theory or explanation of how the proposed intervention would result in concrete change?

Phase 2

Impact

- How did the intervention impact outcomes for parents/caregivers and children? What did data show?

Evidence Base

- Is the intervention grounded in existing science related to improving health care and related services for children and families?

Sustainability

- Was the intervention compelling to users and did it encourage users to use the technology often? Did users want to engage continuously with the technology?

Implementation

- How feasible is the intervention? How much support for implementation will the intervention require (estimated financial and time commitment)?

Phase 3

Impact

- How effective was the intervention when implemented at scale? Did the impacts on users from Phase 2 remain consistent?

Implementation

- How feasible was the intervention on a larger scale? How much support for implementation did the model require (financial and time commitment)? How challenging was the actual program implementation?

Scalability

- How costly was the intervention in a real-world setting? How likely are cost efficiencies for program delivery at greater scale? Can the technology be used in existing platforms?

Additional Information

General Conditions:

- HRSA reserves the right to cancel, suspend, and/or modify the contest, or any part of it, for any reason, at HRSA's sole discretion.
- The interventions submitted across all phases should not use the HHS or HRSA logos or official seals in the submission, and must not claim endorsement.

Intellectual Property

- Each entrant retains full ownership and title in and to their submission. Entrants expressly reserve all intellectual property rights not expressly granted under the challenge agreement.

- By participating in the challenge, each entrant hereby irrevocably grants to HRSA a limited, non-exclusive, royalty-free, worldwide license and right to reproduce, publically perform, publically display, and use the submission for internal HHS business and to the extent necessary to administer the challenge, and to publically perform and publically display the submission, including, without limitation, for advertising and promotional purposes relating to the challenge.

- Record Retention and FOIA: All materials submitted to HRSA as part of a submission become HRSA records and cannot be returned. Any confidential commercial information contained in a submission should be designated at the time of submission. Participants will be notified of any Freedom of Information Act requests for their submissions in accordance with 45 CFR 5.65.

The statutory authority for this challenge competition is Section 105 of the America COMPETES Reauthorization Act of 2010 (COMPETES Act, Pub. L. 111–358) as amended by section 401(b) of the American Innovation and Competitiveness Act, Public Law 114–329.

Dated: September 19, 2017.

George Sigounas,
Administrator.

[FR Doc. 2017–20535 Filed 9–25–17; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Health Resources and Services Administration****Single-Award Deviations From Competition Requirements: Pediatric Emergency Care Applied Research Network**

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice of Single-Award Deviation from Competition Requirements for the Pediatric Emergency Care Applied Research Network (PECARN) at the Children's Hospital Medical Center, Cincinnati, Ohio- Grant Number U03MC222684.

SUMMARY: HRSA announces the award of a supplement of \$50,000 for the PECARN cooperative agreement. The supplement will permit the Children's Hospital Medical Center, Cincinnati, Ohio, the cooperative agreement recipient to support its oversight of the operation of PECARN as the Chair for 2017–2018.

SUPPLEMENTARY INFORMATION:

Intended Recipient of the Award: Children's Hospital Medical Center, Cincinnati, Ohio.

Amount of Non-Competitive Awards: \$50,000.

Period of Supplemental Funding: September 1, 2017, through August 31, 2018.

CFDA Number: 93.127.

Authority: Public Health Service Act, Title XIX, Section 1910 (42 U.S.C. 300w–9); as amended by the Emergency Medical Services for Children Reauthorization Act of 2014, P.L. 113–180.

Justification: As stated in the funding opportunity announcement, the goal of the PECARN is to develop an efficient research network to conduct high quality research and publish evidence-based findings that will impact clinical practice and ensure standardized care in diverse health care settings that serve children, including urban, rural, and tribal settings. The objectives of this award are to:

(1) Support a network infrastructure to conduct high priority, high impact EMSC research using rigorous study designs and methodologies that can be applied to multi-site Emergency Department and/or prehospital emergency settings;

(2) Contribute to an organizational structure that ensures network efficiency, productivity, and fidelity of study implementation and includes the ability to: (a) Develop study projects; (b) Attain extramural funding; (c) Conduct multi-site clinical investigations; (d) Publish and disseminate results; and (e) Develop young investigators in the area of pediatric emergency medicine;

(3) Facilitate translation of research results to EMSC practices; and

(4) Foster collaboration among EMS personnel, nurses, practitioners, and researchers.

Success of the PECARN requires the services of a Chair, who is elected on an annual basis by grantees. This annual supplement is necessary to support the Chair's responsibilities which are within the scope of the cooperative agreement program, but were not required to be budgeted for in the organization's application due to the unknown contingency of who would be elected as Chair on behalf of which organization. Dr. Richard Ruddy of Children's Hospital Medical Center, Cincinnati, Ohio, was elected Chair of the PECARN for 2016–2018. The proposed supplement is to supply funds to the Chair to support his oversight of the operation of PECARN including coordinating and running the Steering Committee meetings, appointing Subcommittee Chairpersons to be later approved by the Steering Committee; maintaining ongoing communications with principal investigators and keeping all of PECARN updated with new/ ongoing activities; representing PECARN at national meetings; and serving as liaison to HRSA/Maternal and Child Health Bureau federal officials.

FOR FURTHER INFORMATION CONTACT:

Diane Pilkey, Division of Child, Adolescent and Family Health, Maternal and Child Health Bureau, Health Resources and Services Administration, 5600 Fishers Lane, Room 18N58C, Rockville, MD 20852, Phone: 301–443–8927, Email: DPilkey@hrsa.gov.

| Grantee/organization name | Grant No. | State | FY 2017 Authorized funding level | FY 2017 Estimated supplemental funding |
|--|-------------|-------|----------------------------------|--|
| Children's Hospital Medical Center | U03MC222684 | OH | \$735,918 | \$50,000 |

Dated: September 19, 2017.

George Sigounas,
Administrator.

[FR Doc. 2017–20543 Filed 9–25–17; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Health Resources and Services Administration****Non-competitive Fiscal Year 2017 Supplemental Funding Award Ryan White HIV/AIDS Program, Part F Special Projects of National Significance**

AGENCY: Health Resources and Services Administration (HRSA), HHS.

ACTION: Notice.

SUMMARY: This non-competitive supplemental award to the University of California, San Francisco (UCSF), the Evaluation and Technical Assistance Center (ETAC) for the Culturally Appropriate Interventions of Outreach, Access and Retention among Latino/a Populations initiative, will support the costs of analysis, publication, and dissemination of findings and best practices learned from the initiative.

SUPPLEMENTARY INFORMATION:

Intended Recipient of the Award: UCSF (U90HA26507).

Amount of Non-Competitive Award: \$100,000.

Period of Funding: September 1, 2017, through August 31, 2018.

CFDA Number: No. 93.928.

Authority: Public Health Service Act, Section 2691 (42 U.S.C. 300ff-101), as amended by the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub. L. 111–87).

Justification: UCSF is currently conducting a multisite evaluation and providing technical assistance to the ten demonstration sites awarded under this initiative. The sites implement innovative interventions that identify Latinos/as at high risk or living with HIV in the United States, and improve their access, timely entry, and retention in quality HIV primary care. This supplemental funding will cover the costs of a special supplemental issue of a top-tier HIV/AIDS journal containing findings from the initiative, and support additional staff to assist in the analysis, publication, and dissemination of

findings, best practices, and lessons learned. The supported activity includes the production of the required interventions manual for the initiative documenting the ten intervention models employed by the demonstration sites in order to promote the future replication of the interventions by Ryan White HIV/AIDS Program recipients and other health care providers. Not issuing this award would severely reduce the impact of this initiative by limiting the analysis and dissemination of best practices and lessons learned to HIV providers serving these Latino/a subpopulations. This would weaken efforts to improve the health outcomes for Latinos/as living with HIV in the United States.

FOR FURTHER INFORMATION CONTACT: Mr. Adan Cajina, Chief, Demonstration Evaluation Branch, Office of Training and Capacity Development, Division of HIV Domestic Programs, HIV/AIDS Bureau, HRSA, 5600 Fishers Lane, 09N108, Rockville, MD 20857, Phone: (301) 443-3180, Email: acajina@hrsa.gov.

Dated: September 19, 2017.

George Sigounas,
Administrator.

[FR Doc. 2017-20541 Filed 9-25-17; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Vaccine Injury Compensation Program: List of Petitions Received

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HRSA is publishing this notice of petitions received under the National Vaccine Injury Compensation Program (the program), as required by the Public Health Service (PHS) Act, as amended. While the Secretary of HHS is named as the respondent in all proceedings brought by the filing of petitions for compensation under the Program, the United States Court of Federal Claims is charged by statute with responsibility for considering and acting upon the petitions.

FOR FURTHER INFORMATION CONTACT: For information about requirements for filing petitions, and the Program in general, contact Lisa L. Reyes, Acting Clerk, United States Court of Federal Claims, 717 Madison Place NW., Washington, DC 20005, (202) 357-6400.

For information on HRSA's role in the Program, contact the Director, National Vaccine Injury Compensation Program, 5600 Fishers Lane, Room 08N146B, Rockville, MD 20857; (301) 443-6593, or visit our Web site at: <http://www.hrsa.gov/vaccinecompensation/index.html>.

SUPPLEMENTARY INFORMATION: The program provides a system of no-fault compensation for certain individuals who have been injured by specified childhood vaccines. Subtitle 2 of Title XXI of the PHS Act, 42 U.S.C. 300aa-10 *et seq.*, provides that those seeking compensation are to file a petition with the U.S. Court of Federal Claims and to serve a copy of the petition on the Secretary of HHS, who is named as the respondent in each proceeding. The Secretary has delegated this responsibility under the Program to HRSA. The Court is directed by statute to appoint special masters who take evidence, conduct hearings as appropriate, and make initial decisions as to eligibility for, and amount of, compensation.

A petition may be filed with respect to injuries, disabilities, illnesses, conditions, and deaths resulting from vaccines described in the Vaccine Injury Table (the Table) set forth at 42 CFR 100.3. This Table lists for each covered childhood vaccine the conditions that may lead to compensation and, for each condition, the time period for occurrence of the first symptom or manifestation of onset or of significant aggravation after vaccine administration. Compensation may also be awarded for conditions not listed in the Table and for conditions that are manifested outside the time periods specified in the Table, but only if the petitioner shows that the condition was caused by one of the listed vaccines.

Section 2112(b)(2) of the PHS Act, 42 U.S.C. 300aa-12(b)(2), requires that "[w]ithin 30 days after the Secretary receives service of any petition filed under section 2111 the Secretary shall publish notice of such petition in the **Federal Register**." Set forth below is a list of petitions received by HRSA on August 1, 2017, through August 31, 2017. This list provides the name of petitioner, city and state of vaccination (if unknown then city and state of person or attorney filing claim), and case number. In cases where the Court has redacted the name of a petitioner and/or the case number, the list reflects such redaction.

Section 2112(b)(2) also provides that the special master "shall afford all interested persons an opportunity to

submit relevant, written information" relating to the following:

1. The existence of evidence "that there is not a preponderance of the evidence that the illness, disability, injury, condition, or death described in the petition is due to factors unrelated to the administration of the vaccine described in the petition," and

2. Any allegation in a petition that the petitioner either:

a. "[S]ustained, or had significantly aggravated, any illness, disability, injury, or condition not set forth in the Vaccine Injury Table but which was caused by" one of the vaccines referred to in the Table, or

b. "[S]ustained, or had significantly aggravated, any illness, disability, injury, or condition set forth in the Vaccine Injury Table the first symptom or manifestation of the onset or significant aggravation of which did not occur within the time period set forth in the Table but which was caused by a vaccine" referred to in the Table.

In accordance with Section 2112(b)(2), all interested persons may submit written information relevant to the issues described above in the case of the petitions listed below. Any person choosing to do so should file an original and three (3) copies of the information with the Clerk of the U.S. Court of Federal Claims at the address listed above (under the heading **FOR FURTHER INFORMATION CONTACT**), with a copy to HRSA addressed to Director, Division of Injury Compensation Programs, Healthcare Systems Bureau, 5600 Fishers Lane, 08N146B, Rockville, MD 20857. The Court's caption (*Petitioner's Name v. Secretary of HHS*) and the docket number assigned to the petition should be used as the caption for the written submission. Chapter 35 of title 44, United States Code, related to paperwork reduction, does not apply to information required for purposes of carrying out the program.

Dated: September 19, 2017

George Sigounas,
Administrator.

List of Petitions Filed

1. Teresa Audino and David Audino on behalf of C. A., Vienna, Virginia
Court of Federal Claims No: 17-1033V
2. Stephanie C. Savage, Greensboro, North Carolina
Court of Federal Claims No: 17-1036V
3. Alfred Wade, Jr. on behalf of Elaine D. Wade, Deceased, Wilmington, North Carolina
Court of Federal Claims No: 17-1039V
4. Tiffany S. Gaiter and Deverett S. Gaiter on behalf of Deverett S. Jr. Gaiter, Bay City, Michigan

5. Court of Federal Claims No: 17-1040V
Larry Tomczak, Washington, District of Columbia
6. Court of Federal Claims No: 17-1041V
Sergio Flores, Chula Vista, California
7. Court of Federal Claims No: 17-1042V
Kimberly Magro, Rockville, Maryland
8. Court of Federal Claims No: 17-1043V
Ruth Turner, Washington, District of Columbia
9. Court of Federal Claims No: 17-1044V
Joseph Diaz, Washington, District of Columbia
10. Court of Federal Claims No: 17-1045V
Robert Williams, Los Angeles, California
11. Court of Federal Claims No: 17-1046V
Joy Whittemore, Washington, District of Columbia
12. Court of Federal Claims No: 17-1047V
Martha A. Boudreau, Marietta, Georgia
13. Court of Federal Claims No: 17-1048V
Harry Robinson, Juneau, Alaska
14. Court of Federal Claims No: 17-1050V
Hazel Palm, Philadelphia, Pennsylvania
15. Court of Federal Claims No: 17-1051V
Kathy Reid, Royal Oak, Michigan
16. Court of Federal Claims No: 17-1052V
Steven Washington, Wilmington, Delaware
17. Court of Federal Claims No: 17-1053V
Beth Larrington, Leon, Iowa
18. Court of Federal Claims No: 17-1054V
Rosa Monzon, Hollywood, Florida
19. Court of Federal Claims No: 17-1055V
James T. Lawrence, Louisville, Kentucky
20. Court of Federal Claims No: 17-1056V
Steven Dingmann, Clearwater, Minnesota
21. Court of Federal Claims No: 17-1058V
Terra Rhea Varner, Ballentine, South Carolina
22. Court of Federal Claims No: 17-1060V
Michaelanne Graeff, St. Charles, Missouri
23. Court of Federal Claims No: 17-1062V
Robert Kissinger, Folsom, California
24. Court of Federal Claims No: 17-1063V
Leigh Ann Palmer, Portland, Oregon
25. Court of Federal Claims No: 17-1067V
Cheryl Desnick, Eden Prairie, Minnesota
26. Court of Federal Claims No: 17-1071V
Dana B. Strode, Spokane, Washington
27. Court of Federal Claims No: 17-1072V
Michael Wallace, Framingham, Massachusetts
28. Court of Federal Claims No: 17-1074V
Jennifer Gross, O'Fallon, Illinois
29. Court of Federal Claims No: 17-1075V
Marilynne Leshner, Lansdale, Pennsylvania
30. Court of Federal Claims No: 17-1076V
David Lans Stout, Jacksonville Beach, Florida
31. Court of Federal Claims No: 17-1077V
Kathryn Johnson, White Bear Lake, Minnesota
32. Court of Federal Claims No: 17-1078V
April J. Barr, Nashville, Indiana
33. Court of Federal Claims No: 17-1079V
Karen Aarons, Peekskill, New York
34. Court of Federal Claims No: 17-1081V
Douglas H. McElroy, Kernersville, North Carolina
35. Court of Federal Claims No: 17-1083V
Linda Baker on behalf of James Baker, Bluffton, South Carolina
36. Court of Federal Claims No: 17-1085V
Betty Jones, Atlanta, Georgia
37. Court of Federal Claims No: 17-1086V
Lily Wells, Houston, Texas
38. Court of Federal Claims No: 17-1087V
Jane O. Witham, Springfield, Vermont
39. Court of Federal Claims No: 17-1095V
Simon Olschansky, Phoenix, Arizona
40. Court of Federal Claims No: 17-1096V
Stephen Kaiser, McPherson, Kansas
41. Court of Federal Claims No: 17-1099V
Claire B. Steinberger, New York, New York
42. Court of Federal Claims No: 17-1101V
Dustin Logan, Colorado Springs, Colorado
43. Court of Federal Claims No: 17-1102V
Ellen Stoler, Charleston, South Carolina
44. Court of Federal Claims No: 17-1106V
Jennifer Green, Prattville, Alabama
45. Court of Federal Claims No: 17-1107V
Leah Marsh and Jeremy Marsh on behalf of E. M., West Jordan, Utah
46. Court of Federal Claims No: 17-1109V
Kenneth Keith, San Diego, California
47. Court of Federal Claims No: 17-1110V
James Izuwa, Honolulu, Hawaii
48. Court of Federal Claims No: 17-1111V
Eileen Schmigel, Ridgecrest, California
49. Court of Federal Claims No: 17-1112V
Linda Kolacny, Junction City, Kansas
50. Court of Federal Claims No: 17-1113V
Kenneth Rickard, Redding, California
51. Court of Federal Claims No: 17-1114V
Sarah Snyder on behalf of S. S., Omaha, Nebraska
52. Court of Federal Claims No: 17-1116V
Daniel H. Trigoboff, Hamburg, New York
53. Court of Federal Claims No: 17-1117V
Katrina Marie Brusatto on behalf of Domingo Rafael Brusatto, Spanaway, Washington
54. Court of Federal Claims No: 17-1118V
Paisley A. Kauffmann, Minneapolis, Minnesota
55. Court of Federal Claims No: 17-1119V
Derek Saunders, McDonough, Georgia
56. Court of Federal Claims No: 17-1120V
Heather Adams, Washington, District of Columbia
57. Court of Federal Claims No: 17-1121V
Jeffrey Cobb and Kimberly Cobb on behalf of T. C., Panora, Iowa
58. Court of Federal Claims No: 17-1123V
Gary Helvig, Salem, Oregon
59. Court of Federal Claims No: 17-1124V
Thida Phann, Kent, Washington
60. Court of Federal Claims No: 17-1125V
Michael Bacotti, Washington, District of Columbia
61. Court of Federal Claims No: 17-1126V
Joshua Bradley, Trenton, Georgia
62. Court of Federal Claims No: 17-1128V
Doris DiPonziano, Cherry Hill, New Jersey
63. Court of Federal Claims No: 17-1130V
Aaron Tomskey, Princeton, Minnesota
64. Court of Federal Claims No: 17-1132V
Judy Barton and Jones Barton on behalf of E. B., Cary, North Carolina
65. Court of Federal Claims No: 17-1133V
Julie Bulow, Washington, District of Columbia
66. Court of Federal Claims No: 17-1134V
Edgar C. Kisby, Egg Harbor Township, New Jersey
67. Court of Federal Claims No: 17-1135V
Carolyn Pierson, Roseburg, Oregon
68. Court of Federal Claims No: 17-1136V
Francine M. Skinner on behalf of H. S., Wilmington, North Carolina
69. Court of Federal Claims No: 17-1137V
Raquel Fournier, Winnetka, California
70. Court of Federal Claims No: 17-1139V
Cynthia S. Simon, St. Joseph, Missouri
71. Court of Federal Claims No: 17-1140V
Crystal Allen, Dallas, Texas
72. Court of Federal Claims No: 17-1141V
Linda Cartmel, Phoenix, Arizona
73. Court of Federal Claims No: 17-1146V
Jesse Lubin, Rockville Centre, New York
74. Court of Federal Claims No: 17-1147V
Ilya Ben, Middletown, New Jersey
75. Court of Federal Claims No: 17-1149V
Arthur F. Lute and Evan A. Lute on behalf of Arthur F. Lute, Imperial Beach, California
76. Court of Federal Claims No: 17-1150V
Carmen Murillo, Naperville, Illinois
77. Court of Federal Claims No: 17-1152V
Tara M. Lohman, Knoxville, Tennessee
78. Court of Federal Claims No: 17-1153V
Denise McGrath, Brooklyn, New York
79. Court of Federal Claims No: 17-1154V
Rebecca J. McDowell, Des Moines, Iowa
80. Court of Federal Claims No: 17-1156V
Nikko Cerrone, Farmington Hills, Michigan
81. Court of Federal Claims No: 17-1158V
Gloria Manuel, Phoenix, Arizona

- Court of Federal Claims No: 17-1159V
82. Sandra Blevins, New York, New York
Court of Federal Claims No: 17-1161V
83. Michele Harding on behalf of W. J. H., Madison, Wisconsin
Court of Federal Claims No: 17-1164V
84. Jody Larsen, Seattle, Washington
Court of Federal Claims No: 17-1165V
85. Alexis Garner on behalf of K. T. G., Hyattsville, Maryland
Court of Federal Claims No: 17-1166V
86. Elvira Cruz, Englewood, New Jersey
Court of Federal Claims No: 17-1167V
87. Rasheedah Smith, Lawrenceville, Georgia
Court of Federal Claims No: 17-1169V
88. Carol Clark, Boston, Massachusetts
Court of Federal Claims No: 17-1170V
89. Lesa Marie Bowman-Harris, Salem, Oregon
Court of Federal Claims No: 17-1172V
90. Jennifer Claypool, Dayton, Nevada
Court of Federal Claims No: 17-1176V
91. Theresa Anderson, White Plains, New York
Court of Federal Claims No: 17-1178V
92. Maureen C. Clavio, Orland Park, Illinois
Court of Federal Claims No: 17-1179V
93. Ellen Honea, Beverly Hills, California
Court of Federal Claims No: 17-1180V
94. Jared Sipes, Jacksonville, North Carolina
Court of Federal Claims No: 17-1181V

[FR Doc. 2017-20540 Filed 9-25-17; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Challenge Competition: Improving Remote Monitoring of Pregnancy

AGENCY: Health Resources and Services Administration, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Health Resources and Services Administration's (HRSA's) Maternal and Child Health Bureau (MCHB) announces a prize competition to support the development and testing of low-cost, scalable technology-based innovations to improve the ability of prenatal care providers to monitor the health and wellbeing of pregnant women remotely, especially women who live in rural and medically underserved areas who have limited access to on-site prenatal care.

The statutory authority for this challenge competition is Section 105 of

the America COMPETES Reauthorization Act of 2010.

This challenge, structured in three phases, will reach a diverse population of innovators and problem solvers including families, coders, public health experts, community leaders, individuals affiliated with academic institutions, research and development communities in the private sector, and others.

All submissions will be evaluated; separate prizes will be awarded for each of the three phases below.

Phase 1: Design

Phase 2: Development and Small Scale Testing

Phase 3: Scaling

Estimated dates for each phase are as follows:

Phase 1: Effective on January 2, 2018

Phase 1 Submission Period Ends:

January 31, 2018, 11:59 p.m. ET

Phase 1 Judging Period: February 1–February 28, 2018

Phase 1 Winners Announced: March 12, 2018

Phase 2 Begins: March 13, 2018

Phase 2 Submission Period Ends: July 11, 2018

Phase 2 Judging Period: July 12–August 12, 2018

Phase 2 Winners Announced: August 20, 2018

Phase 3 Begins: August 21, 2018

Phase 3 Submission Period Ends:

February 21, 2019

Phase 3 Winner Announced: March 1, 2019

FOR FURTHER INFORMATION CONTACT:

Jessie Buerlein, MSW, Office of Policy and Planning, MCHB, JBuerlein@hrsa.gov, (301) 443-8931, or James Resnick, Office of the Associate Administrator, MCHB, JResnick@hrsa.gov, (301) 443-3222.

SUPPLEMENTARY INFORMATION: On

January 4, 2011, the America COMPETES Reauthorization Act of 2010 was signed into law allowing the use of challenges and prize competitions increasing agencies' ability to promote and harness innovation. Competitions run by the federal government result in a number of benefits to the public, including the following:

(a) Increasing the number and diversity of the individuals, teams, and organizations that are addressing a particular problem or challenge of national significance;

(b) Improving the skills of the participants in the competition; and

(c) Directing attention to new market opportunities and stimulating private sector investment.

Subject of Challenge Competition

In recent years, technological advances have improved the ability of

healthcare providers to monitor their patients from afar. For example, wearable biosensors provide for the remote monitoring of patients, athletes, premature infants, children, psychiatric patients, people who need long-term care, the elderly, and people in rural and medically underserved areas. Telemedicine is improving access for patients, while smartphone apps are improving patients' ability for self-care.

At the same time, recent scientific advances around developmental origins of health and disease point to the important role that environmental exposures, nutrition, and stress play in maternal health and fetal programming. Remote, real-time, and more continuous monitoring of harmful environmental exposures, nutritional intake and energy expenditure, and stress and sleep, along with blood pressure, proteinuria, blood glucose, and fetal heart rate, has the potential to improve prenatal care quality and pregnancy outcomes while reducing healthcare costs.

Recent trends in hospital closures in rural America also increase the need for technological innovations that support remote monitoring of pregnant women. Between 2004 and 2014, 179 rural counties (9 percent of all rural counties) lost access to in-county hospital obstetric services, and the percent of all rural counties in the U.S. that lacked hospital obstetric services increased from 45 to 54 percent, due to hospital and obstetric-unit closures.¹ Many low-income women, in both rural and urban communities, do not access prenatal care. Fully conflicting priorities such as work, childcare, and transportation make it difficult to make the approximately 15 visits to their provider's office, which include critical medical assessments and instructions about self-care. This challenge is designed to make technology work for pregnant women, increase access, improve communications (between patients and providers and across providers), and empower pregnant women to take better care of themselves.

This challenge will support the development and testing of low-cost, scalable technology-based innovations to improve the ability of prenatal care providers to monitor the health and wellbeing of pregnant women from afar (e.g., in their homes); utilizing technology to empower patients and providers with more complete and up-to-date information.

Key design features of the innovations should include:

¹ http://rhrc.umn.edu/wp-content/files_mf/1491501904UMRHRCOBlosuresPolicyBrief.pdf.

- The innovation is low-cost to families and scalable;
- The innovation is safe, accurate, and effective;
- The innovation supports remote, real-time, and more continuous monitoring and early detection;
- The innovation improves communication between patients and providers;
- The innovation improves patient-centeredness of prenatal care;
- What gets monitored is grounded in science (e.g., developmental origins of health and disease); and
- The innovation empowers patients to use their own health data to improve behaviors.

Eligibility Rules for Participating in the Competition

To be eligible to win a prize under this challenge, an individual or entity—

(1) Shall have registered to participate in the competition under the rules promulgated by HRSA and the U.S. Department of Health and Human Services (HHS).

(2) Shall have complied with all the requirements under this section.

(3) In the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States.

(4) May not be a federal entity or federal employee acting within the scope of their employment.

(5) Shall not be an HHS employee working on their applications or submissions during assigned duty hours.

(6) May not be employees of HRSA or any other company, organization, or individual involved with the design, production, execution, judging, or distribution of the Challenge and their immediate family (i.e., spouse, parents and step-parents, siblings and step-siblings, and children and step-children) and household members (i.e., people who share the same residence at least 3 months out of the year).

(7) In the case of a federal grantee, may not use federal funds to develop COMPETES Act challenge applications unless consistent with the purpose of their grant award.

(8) In the case of a federal contractor, may not use federal funds from a contract to develop COMPETES Act challenge applications or to fund efforts in support of a COMPETES Act challenge submission.

(9) Shall not be deemed ineligible because the individual or entity used federal facilities or consulted with

federal employees during a competition if the facilities and employees are made equitably available to all individuals and entities participating in the competition.

(10) Must agree to assume any and all risks and waive claims against the federal government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from the participation in this prize contest, whether the injury, death, damage, or loss arises through negligence or otherwise.

(11) Must also agree to indemnify the federal government against third party claims for damages arising from or related to competition activities.

(12) Shall not be currently on the Excluded Parties List (<https://www.epls.gov/>).

Submission Requirements

The Challenge has three phases.

Phase 1—Design

The first stage of the prize competition aims to attract a large set of ideas and innovators. The target product of the first stage will be the conceptualization of the most promising innovations to improve the ability of prenatal care providers to monitor the health and wellbeing of pregnant women remotely, especially women who live in rural and medically underserved areas who have limited access to on-site prenatal care.

The submissions should aim to demonstrate that the proposed intervention will be accessible across diverse backgrounds and easily implemented by users.

The Phase 1 Submission shall include:

1. A comprehensive description of the proposed intervention in five pages or less, including:

- A one-paragraph executive summary that clearly states the question to be solved;
- Background information linking the evidence to support the intervention;
- A descriptive analysis of how the applicant arrived at their idea;
- Descriptions of the methods and technologies involved in implementation of the intervention; and
- An assessment describing the applicant's ability to execute the proposed solution in Phase 2 and 3.

Phase 2—Development and Small Scale Testing

The winners of Phase 1 of the prize competition will then advance to a

second stage focused on prototyping the intervention, and testing the effectiveness of the intervention. Using support from the Phase 1 prize funding, intervention developers will test the efficacy of their models to show that the proposed intervention demonstrates an impact on the outcomes of interest for providers and pregnant women. The applicants should demonstrate both the evidence base for the intervention and its usability. Mentors will be available to help participants design appropriate testing methodologies and learn more about the evidence base.

Phase 3—Scaling

The winners of Phase 2 will move to the final phase of the incentive prize, which will involve testing the most promising models at greater scale through rollout at the program or community level. This will test the scalability of the device at low-cost, the feasibility of implementation, and the impact on the intended outcomes.

Registration Process for Participants

Participants will be able to register and submit an entry at the Improving Remote Monitoring of Pregnancy Challenge Web site. Participants can find out more information at <https://www.challenge.gov/list/>.

Prizes

- **Total:** \$375,000 in Prizes
 - **Phase 1:** 7–10 winners; up to a total of \$100,000 in prizes
 - **Phase 2:** 3–5 winners; up to a total of \$125,000 in prizes
 - **Phase 3:** 1 winner; up to a total of \$150,000 prize

Payment of the Prizes

Prize payments will be paid by a contractor. Phase 1 winners may be expected to use a portion of the prize money for travel and lodging to attend a 2-day meeting in Washington, DC, to demonstrate their innovation to the judges.

Prizes awarded under this competition will be paid by electronic funds transfer and may be subject to Federal income taxes. HHS will comply with the Internal Revenue Service withholding and reporting requirements, where applicable.

Basis for Winner Selection

A review panel composed of HHS employees and experts will judge challenge entries in compliance with the requirements of the America COMPETES Act and HHS judging guidelines: <http://www.hhs.gov/idealab/wp-content/uploads/2014/04/HHS-COMPETITION-JUDGING-GUIDELINES.pdf>.

The review panel will make selections based upon the following criteria:

Phase 1

Accessibility

- Is the proposed intervention easily utilized by families of diverse economic, social, and cultural backgrounds? Is it functional across disciplines/users?

Measurability

- How easily will the proposed intervention be evaluated in order to determine its efficacy (in both lab testing and in the real world)? Is the proposed intervention measurable among various audiences?

Sustainability

- Does the proposed intervention compel users to utilize the technology often and/or for long periods of time? Does it fit into daily life? Is it fun to use?

Impact

- Does the applicant present a theory or explanation of how the proposed intervention would result in concrete change?

Phase 2

Impact

- How did the intervention impact outcomes for providers and patients? What did data show?

Evidence Base

- Is the intervention grounded in existing science related to improving health care and related services for pregnant women?

Sustainability

- Was the intervention compelling to users and did it encourage users to use the technology often? Did users want to continuously engage with the technology?

Implementation

- How feasible is the intervention? How much support for implementation will the intervention require (estimated financial and time commitment)?

Phase 3

Impact

- How effective was the intervention when implemented at scale? Did the impacts on users from Phase 2 remain consistent?

Implementation

- How feasible was the intervention on a larger scale? How much support for implementation did the model require (financial and time commitment)? How challenging was the actual program implementation?

Scalability

- How costly was the intervention in a real-world setting? How likely are cost efficiencies for program delivery at greater scale? Can the technology be used in existing platforms?

Additional Information

General Conditions:

- HRSA reserves the right to cancel, suspend, and/or modify the contest, or any part of it, for any reason, at HRSA's sole discretion.

- The interventions submitted across all phases should not use the HHS or HRSA logos or official seals in the submission, and must not claim endorsement.

Intellectual Property

- Each entrant retains full ownership and title in and to their submission. Entrants expressly reserve all intellectual property rights not expressly granted under the challenge agreement.

- By participating in the challenge, each entrant hereby irrevocably grants to HRSA a limited, non-exclusive, royalty-free, worldwide license and right to reproduce, publically perform, publically display, and use the submission for internal HHS business and to the extent necessary to administer the challenge, and to publically perform and publically display the submission, including, without limitation, for advertising and promotional purposes relating to the challenge.

- Record Retention and FOIA: All materials submitted to HRSA as part of a submission become HRSA records and cannot be returned. Any confidential commercial information contained in a submission should be designated at the time of submission. Participants will be notified of any Freedom of Information Act requests for their submissions in accordance with 45 CFR 5.65.

Dated: September 19, 2017.

George Sigounas,

Administrator.

[FR Doc. 2017-20539 Filed 9-25-17; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Notice of Non-Competitive, Supplemental Funding Award for Ryan White HIV/AIDS Program, Special Projects of National Significance

AGENCY: Health Resources and Services Administration (HRSA), HHS.

ACTION: Notice.

SUMMARY: This non-competitive award will provide Secretary's Minority AIDS Initiative Fund (SMAIF) supplemental funding to the Jurisdictional Approach to Curing Hepatitis C among HIV/HCV Coinfected People of Color—Evaluation and Technical Assistance Center (ETAC), RAND Corporation. This supplemental funding will allow RAND Corporation to provide evaluation and technical assistance to cooperative agreement recipients and subrecipient clinical sites under HRSA-17-047 *Curing Hepatitis C among People of Color Living with HIV*.

SUPPLEMENTARY INFORMATION:

Intended Recipient of the Award: RAND Corporation (U90HA30519).

Amount of Non-Competitive Award: Up to \$250,000 per year for 3 years (pending availability of future year funding).

Period of Funding: September 30, 2017, through September 29, 2020.

CFDA Number: No. 93.928.

Authority: The Consolidated Appropriations Act, 2017 (Pub. L. 115-31), Division H, Title II.

Justification: In fiscal year (FY) 2016, the SMAIF Curing Hepatitis C among People of Color Living with HIV initiative was launched through three funding opportunities: (1) *Jurisdictional Approach to Curing Hepatitis C among HIV/HCV Co-infected People of Color—Jurisdictional Sites* (HRSA-16-189) and (2) *Jurisdictional Approach to Curing Hepatitis C among HIV/HCV Coinfected People of Color—State Health Departments Coordinating Center* (HRSA-16-195) to provide HIV primary medical care to low income, uninsured, and underserved people living with both HIV and hepatitis C virus (HCV); and (3) *Jurisdictional Approach to Curing Hepatitis C among HIV/HCV Coinfected People of Color—ETAC* (HRSA-16-188) to provide evaluation and technical assistance to the funded sites. In FY17, HRSA-17-047 was announced to improve HCV prevention and care; improve coordination to linkage and retention in care; and enhance capacity of health department

surveillance systems to monitor HIV/HCV coinfections among low-income or underinsured, racial and ethnic minority populations. HRSA-17-047 recipients and subrecipients will require similar evaluation and technical assistance in order to meet the program's goals and objectives. Supplemental funding to the existing ETAC is a cost effective and efficient solution that will leverage RAND Corporation's currently funded infrastructure to include the additional sites funded under HRSA-17-047. Further, this supplemental funding will leverage RAND's current work by combining and comparing evaluation results across all jurisdictions from both initiatives and facilitate the streamlining and integration of processes and technical assistance. Supplemental funding will also provide opportunities for RAND Corporation to create joint learning networks and build on lessons learned from the initial cohort of jurisdictional sites currently in the second year of implementation. Not issuing this award would result in a lack of evaluation and technical assistance for HRSA-17-047 recipients and subrecipients, which is critical to achieving the initiative's goal to cure HCV among HIV/HCV coinfecting people of color.

FOR FURTHER INFORMATION CONTACT: Mr. Adan Cajina, Chief, Demonstration Evaluation Branch, Office of Training and Capacity Development, Division of HIV Domestic Programs, HIV/AIDS Bureau, HRSA, 5600 Fishers Lane, 09N108, Rockville, MD 20857, Phone: (301) 443-3180, Email: acajina@hrsa.gov.

Dated: September 19, 2017.

George Sigounas,
Administrator.

[FR Doc. 2017-20544 Filed 9-25-17; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Frederick National Laboratory Advisory Committee to the National Cancer Institute.

The meeting will be open to the public, with attendance limited to 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 meeting will also be videocast and can be accessed from the NIH Videocasting and Podcasting Web site (<http://videocast.nih.gov/>).

Name of Committee: Frederick National Laboratory Advisory Committee to the National Cancer Institute

Date: October 30, 2017.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: Ongoing and new activities at the Frederick National Laboratory for Cancer Research.

Place: National Institutes of Health, 31 Center Drive, Building 31, Wing C; 6th Floor, Conference Room 10, Bethesda, MD 20892.

Contact Person: Caron A. Lyman, Ph.D. Executive Secretary, National Cancer Institute, National Institutes of Health, 9609 Medical Center Drive, Room 7W-126, Bethesda, MD 20892, 240-276-6348 lymanca@mail.nih.gov.

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 taxicabs, 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/Center's home page: <http://deainfo.nci.nih.gov/advisory/fac/fac.htm>, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: September 20, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-20487 Filed 9-25-17; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the NHLBI Special Emphasis Panel.

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 Heart, Lung, and Blood Institute Special Emphasis Panel; Grant Review for NHLBI K Award Recipients.

Date: October 17, 2017.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Suite 7202, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Melissa E Nagelin, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7202, Bethesda, MD 20892, 301-435-0297, nagelinmh2@nhlbi.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: September 20, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-20489 Filed 9-25-17; 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, 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: Center for Scientific Review Special Emphasis Panel; Member Conflict: Medicinal Chemistry.

Date: October 16–17, 2017.

Time: 10:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Mike Radtke, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4176, MSC 7806, Bethesda, MD 20892, 301–435–1728, rادتک@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Education and Health: New Frontiers.

Date: October 16, 2017.

Time: 12:05 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: John H Newman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3222, MSC 7808, Bethesda, MD 20892, (301) 435–0628, newmanjh@csr.nih.gov.

Name of Committee: Oncology 1-Basic Translational Integrated Review Group; Tumor Cell Biology Study Section.

Date: October 18–19, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Old Town, 167 King Street, Alexandria, VA 22314.

Contact Person: Charles Morrow, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6202, MSC 7804, Bethesda, MD 20892, 301–408–9850, morrowcs@csr.nih.gov.

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Dissemination and Implementation Research in Health Study Section.

Date: October 18–19, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Gaylord National Resort and Convention Center, 201 Waterfront Street, National Harbor, MD 20745.

Contact Person: Yvonne Owens Ferguson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Room 3139,

Bethesda, MD 20892, 301–827–3689, fergusonyo@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR15–162: Pilot and Feasibility Clinical Research Grants in Urologic Disorders.

Date: October 18, 2017.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Ganesan Ramesh, Ph.D., Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr. Room 2182 MSC 7818, Bethesda, MD 20892, 301–827–5467, ganesan.ramesh@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Academic Research Enhancement Award.

Date: October 18, 2017.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jian Cao, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–827–5902, caojn@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: September 20, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–20484 Filed 9–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of Allergy, Immunology, and Transplantation Research Committee.

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: Allergy, Immunology, and Transplantation Research Committee.

Date: October 19–20, 2017.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892 (Telephone Conference Call).

Contact Person: James T. Snyder, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities/Room 3G31B National Institutes of Health, NIAID, 5601 Fishers Lane MSC 9834, Bethesda, MD 20892–9834, (240) 669–5060, james.snyder@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: September 20, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–20493 Filed 9–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Advancing Translational Sciences Special Emphasis Panel; Conference Grants Review.

Date: November 8, 2017.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, DEM1, Room 1065, 6701 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Carol Lambert, Ph.D., Scientific Review Officer, Office of Scientific Review, National Center for Advancing Translational Sciences (NCATS), National Institutes of Health, 6701 Democracy Blvd., Democracy 1, Room 1076, Bethesda, MD 20892, 301–435–0814, lambert@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.350, B—Cooperative Agreements; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: September 20, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–20486 Filed 9–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the NHLBI Mentored Transition to Independence Review Committee.

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: Heart, Lung, and Blood Initial Review Group; NHLBI Mentored Transition to Independence Review Committee.

Date: November 2–3, 2017.

Time: 8:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Giuseppe Pintucci, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7192, Bethesda, MD 20892, 301–435–0287, Pintuccig@nhlbi.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: September 20, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–20488 Filed 9–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel.

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 Biomedical Imaging and Bioengineering Special Emphasis Panel; Mentored Career Development (K) and Conference (R13) Award Application Review (2018/01).

Date: October 20, 2017.

Time: 9:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, Suite 920, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: John P. Holden, Ph.D., Scientific Review Officer, National Institutes of Health, National Institute of Biomedical Imaging and Bioengineering, Bethesda, MD 20892, 301–496–8947, john.holden@nih.gov.

Name of Committee: National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel; MSM Program Review (2018/01).

Date: November 2, 2017.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, Suite 920, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Manana Sukhareva, Ph.D., Scientific Review Officer, National Institute of Biomedical Imaging and Bioengineering, National Institutes of Health, 6707 Democracy Boulevard, Suite 959, Bethesda, MD 20892, (301) 451–3397, sukharem@nih.gov.

Dated: September 19, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–20494 Filed 9–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following NHLBI Special Emphasis Panel 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 Heart, Lung, and Blood Institute Special Emphasis Panel; Novel Bioengineering Methods/Approaches for Heart, Lung, Blood, and Sleep Disorders and Diseases.

Date: October 26–27, 2017.

Time: 3:30 p.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Giuseppe Pintucci, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7192, Bethesda, MD 20892, 301–435–0287, Pintuccig@nhlbi.nih.gov.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Career Development Consortium in Glycosciences.

Date: November 3, 2017.

Time: 12:30 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Room 7194, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Charles Joyce, Ph.D., Acting Chief, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6701 Rockledge Drive, Room 7194, Bethesda, MD 20892–7924, 301–827–7939, cjoyce@nhlbi.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: September 20, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-20492 Filed 9-25-17; 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, 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: Musculoskeletal, Oral and Skin Sciences Integrated Review Group; Skeletal Muscle and Exercise Physiology Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Virginian Suites, 1500 Arlington Boulevard, Arlington, VA 22209.

Contact Person: Richard Ingraham, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4116, MSC 7814, Bethesda, MD 20892, 301-496-8551, ingrahamrh@mail.nih.gov.

Name of Committee: Immunology Integrated Review Group; Immunity and Host Defense Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Scott Jakes, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4198, MSC 7812, Bethesda, MD 20892, 301-435-1506, jakesse@mail.nih.gov.

Name of Committee: Immunology Integrated Review Group; Innate Immunity and Inflammation Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites Alexandria Old Town, 1900 Diagonal Road, Alexandria, VA 22314.

Contact Person: Tina McIntyre, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4202, MSC 7812, Bethesda, MD 20892, 301-594-6375, mcintyrt@csr.nih.gov.

Name of Committee: Infectious Diseases and Microbiology Integrated Review Group; Drug Discovery and Mechanisms of Antimicrobial Resistance Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Cambria Suites Rockville, 1 Helen Heneghan Way, Rockville, MD 20850.

Contact Person: Guangyong Ji, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3188, MSC 7808, Bethesda, MD 20892, 301-435-1146, jig@csr.nih.gov.

Name of Committee: Bioengineering Sciences & Technologies Integrated Review Group; Nanotechnology Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Washington, 1199 Vermont Avenue NW., Washington, DC 20005.

Contact Person: James J Li, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5148, MSC 7849, Bethesda, MD 20892, 301-806-8065, lijames@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Cellular Aspects of Diabetes and Obesity.

Date: October 19, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Courtyard by Marriott, 5520 Wisconsin Avenue, Chevy Chase, MD 20815.

Contact Person: Elaine Sierra-Rivera, Ph.D., Scientific Review Officer, EMNR IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6182, MSC 7892, Bethesda, MD 20892, 301 435-2514, riverase@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Biophysical, Physiological, Pharmacological and Bioengineering, Neuroscience.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Washington Plaza Hotel, 10 Thomas Circle NW., Washington, DC 20005.

Contact Person: Paula Elyse Schauwecker, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Room 5211, Bethesda, MD 20892, 301-760-8207, schauweckerpe@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Mucosal Inflammation, Asthma and Allergies.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Alok Mulky, Ph.D., Scientific Review Officer, Center for Scientific Review (CSR), National Institutes of Health (NIH), 6701 Rockledge Dr, Room 4203, Bethesda, MD 20817, (301) 435-3566, alok.mulky@nih.gov.

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Neurobiology of Motivated Behavior Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Darcy Washington DC, Curio Collection by Hilton, 1515 Rhode Island Ave NW., Washington, DC 20005.

Contact Person: Jasenka Borzan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4214 MSC 7814, Bethesda, MD 20892-7814, 301-435-1260, borzanj@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: October 19–20, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Renaissance Washington DC, Dupont Circle, 1143 New Hampshire Avenue 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, elliottro@csr.nih.gov.

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Cognition and Perception Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Catamaran Resort, 3999 Mission Boulevard, San Diego, CA 92109.

Contact Person: Andrea B. Kelly, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3184, MSC 7770, Bethesda, MD 20892, (301) 455-1761, kellya2@csr.nih.gov.

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Developmental Brain Disorders Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Beacon Hotel and Corporate Quarters, 1615 Rhode Island Avenue NW., Washington, DC 20036.

Contact Person: Pat Manos, Ph.D., Scientific Review Officer, Center for

Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5200, MSC 7846, Bethesda, MD 20892, 301-408-9866, manospa@csr.nih.gov.

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Electrical Signaling, Ion Transport, and Arrhythmias Study Section.

Date: October 19, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314.

Contact Person: Chee Lim, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4128, Bethesda, MD 20892, 301-435-1850, limc4@csr.nih.gov.

Name of Committee: Cell Biology Integrated Review Group; Cellular Mechanisms in Aging and Development Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 6:00 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: John Burch, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3213, MSC 7808, Bethesda, MD 20892, 301-408-9519, burchjb@csr.nih.gov.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Clinical and Integrative Diabetes and Obesity Study Section.

Date: October 19, 2017.

Time: 8:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites Alexandria Old Town, 1900 Diagonal Road, Alexandria, VA 22314.

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: Digestive, Kidney and Urological Systems Integrated Review Group; Gastrointestinal Mucosal Pathobiology Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Renaissance Washington DC, Dupont Circle, 1143 New Hampshire Avenue NW., Washington, DC 20037.

Contact Person: Aiping Zhao, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm 2188, MSC 7818, Bethesda, MD 20892-7818, (301) 435-0682, zhaoa2@csr.nih.gov.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Cellular Aspects of Diabetes and Obesity Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Courtyard by Marriott, 5520 Wisconsin Avenue, Chevy Chase, MD 20815.

Contact Person: Antonello Pileggi, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6166, Bethesda, MD 20892-7892, (301) 402-6297, pileggi@csr.nih.gov.

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Synthetic and Biological Chemistry B Study Section.

Date: October 19–20, 2017.

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: Michael Eissenstat, Ph.D., Scientific Review Officer, BCMB IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4166, MSC 7806, Bethesda, MD 20892, 301-435-1722, eissenstatma@csr.nih.gov.

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Clinical and Integrative Cardiovascular Sciences Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: DoubleTree by Hilton Hotel, 8120 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Yuanna Cheng, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4138, MSC 7814, Bethesda, MD 20892, (301) 435-1195, Chengy5@csr.nih.gov.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Neurological, Aging and Musculoskeletal Epidemiology Study Section.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Arlington Pentagon City, 550 Army Navy Drive, Arlington, VA 22202.

Contact Person: Heidi B Friedman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1012A, MSC 7770, Bethesda, MD 20892, 301-435-1721, hfriedman@csr.nih.gov.

Name of Committee: Immunology Integrated Review Group; Vaccines Against Microbial Diseases Study Section.

Date: October 19–20, 2017.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Sheraton Premier at Tysons Corner, 8661 Leesburg Pike, Tysons, VA 22182.

Contact Person: Jian Wang, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4218,

MSC 7812, Bethesda, MD 20892, (301) 435-2778, wangjia@csr.nih.gov.

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Neural Basis of Psychopathology, Addictions and Sleep Disorders Study Section.

Date: October 19–20, 2017.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Melrose Hotel, 2430 Pennsylvania Ave. NW., Washington, DC 20037.

Contact Person: Julius Cinque, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5186, MSC 7846, Bethesda, MD 20892, cinquej@csr.nih.gov.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Social Sciences and Population Studies A Study Section.

Date: October 19, 2017.

Time: 8:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Ritz-Carlton Hotel, 1700 Tysons Boulevard, McLean, VA 22102.

Contact Person: Suzanne Ryan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3139, MSC 7770, Bethesda, MD 20892, (301) 435-1712, ryansj@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR-16-044: Image-Guided Drug Delivery (R01).

Date: October 19, 2017.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Guo Feng Xu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5122, MSC 7854, Bethesda, MD 20892, 301-237-9870, xuguofen@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Chemical Discovery for Substance Use Disorders.

Date: October 19–20, 2017.

Time: 11:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Sergei Ruvinov, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4158, MSC 7806, Bethesda, MD 20892, 301-435-1180, ruvinser@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR-13-005: Studying successful implementation of evidence-based interventions for Latinos.

Date: October 19, 2017.

Time: 1:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Gaylord National Resort and Convention Center, 201 Waterfront Street, National Harbor, MD 20745.

Contact Person: Gabriel B Fosu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3108, MSC 7808, Bethesda, MD 20892, (301) 435-3562, fosug@csr.nih.gov.

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Child Psychopathology and Developmental Disabilities Study Section.

Date: October 19–20, 2017.

Time: 8:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Gaylord National Resort and Convention Center, 201 Waterfront Street, National Harbor, MD 20745.

Contact Person: Jane A Doussard-Roosevelt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3184, MSC 7848, Bethesda, MD 20892, (301) 435-4445, doussarj@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Interventions and Mechanisms for Addiction.

Date: October 19, 2017.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Marc Boulay, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3110, MSC 7808, Bethesda, MD 20892, (301) 300-6541, boulaymg@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Risk Prevention and Social Behavior.

Date: October 19, 2017.

Time: 12:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Weijia Ni, Ph.D., Chief/Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3100, MSC 7808, Bethesda, MD 20892, 301-594-3292, niw@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Child Psychopathology and Developmental Disabilities.

Date: October 19, 2017.

Time: 12:30 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Serena Chu, Ph.D., Scientific Review Officer, BBBP IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3178,

MSC 7848, Bethesda, MD 20892, 301-500-5829, sechu@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: September 20, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-20485 Filed 9-25-17; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Heart, Lung, and Blood Advisory Council.

The meeting will be open to the public as indicated below, with attendance limited to 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 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 Heart, Lung, and Blood Advisory Council.

Date: October 24, 2017.

Open: 8:00 a.m. to 12:00 p.m.

Agenda: To discuss program policies and issues.

Place: National Institutes of Health, Building 35A, Porter Building, 35A Convent Drive, Room 640, Bethesda, MD 20892.

Closed: 12:30 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 35A, Porter Building, 35A Convent Drive, Room 640, Bethesda, MD 20892.

Contact Person: Laura K. Moen, Ph.D., Director, Division of Extramural Research Activities National Heart, Lung, and Blood Institute National Institutes of Health, 6701 Rockledge Drive, Room 7100, Bethesda, MD 20892, 301-435-0260, moenl@mail.nih.gov.

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 taxicabs, 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/Center's home page: www.nhlbi.nih.gov/meetings/nhlbac/index.htm, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: September 20, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-20491 Filed 9-25-17; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings of the NHLBI Special Emphasis Panel.

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 Heart, Lung, and Blood Institute Special Emphasis Panel; CLTR Conflicts Meeting.

Date: October 26, 2017.

Time: 8:30 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: YingYing Li-Smerin, MD, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7184, Bethesda, MD 20892–7924, 301–827–7942, lismerin@nhlbi.nih.gov.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Clinical Trial Pilot Studies (R34).

Date: October 26–27, 2017.

Time: 1:00 p.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: YingYing Li-Smerin, MD, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7184, Bethesda, MD 20892–7924, 301–827–7942, lismerin@nhlbi.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: September 20, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–20490 Filed 9–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2017–0747]

Boston Area Maritime Security Advisory Committee; Vacancies

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Request for applications.

SUMMARY: This notice requests individuals interested in serving on the Boston Area Maritime Security Committee (AMSC) to submit their applications for membership, to the Captain of the Port (COTP), Boston, MA.

DATES: Requests for membership should reach the U.S. Coast Guard COTP Boston October 26, 2017.

ADDRESSES: Applications for membership should be submitted to the Captain of the Port Boston at the following address: Commander (sx), USCG Sector Boston, 427 Commercial Street, Boston, MA 02109 or by email to Phillip.C.Smith@uscg.mil.

FOR FURTHER INFORMATION CONTACT: For questions about submitting an application or about the AMSC in

general, contact Mr. Phillip C. Smith at 617–223–3008 or by email to Phillip.C.Smith@uscg.mil.

SUPPLEMENTARY INFORMATION:

Authority

Section 102 of the Maritime Transportation Security Act (MTSA) of 2002 (Pub. L. 107–295) added section 70112 to Title 46 of the U.S. Code, and authorized the Secretary of the Department in which the Coast Guard is operating to establish Area Maritime Security Advisory Committees for any port area of the United States. (See 33 U.S.C. 1226, 1231; 46 U.S.C. chapter 701; 50 U.S.C. 191, 192; 33 CFR 1.05–1, 6.01; Department of Homeland Security Delegation No. 0170.1). Under 46 U.S.C. 70112(g)(1)(B), the Federal Advisory Committee Act (FACA) does not apply to AMSCs.

Boston AMSC Purpose

The AMSCs shall assist the Captain of the Port in the development, review, update, and exercise of the AMS Plan for their area of responsibility. Such matters may include, but are not limited to: Identifying critical port infrastructure and operations; Identifying risks (threats, vulnerabilities, and consequences); Determining mitigation strategies and implementation methods; Developing strategies to facilitate the recovery of the MTS after a Transportation Security Incident; Developing and describing the process to continually evaluate overall port security by considering consequences and vulnerabilities, how they may change over time, and what additional mitigation strategies can be applied.

AMSC Composition

The composition of an AMSC, to include the Boston AMSC, is prescribed under 33 CFR 103.305. Pursuant to that regulation, members may be selected from the Federal, Territorial, or Tribal government; the State government and political subdivisions of the State; local public safety, crisis management, and emergency response agencies; law enforcement and security organizations; maritime industry, including labor; other port stakeholders having a special competence in maritime security; and port stakeholders affect by security practices and policies. Also, at least 7 of the AMSC members must each have 5 or more years of experience related to maritime or port security operations.

AMSC Membership

The Boston AMSC has 41 members who represent Federal, State, local, and industry stakeholders from

Massachusetts. We are seeking to fill 11 positions with this solicitation.

Applicants may be required to pass an appropriate security background check prior to appointment to the committee. Members' terms of office will be for 5 years; however, a member is eligible to serve additional terms of office. Members will not receive any salary or other compensation for their service on an AMSC.

Request for Applications

Those seeking membership are not required to submit formal applications to the local Captain of the Port, however, because we do have an obligation to ensure that a specific number of members have the prerequisite maritime security experience, we encourage the submission of resumes highlighting experience in the maritime and security industries.

The Department of Homeland Security does not discriminate in selection of Committee 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.

Dated: September 19, 2017.

C.C. Gelzer,

Captain, U.S. Coast Guard, Federal Maritime Security Coordinator Boston.

[FR Doc. 2017–20483 Filed 9–25–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–3387–EM; Docket ID FEMA–2017–0001]

Georgia; Amendment No. 2 to Notice of an Emergency Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of an emergency declaration for the State of Georgia (FEMA–3387–EM), dated September 8, 2017, and related determinations.

DATES: This amendment was issued September 11, 2017.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and

Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The notice of an emergency declaration for the State of Georgia is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared an emergency by the President in his declaration of September 8, 2017.

Banks, Barrow, Bartow, Butts, Carroll, Catoosa, Chattooga, Cherokee, Clarke, Clayton, Cobb, Columbia, Coweta, Dade, Dawson, DeKalb, Douglas, Elbert, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Glascock, Gordon, Greene, Gwinnett, Habersham, Hall, Hancock, Haralson, Hart, Heard, Henry, Jackson, Jasper, Lincoln, Lumpkin, Madison, McDuffie, Morgan, Murray, Newton, Oconee, Oglethorpe, Paulding, Pickens, Polk, Putnam, Rabun, Richmond, Rockdale, Spalding, Stephens, Taliaferro, Towns, Union, Walker, Walton, Warren, White, Whitfield, and Wilkes Counties for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2017-20581 Filed 9-25-17; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-3387-EM; Docket ID FEMA-2017-0001]

Georgia; Emergency and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of an

emergency for the State of Georgia (FEMA-3387-EM), dated September 8, 2017, and related determinations.

DATE: The declaration was issued September 8, 2017.

FOR FURTHER INFORMATION CONTACT:

Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated September 8, 2017, the President issued an emergency declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the Stafford Act), as follows:

I have determined that the emergency conditions in certain areas of the State of Georgia resulting from Hurricane Irma beginning on September 7, 2017, and continuing, are of sufficient severity and magnitude to warrant an emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* ("the Stafford Act"). Therefore, I declare that such an emergency exists in the State of Georgia.

You are authorized to provide appropriate assistance for required emergency measures, authorized under Title V of the Stafford Act, to save lives and to protect property and public health and safety, and to lessen or avert the threat of a catastrophe in the designated areas. Specifically, you are authorized to provide assistance for debris removal and emergency protective measures (Categories A and B), including direct Federal assistance, under the Public Assistance program.

Consistent with the requirement that Federal assistance is supplemental, any Federal funds provided under the Stafford Act for Public Assistance will be limited to 75 percent of the total eligible costs. In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal emergency assistance and administrative expenses.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, Department of Homeland Security, under Executive Order 12148, as amended, Thomas J. McCool, of FEMA is appointed to act as the Federal Coordinating Officer for this declared emergency.

The following areas of the State of Georgia have been designated as adversely affected by this declared emergency:

Appling, Atkinson, Bacon, Brantley, Bryan, Bulloch, Burke, Camden, Candler, Charlton, Chatham, Clinch, Coffee, Echols, Effingham,

Emanuel, Evans, Glynn, Jenkins, Jeff Davis, Liberty, Long, McIntosh, Pierce, Screven, Tattnall, Toombs, Treutlen, Wayne, and Ware Counties for debris removal and emergency protective measures (Categories A and B), including direct federal assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2017-20583 Filed 9-25-17; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-3387-EM; Docket ID FEMA-2017-0001]

Georgia; Amendment No. 1 to Notice of an Emergency Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of an emergency declaration for the State of Georgia (FEMA-3387-EM), dated September 8, 2017, and related determinations.

DATES: This amendment was issued September 10, 2017.

FOR FURTHER INFORMATION CONTACT:

Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The notice of an emergency declaration for the State of Georgia is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared an emergency by the President in his declaration of September 8, 2017.

Baker, Baldwin, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Chattahoochee, Clay, Colquitt, Cook, Crawford, Crisp,

Decatur, Dodge, Dooly, Dougherty, Early, Grady Harris, Houston, Irwin, Jefferson, Johnson, Jones, Lamar, Lanier, Laurens, Lee, Lowndes, Macon, Marion, Meriwether, Miller, Mitchell, Monroe, Montgomery, Muscogee, Peach, Pike, Pulaski, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Troup, Turner, Twiggs, Upson, Washington, Webster, Wheeler, Wilcox, Wilkinson, and Worth Counties for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2017-20582 Filed 9-25-17; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2017-0002; Internal Agency Docket No. FEMA-B-1748]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports,

prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Title 44, Part 65 of the Code of Federal Regulations (44 CFR part 65). The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Map Information eXchange (FMIX) online at www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below.

Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: August 30, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

| State and county | Location and case No. | Chief executive officer of community | Community map repository | Online location of letter of map revision | Effective date of modification | Community No. |
|------------------|--|--|--|---|--------------------------------|---------------|
| Colorado: | | | | | | |
| Boulder | City of Louisville (17-08-0455P). | The Honorable Bob Muckle, Mayor, City of Louisville, 749 Main Street, Louisville, CO 80027. | City Hall, 749 Main Street, Louisville, CO 80027. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 085076 |
| Boulder | Town of Superior (17-08-0455P). | The Honorable Clint Folsom, Mayor, Town of Superior, 124 East Coal Creek Drive, Superior, CO 80027. | Town Hall, 124 East Coal Creek Drive, Superior, CO 80027. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 085203 |
| Boulder | Unincorporated areas of Boulder County (17-08-0455P). | The Honorable Deb Gardner, Chair, Boulder County Board of Commissioners, P.O. Box 471, Boulder, CO 80306. | Boulder County Transportation Department, 2525 13th Street, Suite 203, Boulder, CO 80304. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 080023 |
| Larimer | City of Fort Collins (17-08-0075P). | The Honorable Wade Troxell, Mayor, City of Fort Collins, P.O. Box 580, Fort Collins, CO 80522. | Utilities Department, 700 Wood Street, Fort Collins, CO 80521. | http://www.msc.fema.gov/lomc | Nov. 24, 2017 | 080102 |
| Larimer | City of Loveland (16-08-1159P). | The Honorable Cecil Gutierrez, Mayor, City of Loveland, 500 East 3rd Street, Suite 330, Loveland, CO 80537. | Public Works Department, 2525 West 1st Street, Loveland, CO 80537. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 080103 |
| Larimer | Town of Johnstown (16-08-1159P). | The Honorable Scott James, Mayor, Town of Johnstown, 450 South Parish Avenue, Johnstown, CO 80534. | Town Hall, 450 South Parish Avenue, Johnstown, CO 80534. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 080250 |
| Larimer | Unincorporated areas of Larimer County (16-08-1159P). | The Honorable Lew Gaiter III, Chairman, Larimer County Board of Commissioners, P.O. Box 1190, Fort Collins, CO 80522. | Larimer County Courthouse, 200 West Oak Street, Suite 3000, Fort Collins, CO 80521. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 080101 |
| Larimer | Unincorporated areas of Larimer County (17-08-0075P). | The Honorable Lew Gaiter III, Chairman, Larimer County Board of Commissioners, P.O. Box 1190, Fort Collins, CO 80522. | Larimer County Courthouse, 200 West Oak Street, Suite 3000, Fort Collins, CO 80521. | http://www.msc.fema.gov/lomc | Nov. 24, 2017 | 080101 |
| Florida: | | | | | | |
| Broward | City of Plantation (17-04-1665P). | The Honorable Diane Veltri Bendekovic, Mayor, City of Plantation, 400 Northwest 73rd Avenue, Plantation, FL 33317. | Engineering Department, 401 Northwest 70th Terrace, Plantation, FL 33317. | http://www.msc.fema.gov/lomc | Dec. 1, 2017 | 120054 |
| Broward | Unincorporated areas of Broward County (17-04-1665P). | The Honorable Barbara Sharief, Mayor, Broward County Board of Commissioners, 115 South Andrews Avenue, Room 437C, Fort Lauderdale, FL 33301. | Broward County Environmental Engineering and Permitting Division, 1 North University Drive, Fort Lauderdale, FL 33324. | http://www.msc.fema.gov/lomc | Dec. 1, 2017 | 125093 |
| Dixie | Town of Horseshoe Beach (17-04-5093P). | The Honorable Talmadge Bennett, Mayor, Town of Horseshoe Beach, P.O. Box 86, Horseshoe Beach, FL 32648. | Town Hall, 18 5th Avenue East, Horseshoe Beach, FL 32648. | http://www.msc.fema.gov/lomc | Dec. 1, 2017 | 120329 |
| Dixie | Unincorporated areas of Dixie County (17-04-5093P). | The Honorable Jason Holifield, Chairman, Dixie County Board of Commissioners, 214 Northeast Highway 351, Cross City, FL 32628. | Dixie County Building and Zoning Department, 405 Southeast 22nd Avenue, Cross City, FL 32628. | http://www.msc.fema.gov/lomc | Dec. 1, 2017 | 120336 |
| Duval | City of Jacksonville (17-04-4095P). | The Honorable Lenny Curry, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202. | Development Services Division, 214 North Hogan Street, Suite 2100, Jacksonville, FL 32202. | http://www.msc.fema.gov/lomc | Nov. 21, 2017 | 120077 |
| Escambia | Unincorporated areas of Escambia County (17-04-5219P). | The Honorable Doug Underhill, Chairman, Escambia County Board of Commissioners, 221 Palafox Place, Suite 400, Pensacola, FL 32502. | Escambia County Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505. | http://www.msc.fema.gov/lomc | Dec. 1, 2017 | 120080 |

| State and county | Location and case No. | Chief executive officer of community | Community map repository | Online location of letter of map revision | Effective date of modification | Community No. |
|--------------------------------|--|---|---|---|--------------------------------|---------------|
| Lee | City of Sanibel (17-04-4540P). | The Honorable Kevin Ruane, Mayor, City of Sanibel, 800 Dunlop Road, Sanibel, FL 33957. | Planning and Code Enforcement Department, 800 Dunlop Road, Sanibel, FL 33957. | http://www.msc.fema.gov/lomc | Nov. 24, 2017 | 120402 |
| Lee | Town of Fort Myers Beach (17-04-3444P). | The Honorable Dennis C. Boback, Mayor, Town of Fort Myers Beach, 2525 Estero Boulevard, Fort Myers Beach, FL 33931. | Community Development Department, 2525 Estero Boulevard, Fort Myers Beach, FL 33931. | http://www.msc.fema.gov/lomc | Dec. 4, 2017 | 120673 |
| Monroe | Village of Islamorada (17-04-4163P). | The Honorable Jim Moon-ey, Mayor, Village of Islamorada, 86800 Overseas Highway, Islamorada, FL 33036. | Planning and Development Department, 86800 Overseas Highway, Islamorada, FL 33036. | http://www.msc.fema.gov/lomc | Dec. 1, 2017 | 120424 |
| Georgia: | | | | | | |
| Cobb | City of Kennesaw (17-04-0127P). | The Honorable Derek Easterling, Mayor, City of Kennesaw, 2529 J.O. Stephenson Street, Kennesaw, GA 30144. | Stormwater Division, 3080 Moon Station Road, Kennesaw, GA 30144. | http://www.msc.fema.gov/lomc | Dec. 4, 2017 | 130055 |
| Cobb | Unincorporated areas of Cobb County (17-04-0127P). | The Honorable Mike Boyce, Chairman, Cobb County Board of Commissioners, 100 Cherokee Street, Marietta, GA 30090. | Cobb County Stormwater Management Division, 680 South Cobb Drive, Marietta, GA 30060. | http://www.msc.fema.gov/lomc | Dec. 4, 2017 | 130052 |
| Columbia | Unincorporated areas of Columbia County (17-04-2730P). | The Honorable Ron C. Cross, Chairman, Columbia County Board of Commissioners, P.O. Box 498, Evans, GA 30809. | Columbia County Engineering Services Division, 630 Ronald Reagan Drive, Building A, East Wing, Evans, GA 30809. | http://www.msc.fema.gov/lomc | Nov. 2, 2017 | 130059 |
| Mississippi: | | | | | | |
| Lamar | Unincorporated areas of Lamar County (17-04-3862P). | The Honorable Joe Bounds, President, Lamar County Board of Supervisors, P.O. Box 1240, Purvis, MS 39475. | Lamar County Planning Department, 144 Shelby Speights Drive, Purvis, MS 39475. | http://www.msc.fema.gov/lomc | Nov. 10, 2017 | 280304 |
| Panola | City of Batesville (17-04-0231P). | The Honorable Jerry Autrey, Mayor, City of Batesville, P.O. Box 689, Batesville, MS 38606. | City Hall, 103 College Street, Batesville, MS 38606. | http://www.msc.fema.gov/lomc | Nov. 6, 2017 | 280126 |
| Panola | Unincorporated areas of Panola County (17-04-0231P). | The Honorable Cole Flint, President, Panola County Board of Supervisors, 151 Public Square, Batesville, MS 38606. | Panola County Building Department, 245 Eureka Street, Batesville, MS 38606. | http://www.msc.fema.gov/lomc | Nov. 6, 2017 | 280125 |
| Montana: Gallatin .. | Unincorporated areas of Gallatin County (17-08-0448P). | The Honorable Don Seifert, Chairman, Gallatin County Board of Commissioners, 311 West Main Street, Room 306, Bozeman, MT 59715. | Gallatin County Planning Department, 311 West Main Street, Room 108, Bozeman, MT 59715. | http://www.msc.fema.gov/lomc | Dec. 1, 2017 | 300027 |
| New Hampshire: Rockingham. | Town of Plaistow (16-01-2739P). | The Honorable Mark Pearson, Manager, Town of Plaistow, 145 Main Street, Plaistow, NH 03865. | Planning Department, 145 Main Street, Plaistow, NH 03865. | http://www.msc.fema.gov/lomc | Nov. 29, 2017 | 330138 |
| New Mexico: Bernalillo. | Unincorporated areas of Bernalillo County (17-06-0728P). | The Honorable Debbie O'Malley, Chair, Bernalillo County Board of Commissioners, 1 Civic Plaza Northwest, Albuquerque, NM 87102. | Bernalillo County Public Works Division, 2400 Broadway Boulevard Southeast, Albuquerque, NM 87102. | http://www.msc.fema.gov/lomc | Nov. 30, 2017 | 350001 |
| North Carolina: Buncombe | City of Asheville (17-04-2394P). | The Honorable Esther E. Manheimer, Mayor, City of Asheville, P.O. Box 7148, Asheville, NC 28802. | Public Works Department, 161 South Charlotte Street, Asheville, NC 28802. | http://www.msc.fema.gov/lomc | Nov. 6, 2017 | 370032 |

| State and county | Location and case No. | Chief executive officer of community | Community map repository | Online location of letter of map revision | Effective date of modification | Community No. |
|-----------------------------------|--|--|--|---|--------------------------------|---------------|
| Buncombe | Unincorporated areas of Buncombe County (17-04-2394P). | The Honorable Brownie Newman, Chairman, Buncombe County Board of Commissioners, 200 College Street, Suite 300, Asheville, NC 28801. | Buncombe County Planning and Development Department, 46 Valley Street, Asheville, NC 28801. | http://www.msc.fema.gov/lomc | Nov. 6, 2017 | 370031 |
| Gaston | City of Gastonia (17-04-3783P). | The Honorable John Bridgeman, Mayor, City of Gastonia, P.O. Box 1748, Gastonia, NC 28053. | Garland County Municipal Business Center, 150 South York Street, Gastonia, NC 28052. | http://www.msc.fema.gov/lomc | Nov. 13, 2017 | 370100 |
| South Carolina: Berkeley | Unincorporated areas of Berkeley County (17-04-1961P). | The Honorable William W. Peagler, III, Chairman, Berkeley County Council, P.O. Box 6122, Moncks Corner, SC 29461. | Berkeley County Planning and Zoning Department, 1003 Highway 52, Moncks Corner, SC 29461. | http://www.msc.fema.gov/lomc | Nov. 24, 2017 | 450029 |
| Charleston | Town of Mount Pleasant (17-04-2666P). | The Honorable Linda Page, Mayor, Town of Mount Pleasant, 100 Ann Edwards Lane, Mount Pleasant, SC 29464. | Planning and Development Department, 100 Ann Edwards Lane, Mount Pleasant, SC 29464. | http://www.msc.fema.gov/lomc | Nov. 20, 2017 | 455417 |
| Charleston | Unincorporated areas of Charleston County (17-04-2666P). | The Honorable J. Elliott Summey, Chairman, Charleston County Council, 4045 Bridgeview Drive, Suite B254, North Charleston, SC 29405. | Charleston County Building Inspection Services Department, 4045 Bridgeview Drive, North Charleston, SC 29405. | http://www.msc.fema.gov/lomc | Nov. 20, 2017 | 455413 |
| Dorchester | Unincorporated areas of Dorchester County (16-04-8178X). | The Honorable Jay Byars, Chairman, Dorchester County Council, 500 North Main Street, Summerville, SC 29483. | Dorchester County Building Services Division, 500 North Main Street, Summerville, SC 29483. | http://www.msc.fema.gov/lomc | Oct. 19, 2017 | 450068 |
| South Dakota: Grant | City of Milbank (16-08-1274P). | The Honorable Pat Raffety, Mayor, City of Milbank, 1001 East 4th Avenue, Suite 301, Milbank, SD 57252. | City Hall, 1001 East 4th Avenue, Milbank, SD 57252. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 460200 |
| Grant | Unincorporated areas of Grant County (16-08-1274P). | The Honorable Michael J. Mach, Chairman, Grant County, Board of Commissioners, 1001 South 2nd Street, Milbank, SD 57252. | Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 460266 |
| Pennington | City of Rapid City (16-08-1374P). | The Honorable Steve Allender, Mayor, City of Rapid City, 300 6th Street, Rapid City, SD 57701. | Public Works Department, Engineering Services Division, 300 6th Street, Rapid City, SD 57701. | http://www.msc.fema.gov/lomc | Oct. 20, 2017 | 465420 |
| Texas: Bandera | Unincorporated areas of Bandera County (17-06-0498P). | The Honorable Richard Evans, Bandera County Judge, P.O. Box 877, Bandera, TX 78003. | Bandera County Engineering Department, 502 11th Street, Bandera, TX 78003. | http://www.msc.fema.gov/lomc | Nov. 9, 2017 | 480020 |
| Bexar | City of San Antonio (16-06-3842P). | The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283. | Transportation and Capital Improvements Department, Storm Water Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204. | http://www.msc.fema.gov/lomc | Nov. 22, 2017 | 480045 |
| Bexar | City of San Antonio (17-06-0569P). | The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283. | Transportation and Capital Improvements Department, Stormwater Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204. | http://www.msc.fema.gov/lomc | Nov. 22, 2017 | 480045 |
| Bexar | Unincorporated areas of Bexar County (17-06-2326P). | The Honorable Nelson W. Wolff, Bexar County Judge, 101 West Nueva Street, 10th Floor, San Antonio, TX 78205. | Bexar County Public Works Department, 233 North Pecos-La Trinidad Street, Suite 420, San Antonio, TX 78204. | http://www.msc.fema.gov/lomc | Nov. 27, 2017 | 480035 |

| State and county | Location and case No. | Chief executive officer of community | Community map repository | Online location of letter of map revision | Effective date of modification | Community No. |
|------------------|--|--|--|---|--------------------------------|---------------|
| Collin | Unincorporated areas of Collin County (17-06-0646P). | The Honorable Keith Self, Collin County Judge, 2300 Bloomdale Road, Suite 4192, McKinney, TX 75071. | Collin County Engineering Department, 4690 Community Avenue, Suite 200, McKinney, TX 75071. | http://www.msc.fema.gov/lomc | Nov. 20, 2017 | 480130 |
| Fort Bend | Unincorporated areas of Fort Bend County (17-06-0120P). | The Honorable Robert Hebert, Fort Bend County Judge, 401 Jackson Street, Richmond, TX 77469. | Fort Bend County Engineering Department, 401 Jackson Street, Richmond, TX 77469. | http://www.msc.fema.gov/lomc | Nov. 24, 2017 | 480228 |
| Harris | City of Baytown (17-06-2837P). | The Honorable Stephen DonCarlos, Mayor, City of Baytown, 2401 Market Street, Baytown, TX 77520. | Engineering Department, 2123 Market Street, Baytown, TX 77520. | http://www.msc.fema.gov/lomc | Dec. 8, 2017 | 485456 |
| Kendall | Unincorporated areas of Kendall County (17-06-0696P). | The Honorable Darrel L. Lux, Kendall County Judge, 201 East San Antonio Avenue, Suite 122, Boerne, TX 78006. | Kendall County Development and Floodplain Management Department, 201 East San Antonio Avenue, Suite 101, Boerne, TX 78006. | http://www.msc.fema.gov/lomc | Nov. 13, 2017 | 480417 |
| Montgomery ... | Unincorporated areas of Montgomery County (17-06-0033P). | The Honorable Craig B. Doyal, Montgomery County Judge, 501 North Thompson, Suite 401, Conroe, TX 77301. | Montgomery County Engineering Department, 501 North Thompson, Suite 103, Conroe, TX 77301. | http://www.msc.fema.gov/lomc | Nov. 10, 2017 | 480483 |
| Tarrant | City of Fort Worth (17-06-0459P). | The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102. | Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102. | http://www.msc.fema.gov/lomc | Nov. 17, 2017 | 480596 |
| Tarrant | City of Fort Worth (17-06-0497P). | The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102. | Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102. | http://www.msc.fema.gov/lomc | Dec. 1, 2017 | 480596 |
| Tarrant | City of Fort Worth (17-06-0575P). | The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102. | Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102. | http://www.msc.fema.gov/lomc | Nov. 10, 2017 | 480596 |
| Utah: | | | | | | |
| Davis | City of Farmington (17-08-0203P). | The Honorable Jim Talbot, Mayor, City of Farmington, 160 South Main Street, Farmington, UT 84025. | City Hall, 160 South Main Street, Farmington, UT 84025. | http://www.msc.fema.gov/lomc | Nov. 24, 2017 | 490044 |
| Washington | City of Hurricane (17-08-0479P). | The Honorable John W. Bramall, Mayor, City of Hurricane, 147 North 870 West, Hurricane, UT 84737. | Planning and Zoning Department, 147 North 870 West, Hurricane, UT 84737. | http://www.msc.fema.gov/lomc | Nov. 30, 2017 | 490172 |

[FR Doc. 2017-20585 Filed 9-25-17; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency**

[Docket ID FEMA-2017-0002; Internal Agency Docket No. FEMA-B-1746]

Changes in Flood Hazard Determinations**AGENCY:** Federal Emergency Management Agency, DHS.**ACTION:** Notice.**SUMMARY:** This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood

depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with agency regulations. The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents

of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information

may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbibit@fema.dhs.gov; or visit the FEMA Map Information eXchange (FMIX) online at www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in

this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any

existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: August 25, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

| State and county | Location and case No. | Chief executive officer of community | Community map repository | Online location of letter of map revision | Effective date of modification | Community No. |
|--------------------------|---|--|---|---|--------------------------------|---------------|
| California: Riverside. | Unincorporated Areas of Riverside County (17-09-1375P). | The Honorable John F. Tavaglione, Chairman, Board of Supervisors, Riverside County, 4080 Lemon Street, 5th Floor, Riverside, CA 92501. | Riverside County, Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501. | http://www.msc.fema.gov/lomc | Nov. 29, 2017 | 060245 |
| Florida: St. Johns | Unincorporated Areas of St. Johns County (17-04-3359P). | Mr. Michael D. Wanchick, County Administrator, St. Johns County, 500 San Sebastian View, St. Augustine, FL 32084. | St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084. | http://www.msc.fema.gov/lomc | Nov. 27, 2017 | 125147 |
| St. Johns | Unincorporated Areas of St. Johns County (17-04-3769P). | The Honorable James K. Johns, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL 32084. | St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084. | http://www.msc.fema.gov/lomc | Dec. 6, 2017 | 125147 |
| Kansas: Johnson | City of Leawood (17-07-1313P). | The Honorable Peggy J. Dunn, Mayor, City of Leawood, Leawood City Hall, 4800 Town Center Drive, Leawood, KS 66211. | City Hall, 4800 Town Center Drive, Leawood, KS 66211. | http://www.msc.fema.gov/lomc | Nov. 15, 2017 | 200167 |
| Johnson | City of Olathe (17-07-1191P). | The Honorable Michael Copeland, Mayor, City of Olathe, 100 East Santa Fe Street, Olathe, KS 66061. | City Hall, Planning Office, 100 East Santa Fe Drive, Olathe, KS 66061. | http://www.msc.fema.gov/lomc | Nov. 24, 2017 | 200173 |
| Missouri: St. Louis | City of Chesterfield (17-07-0724P). | The Honorable Bob Nation, Mayor, City of Chesterfield, 690 Chesterfield Parkway West, Chesterfield, MO 63017. | Chesterfield Municipal Court, 690 Chesterfield Parkway West, Chesterfield, MO 63017. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 290896 |
| Texas: | | | | | | |

| State and county | Location and case No. | Chief executive officer of community | Community map repository | Online location of letter of map revision | Effective date of modification | Community No. |
|----------------------|--|---|--|---|--------------------------------|---------------|
| Dallas | City of Dallas (17-06-0928P). | The Honorable Michael S. Rawlings, Mayor, City of Dallas, Office of the Mayor, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201. | Department of Public Works, 320 East Jefferson Street, Room 321, Dallas, TX 75203. | http://www.msc.fema.gov/lomc | Nov. 24, 2017 | 480171 |
| Dallas and Tarrant. | City of Grand Prairie (17-06-0659P). | The Honorable Ron Jensen, Mayor, City of Grand Prairie, 317 West College Street, Grand Prairie, TX 75053. | City Development Center, 206 West Church Street, Grand Prairie, TX 75050. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 485472 |
| Tarrant | City of Fort Worth (17-06-0659P). | The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102. | Department of Transportation and Public Works, 1000 Throckmorton Street, Fort Worth, TX 76102. | http://www.msc.fema.gov/lomc | Nov. 16, 2017 | 480596 |
| Wisconsin: Waukesha. | Unincorporated Areas of Waukesha County (17-05-3462P). | The Honorable Paul L. Decker, Waukesha County Board Chair, County Courthouse, 515 West Moreland Boulevard, Room C170, Waukesha, WI 53188. | Waukesha County Administration Center, 515 West Moreland Boulevard, Waukesha, WI 53188. | http://www.msc.fema.gov/lomc | Nov. 20, 2017 | 550476 |

[FR Doc. 2017-20584 Filed 9-25-17; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4334-DR; Docket ID FEMA-2017-0001]

Iowa; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Iowa (FEMA-4334-DR), dated August 27, 2017, and related determinations.

DATES: The amendment was issued on September 8, 2017.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Michael R. Scott, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Michael L. Parker as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2017-20575 Filed 9-25-17; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4329-DR; Docket ID FEMA-2017-0001]

New Hampshire; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of New Hampshire (FEMA-4329-DR), dated August 9, 2017, and related determinations.

DATES: This amendment was issued September 11, 2017.

FOR FURTHER INFORMATION CONTACT:

Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of New Hampshire is hereby amended to include the following area among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of August 9, 2017.

Coos County for Public Assistance

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2017-20578 Filed 9-25-17; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency**

[Internal Agency Docket No. FEMA-4319-DR; Docket ID FEMA-2017-0001]

Kansas; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Kansas (FEMA-4319-DR), dated June 16, 2017, and related determinations.

DATES: The amendment was issued on September 8, 2017.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Michael R. Scott, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of David G. Samaniego as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2017-20576 Filed 9-25-17; 8:45 am]

BILLING CODE 91110-123-P

DEPARTMENT OF HOMELAND SECURITY**Transportation Security Administration****Intent To Request Revision From OMB of One Current Public Collection of Information: TSA Customer Comment Card**

AGENCY: Transportation Security Administration, DHS.

ACTION: 60-Day notice.

SUMMARY: The Transportation Security Administration (TSA) invites public comment on one currently approved Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652-0030 abstracted below that we will submit to OMB for a revision in compliance with the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. This collection allows customers to provide feedback to TSA about their experiences with TSA's processes and procedures, to request information or request assistance at the TSA checkpoint, and to report security threats and vulnerabilities.

DATES: Send your comments by November 27, 2017.

ADDRESSES: Comments may be emailed to TSAPRA@dhs.gov or delivered to the TSA PRA Officer, Office of Information Technology (OIT), TSA-11, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598-6011.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh the above address, or by telephone (571) 227-2062.

SUPPLEMENTARY INFORMATION:**Comments Invited**

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation will be available at <http://www.reginfo.gov> upon its submission to OMB. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Consistent with the requirements of Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, TSA is also requesting comments on the extent to which this request for information could be modified to reduce the burden on respondents.

Information Collection Requirement

OMB Control Number 1652-0030; TSA Customer Comment Card. The ICR is a voluntary program for airport passengers to provide feedback to TSA regarding their experiences with TSA security procedures. The collection of information allows TSA to evaluate and address customer concerns about security procedures and policies.

TSA Customer Comment Cards collect feedback, complaints, or compliments and the passenger may voluntarily provide contact information. TSA uses the contact information to respond to the passenger's comments. For passengers who deposit their cards in the designated drop-boxes, TSA staff at airport collect the cards, categorize comments, enter the results into an online system for reporting, and respond to passengers as appropriate.

In addition, the TSA Contact Center (TCC) continues to be available for passengers to make comments independently of airport involvement via online submission forms, available at www.tsa.gov/contact/contact-forms. These electronic forms of the comment card are intended for the same purpose, to allow passengers to provide feedback to TSA regarding their experiences with TSA security procedures. Passengers may also use the electronic forms to file Disability or Civil Rights and Liberties complaints. TCC provides a receipt to any person who submits an electronic form. The information obtained from the electronic forms allows TSA to evaluate and address customer concerns about security procedures and policies with an electronic interface.

TSA is revising the collection to add three new electronic forms: Request for Assistance, Request for Information, and Security Issue. The Request for Assistance electronic form allows passengers to request assistance at the TSA checkpoint as part of the TSA

Cares Program. This program was developed for passengers with disabilities, medical conditions, and other special circumstances who may need additional assistance during the security screening process. The program is available to all members of the public and is separate from the Military Severely Injured Joint Support Operations Center (MSIJSOC) and the Travel Protocol Office (TPO) programs which support and facilitate the movement of wounded warriors, severely injured military personnel, veterans, and other travelers requiring an escort through the airport security screening process. The Request for Information electronic form allows passengers to submit an inquiry about TSA policies and procedures, such as traveling with medical conditions, prohibited and permitted items, or security screening. The Security Issue electronic form allows passengers to play a critical role in identifying and reporting suspicious activities and threats. TCC will also provide receipts to any person who uses the three new electronic forms. TSA is required to provide a receipt to any person who reports a security problem, deficiency, or vulnerability. *See* 49 CFR 1503.3(a).

TSA estimates the number of respondents to be 203,659, with an estimated number of 18,431 average annual burden hours. The annual respondents and burden hours have decreased from the prior ICR submission estimate due to new estimates derived from actual data obtained over the past few years. The number of paper customer comment card submissions decreased from 150,000 to 50,000 and the number of electronic comment submissions (previously called Talk to TSA) decreased from 170,000 to 136,140. As a result, the annual burden hour has decreased accordingly. In addition, TSA reduced its hour burden estimates for the Disability and Civil Right complaints from 30 minutes to 10 minutes based on actual usage data.

Dated: September 20, 2017.

Christina A. Walsh,

TSA Paperwork Reduction Act Officer, Office of Information Technology.

[FR Doc. 2017-20496 Filed 9-25-17; 8:45 am]

BILLING CODE 9110-05-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

**[FWS-R4-ES-2017-N085;
FXES1114040000-178-FF04EF2000]**

Endangered and Threatened Wildlife and Plants; Receipt of Applications for Incidental Take Permits; Availability of Low-Effect Proposed Habitat Conservation Plans and Associated Documents; Polk County, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments and information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce the availability for comment of three incidental take permit (ITP) applications and three proposed habitat conservation plans (HCPs). Three applicants request ITPs under the Endangered Species Act of 1973, as amended (Act). The applicants—Hanover Capital Partners, LLC; Palmetto Babson Park—Scenic Hwy. 17, LLC; and 17-92, LLC—anticipate taking feeding, breeding, and sheltering habitat used by the sand skink and blue-tailed mole skink incidental to land preparation and construction in Polk County, Florida. The applicants' proposed HCPs describe proposed mitigation measures to address the effects of development on the species.

DATES: We must receive your written comments on the incidental take permit applications and habitat conservation plans on or before October 26, 2017.

ADDRESSES:

Obtaining Documents: You may obtain a copy of the incidental take permit (ITP) applications and habitat conservation plans (HCPs) by writing to Alfredo Begazo, South Florida Ecological Services Office; Attn: Permit numbers TE32251C-0, TE32252C-0, and TE32249C-0; U.S. Fish and Wildlife Service; 1339 20th Street; Vero Beach, FL 32960-3559. In addition, we will make the ITP applications and HCPs available for public inspection by appointment during normal business hours at the South Florida Ecological Services Office address.

Submitting Comments: See **SUPPLEMENTARY INFORMATION** for information on how to submit your comments on the ITP applications and HCPs.

FOR FURTHER INFORMATION CONTACT: Mr. Alfredo Begazo, South Florida Ecological Services Office (see **ADDRESSES**); telephone: 772-469-4234.

SUPPLEMENTARY INFORMATION: We, the Fish and Wildlife Service (Service),

announce the availability of three incidental take permit (ITP) applications and proposed habitat conservation plans (HCPs), under section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*; Act). The applicants anticipate taking feeding, breeding, and sheltering habitat used by the sand skink (*Neoseps reynoldsi*) and blue-tailed mole skink (*Eumeces egregius*) (skinks) incidental to land preparation and construction in Polk County, Florida. The applicants' HCPs describe proposed mitigation measures to address the effects of development on the two covered skink species. The Service listed the skinks as threatened in 1987 (November 6, 1987; 52 FR 42658, effective December 7, 1987).

Applicants' Proposed Projects

We received applications from the applicants for incidental take permits, along with proposed HCPs. Each applicant is requesting an ITP under the Act. If we approve these applications, the following take could occur:

- Hanover Capital Partners, LLC (ITP TE32251C-0) anticipates taking 3.65 ac of skink breeding, feeding, and sheltering habitat, incidental to land preparation and construction in Section 14, Township 26 South, Range 27 East;
- Palmetto Babson Park—Scenic Hwy. 17, LLC (ITP TE32252C-0) anticipates taking 1.27 ac of skink breeding, feeding, and sheltering habitat, incidental to land preparation and construction in Section 33, Township 30 South, Range 28 East; and
- 17-92, LLC (ITP TE32249C-0) anticipates taking 2.64 ac of skink breeding, feeding, and sheltering habitat, incidental to land preparation and construction in in Section 12, Township 26 South, Range 27 East and Section 7, Township 26 South, Range 28 East.

All affected properties are in Polk County, Florida.

The applicants currently have neither timeframes for development nor specific site plans; however, development of these parcels would likely include construction of one or more structures and parking areas, and installation of associated utilities.

The applicants propose to mitigate for impacts to skinks by purchasing credits from a Service-approved conservation bank as follows:

- Hanover Capital Partners, LLC proposes to purchase the equivalent of 7 ac of credits;
- Palmetto Babson Park—Scenic Hwy. 17, LLC proposes to purchase the equivalent of 2.54 ac of credits; and

- 17–92, LLC proposes to purchase the equivalent of 5.28 ac of credits.

Our Preliminary Determination

The Service has made a preliminary determination that the applicants' projects, including the mitigation measures, will individually and cumulatively have a minor or negligible effect on the species covered in the HCPs. Therefore, we have determined that the incidental take permits for these projects are "low effect" and qualify for categorical exclusions under the National Environmental Policy Act (NEPA), as provided by 43 CFR 46.205 and 43 CFR 46.210. We base our preliminary determination that issuance of the ITPs qualifies as low-effect on the following three criteria: (1) Implementation of the projects would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) Implementation of the projects would result in minor or negligible effects on other environmental values or resources; and (3) Impacts of the projects, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result, over time, in cumulative effects to environmental values or resources that would be considered significant. This preliminary determination may be revised based on our review of public comments that we receive in response to this notice.

Next Steps

The Service will evaluate the HCPs and comments submitted thereon to determine whether the applications meet the requirements of section 10(a) of the Act. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITPs complies with section 7 of the Act by conducting an intra-Service section 7 consultation for each project. The results of these consultations, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITPs. If it is determined that the requirements of the Act are met, the ITPs will be issued.

Submitting Comments

If you wish to comment on the ITP applications or HCPs, you may submit comments by any one of the following methods:

Email: alfredo_begazo@fws.gov. Use "Attn: Permit numbers TE32251C–0, TE32252C–0, and TE32249C–0" as your message subject line.

Fax: Alfredo Begazo, 772–562–4288, "Attn.: Permit numbers TE32251C–0, TE32252C–0, and TE32249C–0."

U.S. mail: See **ADDRESSES**.

In-person drop-off: You may drop off comments or request information during regular business hours at the address in **ADDRESSES**.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comments, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request in your comments that your personal identifying information be withheld from public review, we cannot guarantee that we will be able to do so.

Authority

We provide this notice under section 10 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: September 6, 2017.

Roxanna Hinzman,

Field Supervisor, South Florida Ecological Services Office.

[FR Doc. 2017–20568 Filed 9–25–17; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

U.S. Geological Survey

[GX17GG00995TR00]

Notice of Public Meeting of Scientific Earthquake Studies Advisory Committee

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice.

SUMMARY: Pursuant to Public Law 106–503, the Scientific Earthquake Studies Advisory Committee (SESAC) will hold its next meeting on October 10–11, 2017, at the Golden Hotel, 800 Eleventh Street, Golden, Colorado, in the Mesa Meeting Room. The Committee shall advise the Director of the U.S. Geological Survey (USGS) on matters relating to the USGS's participation in the National Earthquake Hazards Reduction Program. The Committee comprises members from academia, industry, and State government. In this meeting, the Committee will review the current activities of the USGS Earthquake Hazards Program and discuss future priorities.

DATES: The meeting will be held from 9:00 a.m. to 5:00 p.m. (EST) on October 10, 2017, and 9:00 a.m. to 3:00 p.m. on October 11, 2017.

FOR FURTHER INFORMATION CONTACT: Dr. William Leith, U.S. Geological Survey, MS 905, 12201 Sunrise Valley Drive, Reston, Virginia 20192, (703) 648–6712, wleith@usgs.gov.

SUPPLEMENTARY INFORMATION: Meetings of the Scientific Earthquake Studies Advisory Committee are open to the public.

Public Disclosure: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

William Leith,

Senior Science Advisor for Earthquake and Geologic Hazards.

[FR Doc. 2017–20546 Filed 9–25–17; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[GX17GG00996TR00]

Notice of Public Meeting of National Earthquake Prediction Evaluation Council

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice.

SUMMARY: Pursuant to Public Law 106–503, the National Earthquake Prediction Evaluation Council (NEPEC) will hold its next meeting at the Graduate Berkeley, 2600 Durant Ave., Berkeley, California, in the California Room. The Council is composed of members from academia, industry, and State government. The Council shall advise the Director of the U.S. Geological Survey (USGS) on matters relating to the USGS's participation in the National Earthquake Hazards Reduction Program.

At the meeting, the Council will receive briefings and updates on improved methods for calculating aftershock probabilities and spatiotemporal aftershock forecasts, and consider the readiness of such calculations as the basis of operational forecast products. The Council will also be briefed on development of the UCERF3–ETAS earthquake rupture forecast model; results from a workshop on potential uses for operational earthquake forecasts; and

recommendations for effective communication of earthquake science information during times of heightened concern in the Pacific Northwest.

DATES: October 16–17, 2017, commencing no earlier than 1:00 p.m. on the first day and adjourning no later than 5:00 p.m. on the second day. Guests should check with Dr. Michael Blanpied (see contact below) for any late-breaking changes.

SUPPLEMENTARY INFORMATION: Meetings of the National Earthquake Prediction Evaluation Council are open to the public. A draft meeting agenda is available upon request from the Executive Secretary (contact information below). In order to ensure sufficient seating and handouts, it is requested that visitors preregister by October 6. Members of the public wishing to make a statement to the Council should provide notice of that intention by October 6 so that time may be allotted on the agenda. A meeting summary will be posted by November 30 to the committee Web site: <http://earthquake.usgs.gov/aboutus/nepec/>.

Public Disclosure: Before including your address, phone, number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Contact: Dr. Michael Blanpied, U.S. Geological Survey, MS 905, 12201 Sunrise Valley Drive, Reston, Virginia 20192, (703) 648–6696, mblanpied@usgs.gov.

Michael Blanpied,

Associate Coordinator, USGS Earthquake Hazards Program.

[FR Doc. 2017–20503 Filed 9–25–17; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMT922200–17X–L13100000–FI0000–P; NDM 94704, NDM 94705, NDM 94706 MO #4500108082]

Notice of Proposed Reinstatement of Terminated Oil and Gas Leases NDM 94704, NDM 94705, and NDM 94706, North Dakota

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of reinstatement.

SUMMARY: As required under the Mineral Leasing Act of 1920, Emerald WB LLC and Continental Resources Inc. timely filed a petition for reinstatement of competitive oil and gas leases NDM 94704, NDM 94705, and NDM 94706, McKenzie County, North Dakota. The lessees paid the required rentals and back royalties accruing from the date of termination. No leases were issued that affect these lands. The BLM proposes to reinstate the leases.

FOR FURTHER INFORMATION CONTACT:

Kimberly Werven, Chief, Fluids Adjudication Section, Bureau of Land Management Montana State Office, 5001 Southgate Drive, Billings, Montana 59101–4669, 406–896–5091, kwerven@blm.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS 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 lessees agree to new lease terms for rentals and royalties of \$10 per acre, or fraction thereof, per year, and 16⅔ percent, respectively. The lessees agree to additional or amended stipulations. The lessees paid the \$500 administration fee for the reinstatement of the leases and the \$159 cost for publishing this Notice.

The lessees met the requirements for reinstatement of the leases per Section 31(d) and (e) of the Mineral Leasing Act of 1920. We are proposing to reinstate the leases, effective the date of termination, subject to the:

- Original terms and conditions of the leases;
- Additional and amended stipulations;
- Increased rental of \$10 per acre;
- Increased royalty of 16⅔ percent; and
- \$159 cost of publishing this Notice.

Authority: 30 U.S.C. 188.

Kimberly Werven,

Chief, Fluids Adjudication Section.

[FR Doc. 2017–20570 Filed 9–25–17; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMT922200–2017–L13100000–FI0000–P; NDM 106959 and NDM 106960]

Proposed Reinstatement of Terminated Oil and Gas Leases NDM 106959 and NDM 106960, North Dakota

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of proposed reinstatement.

SUMMARY: Per the Mineral Leasing Act of 1920, Bakken Production Inc., AGRI Properties LLP, and Southfork Oil LLC timely filed a petition for reinstatement of competitive oil and gas leases NDM 106959 and NDM 106960, Bottineau County, North Dakota. The lessees paid the required rentals accruing from the date of termination. No leases were issued that affect these lands. The BLM proposes to reinstate the leases.

FOR FURTHER INFORMATION CONTACT:

Kimberly Werven, Chief, Fluids Adjudication Section, Bureau of Land Management Montana State Office, 5001 Southgate Drive, Billings, Montana 59101–4669, 406–896–5091, kwerven@blm.gov.

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS 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 lessees agree to new lease terms for rentals and royalties of \$10 per acre, or fraction thereof, per year, and 16⅔ percent, respectively. The lessees paid the \$500 administration fee for the reinstatement of the leases and the \$159 cost for publishing this Notice.

The lessees met the requirements for reinstatement of the leases per Sec. 31(d) and (e) of the Mineral Leasing Act of 1920. We are proposing to reinstate the leases, effective the date of termination, subject to the:

- Original terms and conditions of the leases;
- Increased rental of \$10 per acre;
- Increased royalty of 16⅔ percent; and
- \$159 cost of publishing this Notice.

Authority: 30 U.S.C. 188.

Kimberly Werven,

Chief, Fluids Adjudication Section.

[FR Doc. 2017–20569 Filed 9–25–17; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[LLMT922200–2017–L13100000–FI0000–P;
NDM 98547 and NDM 104389 MO
#4500108154]

**Proposed Reinstatement of Terminated
Oil and Gas Leases NDM 98547 and
NDM 104389, North Dakota**

AGENCY: Bureau of Land Management,
Interior.

ACTION: Notice of proposed
reinstatement.

SUMMARY: As required under the Mineral Leasing Act of 1920, OXY USA Inc., timely filed a petition for reinstatement of competitive oil and gas leases NDM 98547 and NDM 104389, Mountrail County, North Dakota. The lessee paid the required rentals accruing from the date of termination. No new leases have been issued for any of the lands affected by the terminated leases and the lands have not been disposed of or otherwise become unavailable for leasing. The BLM proposes to reinstate the leases.

FOR FURTHER INFORMATION CONTACT: Kimberly Werven, Chief, Fluids Adjudication Section, Bureau of Land Management Montana State Office, 5001 Southgate Drive, Billings, Montana 59101–4669, 406–896–5091, kwerven@blm.gov.

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS 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 lessee agrees to new lease terms for rentals and royalties of \$10 per acre, or fraction thereof, per year, and 16⅔ percent, respectively. The lessee agrees to additional or amended stipulations. The lessee paid the \$500 administration fee for the reinstatement of the leases and the \$159 cost for publishing this Notice.

The lessee met the requirements for reinstatement of the leases per Section 31(d) and (e) of the Mineral Leasing Act of 1920. We are proposing to reinstate the leases, effective the date of termination subject to the:

- Original terms and conditions of the leases;
 - Additional and amended stipulations;
 - Increased rental of \$10 per acre;
 - Increased royalty of 16⅔ percent;
- and

- \$159 cost of publishing this Notice.

(Authority: 30 U.S.C. 188)

Kimberly Werven,

Chief, Fluids Adjudication Section.

[FR Doc. 2017–20571 Filed 9–25–17; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF THE INTERIOR**National Park Service**

[NPS–AKRO–ANIA–KOVA–CAKR–LACL–
DENA–WRST–GAAR–
23676;PPAKAKROR4;PPMPRL1Y.LS0000]

**Notice of Open Public Meetings for the
National Park Service Alaska Region
Subsistence Resource Commission
Program**

AGENCY: National Park Service, Interior.

ACTION: Meeting notice.

SUMMARY: The National Park Service (NPS) is hereby giving notice that the Aniakchak National Monument Subsistence Resource Commission (SRC), the Kobuk Valley National Park SRC, the Cape Krusenstern National Monument SRC, the Lake Clark National Park SRC, the Denali National Park SRC, the Wrangell-St. Elias National Park SRC, and the Gates of the Arctic National Park SRC will hold public meetings to develop and continue work on NPS subsistence program recommendations, and other related regulatory proposals.

DATES: The Kobuk Valley National Park SRC will meet from 1 p.m. to 5 p.m. or until business is completed on Monday, October 2, 2017, and from 9 a.m. to 12 p.m. on Tuesday, October 3, 2017, in the conference room at the Northwest Arctic Heritage Center, 171 3rd Avenue, Kotzebue, AK 99752. For more detailed information regarding this meeting or if you are interested in applying for SRC membership, contact Designated Federal Official Maija Lukin, Superintendent, at (907) 442–8301, or via email at maija_lukin@nps.gov or Hannah Atkinson, Cultural Resource Specialist, at (907) 442–8342, or via email at hannah_atkinson@nps.gov or Clarence Summers, Subsistence Manager, at (907) 644–3603, or via email at clarence_summers@nps.gov.

The Aniakchak National Monument SRC will meet at Ray's Place Restaurant, 2200 James Street Port Heiden, AK 99549. The SRC meeting and teleconference will take place from 1:30 p.m. to 5 p.m. or until business is completed on Tuesday, October 3, 2017, and Wednesday, October 4, 2017. Teleconference participants should call (907) 246–2154 by Friday, September

29, 2017, to receive teleconference passcode information. Should inclement weather or exceptional circumstances prevent travel to Port Heiden, AK, the meeting and teleconference will be held on Thursday, October 5, 2017, from 1:30 p.m. to 5 p.m. For more detailed information regarding this meeting or if you are interested in applying for SRC membership, contact Designated Federal Official Mark Sturm, Superintendent, at (907) 246–2120, or via email at mark_sturm@nps.gov or Linda Chisholm, Subsistence Coordinator, at (907) 246–2154, or via email at linda_chisholm@nps.gov or Clarence Summers, Subsistence Manager, at (907) 644–3603, or via email at clarence_summers@nps.gov.

The Cape Krusenstern National Monument SRC will meet from 1 p.m. to 5 p.m. or until business is completed on Wednesday, October 4, 2017, and from 9 a.m. to 12 p.m. on Thursday, October 5, 2017, in the conference room at the Northwest Arctic Heritage Center, 171 3rd Avenue, Kotzebue, AK 99752. For more detailed information regarding this meeting or if you are interested in applying for SRC membership, contact Designated Federal Official Maija Lukin, Superintendent, at (907) 442–8301, or via email at maija_lukin@nps.gov or Hannah Atkinson, Cultural Resource Specialist, at (907) 442–4342, or via email at hannah_atkinson@nps.gov or Clarence Summers, Subsistence Manager, at (907) 644–3603 or via email at clarence_summers@nps.gov.

The Lake Clark National Park SRC will meet from 1 p.m. to 5 p.m. or until business is completed on Wednesday, October 4, 2017, at the Port Alsworth Community Center on Flight Line Road in Port Alsworth, AK 99653. There will be a community luncheon prior to the meeting at 12 p.m. Teleconference participants must call the NPS office at (907) 644–3648, prior to the meeting to receive teleconference passcode information. For more detailed information regarding this meeting or if you are interested in applying for SRC membership, contact Designated Federal Official Susanne Green, Superintendent, at (907) 644–3627, or via email at susanne_green@nps.gov or Liza Rupp, Subsistence Manager, at (907) 644–3648, or via email at elizabeth_rupp@nps.gov or Clarence Summers, Subsistence Manager, at (907) 644–3603 or via email at clarence_summers@nps.gov.

The Denali National Park SRC will meet from 9 a.m. to 5 p.m. or until business is completed on Wednesday, October 11, 2017, in the conference room at the Murie Science and Learning Center, Mile 237 Highway 3, Denali Park, AK 99755. For more detailed

information regarding this meeting, or if you are interested in applying for SRC membership, contact Designated Federal Official Donald Striker, Superintendent, at (907) 683–2294, or via email at don_striker@nps.gov or Amy Craver, Subsistence Manager, at (907) 644–3604, or via email at amy_craver@nps.gov or Clarence Summers, Subsistence Manager, at (907) 644–3603, or via email at clarence_summers@nps.gov.

The Wrangell-St. Elias National Park SRC will meet from 9 a.m. to 5 p.m. or until business is completed on Thursday, October 26, 2017, and Friday, October 27, 2017, in the conference room at the NPS office in the Copper Center Visitor Center Complex, Wrangell-St. Elias National Park and Preserve, Mile 106.8 Richardson Highway, Copper Center, AK 99573. Teleconference participants must call the NPS office at (907) 644–7236, prior to the meeting to receive teleconference passcode information. For more detailed information regarding these meetings, or if you are interested in applying for SRC membership, contact Designated Federal Official Ben Bobowski, Superintendent, (907) 822–7202, or via email at ben_bobowski@nps.gov or Barbara Cellarius, Subsistence Coordinator, at (907) 822–7236 or via email at barbara_cellarius@nps.gov or Clarence Summers, Subsistence Manager, at (907) 644–3603 or via email at clarence_summers@nps.gov.

The Gates of the Arctic National Park SRC will meet from 9 a.m. to 5 p.m. or until business is completed on Tuesday, November 14, 2017, and Wednesday, November 15, 2017, in the conference room at the Sophie Station Suites, 1717 University Avenue, Fairbanks, AK 99709. For more detailed information regarding this meeting or if you are interested in applying for SRC membership, contact Designated Federal Official Greg Dudgeon, Superintendent, at (907) 457–5752, or via email at greg_dudgeon@nps.gov or Marcy Okada, Subsistence Coordinator, at (907) 455–0639 or via email at marcy_okada@nps.gov or Clarence Summers, Subsistence Manager, at (907) 644–3603, or via email at clarence_summers@nps.gov.

ADDRESSES: The Aniakchak National Monument SRC will meet at Ray's Place Restaurant, 2200 James Street in Port Heiden, AK 99549. The Kobuk Valley National Park SRC and the Cape Krusenstern National Monument will meet at the Northwest Arctic Heritage Center, 171 3rd Avenue, Kotzebue, AK 99752. The Lake Clark National Park SRC will meet at the Port Alsworth Community Center on Flight Line Road

in Port Alsworth, AK 99653. The Denali National Park SRC will meet at the Murie Science and Learning Center, Mile 237 Highway 3, Denali National Park, AK 99755. The Wrangell-St. Elias National Park SRC will meet at the NPS office in the Copper Center Visitor Center Complex, Wrangell-St. Elias National Park and Preserve, Mile 106.8 Richardson Highway, Copper Center, AK 99573. The Gates of the Arctic National Park SRC will meet at Sophie Station Suites, 1717 University Avenue, Fairbanks, AK 99709.

SUPPLEMENTARY INFORMATION: The NPS is holding the meeting pursuant to the Federal Advisory Committee Act (5 U.S.C. Appendix 1–16). The NPS SRC program is authorized under section 808 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3118), title VIII. SRC meetings are open to the public and will have time allocated for public testimony. The public is welcome to present written or oral comments to the SRC. SRC meetings will be recorded and meeting minutes will be available upon request from the Superintendent for public inspection approximately six weeks after the meeting. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Proposed Meeting Agenda: The agenda may change to accommodate SRC business. The proposed meeting agenda for each meeting includes the following:

1. Call to Order—Confirm Quorum
2. Welcome and Introduction
3. Review and Adoption of Agenda
4. Approval of Minutes
5. Superintendent's Welcome and Review of the SRC Purpose
6. SRC Membership Status
7. SRC Chair and Members' Reports
8. Superintendent's Report
9. Old Business
10. New Business
11. Federal Subsistence Board Update
12. Alaska Boards of Fish and Game Update
13. National Park Service Reports
 - a. Ranger Update
 - b. Resource Manager's Report
 - c. Subsistence Manager's Report
14. Public and Other Agency Comments
15. Work Session
16. Set Tentative Date and Location for Next SRC Meeting

17. Adjourn Meeting

SRC meeting location and date may change based on inclement weather or exceptional circumstances. If the meeting date and location are changed, the Superintendent will issue a press release and use local newspapers and radio stations to announce the rescheduled meeting. The scheduled alternative meeting dates for the Aniakchak National Monument SRC are Tuesday, October 10, 2017, and Wednesday, October 11, 2017, from 1:30 p.m. to 5 p.m. The alternative meeting date for the Denali National Park SRC is Wednesday, October 25, 2017, from 9:00 a.m. to 5:00 p.m.

Authority: 16 U.S.C. 3118; 5 U.S.C. Appendix 1–16.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2017–20437 Filed 9–25–17; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–382 and 731–TA–800, 801, and 803 (Third Review)]

Stainless Steel Sheet and Strip From Japan, Korea, and Taiwan; Determinations

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that revocation of the countervailing duty order on imports of stainless steel sheet and strip from Korea and the antidumping duty orders on imports of stainless steel sheet and strip from Japan, Korea, and Taiwan 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 Act (19 U.S.C. 1675(c)), instituted these reviews on July 1, 2016 (81 FR 43238) and determined on October 4, 2016 that it would conduct full reviews (81 FR 71533, October 17, 2016). Notice of the scheduling of the Commission's review and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

publishing the notice in the **Federal Register** on March 7, 2017 (82 FR 12843). The hearing was held in Washington, DC, on July 25, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on September 20, 2017. The views of the Commission are contained in USITC Publication 4725 (September 2017), entitled *Stainless Steel Sheet and Strip from Japan, Korea, and Taiwan: Investigation Nos. 701–TA–382 and 731–TA–800, 801, and 803 (Third Review)*.

By order of the Commission.
Issued: September 20, 2017.
Lisa R. Barton,
Secretary to the Commission.
[FR Doc. 2017–20501 Filed 9–25–17; 8:45 am]
BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION
[Investigation No. 731–TA–539–C (Fourth Review)]

Uranium From Russia; Determination
On the basis of the record ¹ developed in the subject five-year review, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that termination of the suspended investigation covering uranium from Russia 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 Act (19 U.S.C. 1675(c)), instituted this review on February 1, 2017 (82 FR 8951) and determined on May 8, 2017 that it would conduct an expedited review (82 FR 27287, June 14, 2017).
The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on September 20, 2017. The views of the Commission are contained in USITC Publication 4727 (September

2017), entitled *Uranium from Russia: Investigation No. 731–TA–539–C (Fourth Review)*.
By order of the Commission.
Issued: September 20, 2017.
Lisa R. Barton,
Secretary to the Commission.
[FR Doc. 2017–20502 Filed 9–25–17; 8:45 am]
BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE
Drug Enforcement Administration
[Docket No. DEA–392]
Bulk Manufacturer of Controlled Substances Registration

ACTION: Notice of registration.
SUMMARY: Registrants listed below have applied for and been granted registration by the Drug Enforcement Administration as bulk manufacturers of various classes of controlled substances.
SUPPLEMENTARY INFORMATION: The companies listed below applied to be registered as manufacturers of various basic classes of controlled substances. Information on previously published notices is listed in the table below. No comments or objections were submitted for these notices.

| Company | FR docket | Published |
|--|-------------|---------------|
| Insys Manufacturing, LLC | 82 FR 23066 | May 19, 2017. |
| Eli-Elsohly Laboratories | 82 FR 23067 | May 19, 2017. |
| Patheon Pharmaceuticals, Inc. | 82 FR 23067 | May 19, 2017. |
| National Center for Natural Products | 82 FR 23068 | May 19, 2017. |
| Research NIDA MPROJECT | | |
| Chemtos LLC | 82 FR 23068 | May 19, 2017. |
| Chemtos LLC | 82 FR 25335 | June 1, 2017. |
| Johnson Matthey Pharmaceutical | 82 FR 23069 | May 19, 2017. |
| Materials, Inc. | | |
| American Radiolabeled Chemicals | 82 FR 23070 | May 19, 2017. |

The Drug Enforcement Administration (DEA) has considered the factors in 21 U.S.C. 823(a) and determined that the registration of these registrants to manufacture the applicable basic classes of controlled substances is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971. The DEA investigated each of the company’s maintenance of effective controls against diversion by inspecting and testing each company’s physical security systems, verifying

each company’s compliance with state and local laws, and reviewing each company’s background and history.
Therefore, pursuant to 21 U.S.C. 823(a), and in accordance with 21 CFR 1301.33, the DEA has granted a registration as a bulk manufacturer to the above listed persons.
Dated: September 20, 2017.
Demetra Ashley,
Acting Assistant Administrator.
[FR Doc. 2017–20479 Filed 9–25–17; 8:45 am]
BILLING CODE 4410–09–P

DEPARTMENT OF LABOR
Employment and Training Administration
Updated Methodology for Selecting a Job Corps Center for Closure and Center Proposed for Closure: Comments Requested
AGENCY: Office of Job Corps, Employment and Training Administration (ETA), Labor.
ACTION: Notice.

¹ The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

SUMMARY: The Employment and Training Administration of the U.S. Department of Labor (the Department or DOL) issues this notice to revise the “additional considerations” for selecting Job Corps Centers for closure, and to propose the closure of Golconda Job Corps Center (Golconda) in Golconda, Illinois, based on low-performance. This notice seeks public comment on the proposal to close Golconda.

DATES: To be ensured for consideration, comments must be submitted in writing on or before October 26, 2017.

ADDRESSES: You may submit comments, identified by Docket Number ETA–2017–0004, by only one of the following methods:

Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the Web site instructions for submitting comments.

Mail and hand delivery/courier: Submit comments to Lenita Jacobs-Simmons, National Director, Office of Job Corps (OJC), U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW., Room N–4459, Washington, DC 20210. Due to security-related concerns, there may be a significant delay in the receipt of submissions by United States Mail. You must take this into consideration when preparing to meet the deadline for submitting comments. The Department will post all comments received on <http://www.regulations.gov> without making any changes to the comments or redacting any information, including any personal information provided. The <http://www.regulations.gov> Web site is the Federal e-rulemaking portal and all comments posted there are available and accessible to the public. The Department recommends that commenters not include personal information such as Social Security Numbers, personal addresses, telephone numbers, and email addresses in their comments that they do not wish to be made public, as such submitted information will be available to the public via the <http://www.regulations.gov> Web site. Comments submitted through <http://www.regulations.gov> will not include the email address of the commenter unless the commenter chooses to include that information as part of his or her comment. It is the responsibility of the commenter to safeguard personal information.

Instructions: All submissions received should include the Docket Number for the notice: Docket Number ETA–2017–0004. Please submit your comments by

only one method. Again, please note that due to security concerns, postal mail delivery in Washington, DC may be delayed. Therefore, the Department encourages the public to submit comments on <http://www.regulations.gov>.

Docket: All comments on the selected Job Corps Center for closure will be available on the <http://www.regulations.gov> Web site. The Department also will make all of the comments it receives available for public inspection by appointment during normal business hours at the above address. If you need assistance to review the comments, the Department will provide appropriate aids such as readers or print magnifiers. The Department will make copies of this methodology and the selected Job Corps center for closure available, upon request, in large print and electronic file on computer disk. To schedule an appointment to review the comments and/or obtain the notice in an alternative format, contact the Office of Job Corps at (202) 693–3000 (this is not a toll-free number). You may also contact this office at the address listed below.

FOR FURTHER INFORMATION CONTACT:

Lenita Jacobs-Simmons, National Director, Office of Job Corps, ETA, U.S. Department of Labor, 200 Constitution Avenue NW., Room N–4463, Washington, DC 20210; Telephone (202) 693–3000 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1 (877) 889–5627 (TTY/TDD).

SUPPLEMENTARY INFORMATION:

I. Background on the Job Corps Program and Center Closures

Established in 1964, Job Corps is a national program administered by ETA in the Department. It is the nation’s largest federally-funded, primarily residential training program for opportunity youth, ages 16–24. With 125 centers in 50 states, Puerto Rico, and the District of Columbia, Job Corps seeks to change lives through education and job training for in-demand careers. Job Corps serves at-risk young people who seek to overcome barriers to employment, which can include poverty, homelessness, or aging out of the foster care system, by providing them with the academic, career technical, and employability skills to enter the workforce, enroll in post-secondary education, pursue

apprenticeship opportunities, or enlist in the military.

Large and small businesses, nonprofit organizations, and Native American tribes manage and operate 99 of the Job Corps centers through contractual agreements with the Department of Labor awarded pursuant to Federal procurement rules. Twenty-six Civilian Conservation Centers (CCCs) are operated through an interagency agreement with the U.S. Department of Agriculture (USDA). Job Corps receives annual funding to operate centers, administer the program, and build, maintain, expand, or upgrade a limited number of new and existing facilities.

II. Closure Criteria

The Department is continuously taking steps to ensure that Job Corps’ resources are used to deliver the best possible services to students. As part of these ongoing efforts, the Department may determine that closing a center or centers will allow for the more effective, efficient provision of high-quality services to its students. Since 2014, the Department has closed two centers and proposed a third center for closure.

The Workforce Innovation and Opportunity Act (WIOA), which became effective on July 1, 2015, directs DOL to “establish written criteria that the Secretary shall use to determine when a Job Corps center supported under this part is to be closed and how to carry out such closure[.]” 29 U.S.C. 3211(c)(1). The Department has published three criteria upon which it may propose to close a center:

1. A methodology for selecting a center for closure based on its chronic low performance, first described in an August 2014 **Federal Register** Notice (FRN) (79 FR 51198), and updated in a March 2016 FRN (81 FR 12529);

2. An agreement between the Secretaries of Labor and Agriculture to close a CCC, as described in the March 9, 2016, FRN; and

3. An evaluation of the effort required to provide a high-quality education and training program at the center, as described in the March 9, 2016, FRN.

Closure may be based on any one of the three criteria, and a single criterion may be applied independently of the others. Thus, while a center may qualify for closure under more than one criterion, DOL may choose to rely on only one criterion when deciding to propose a center for closure.

Prior to making a decision to propose a center’s closure, the Department also applies the relevant additional considerations first discussed in the August 2014 notice. One of those considerations, *Job Corps Services for*

Residents in Each State, Puerto Rico, and the District of Columbia, is being revised, as described below in Section D.

A. Long Term Center Performance

Chronically low-performing centers, as described in the August 2014 FRN and the updated March 2016 FRN, do not benefit the population of young people Job Corps aims to empower and are a poor use of Job Corps' limited program dollars. DOL uses the following performance-based criteria against which all centers are measured in evaluating whether a center should be closed:

1. Five-year Outcome-Measurement System (OMS) performance level;
2. Five-year On-Board Strength (OBS); and
3. Five-year Facility Condition Index (FCI).

A short description of these three factors is included below.

1. Five-Year (OMS) Performance Levels

OMS is a collection of 15 metrics that provide a comprehensive assessment of center performance, which allows for comparison of performance among centers and supplies enough data for decision makers to identify trends over time. These published performance metrics have driven center performance and programmatic decisions for more than a decade. Accordingly, the primary performance-based factor in selecting a center for closure is a center's OMS data.

In applying this factor, the Department will evaluate each center's overall OMS ratings for the five most recent full program years to derive a weighted five-year average performance rating, with recent years receiving a greater weight than earlier years. Further, the original OMS ratings for each of the five program years, which exceeded 100% for some centers, were normalized at 100% to be consistent with OBS and FCI. "Normalized" means the data has been placed on a 100-point scale. The calculation formula for the methodology also contains normalized data for OMS.

The year-by-year weighted method is as follows (with the identified years being annually updated to reflect the five most recent full program years for which data is available):

| | |
|---------------|-----|
| PY 2016 | 30% |
| PY 2015 | 25% |
| PY 2014 | 20% |

| | |
|---------------|------|
| PY 2013 | 15% |
| PY 2012 | 10% |
| Total | 100% |

The calculation formula for five-year performance for the methodology is as follows:

Center's five-year weighted average rating \times 90% = Overall Performance Rating

2. On-Board Strength (OBS)

On-Board Strength is an efficiency rating that demonstrates the extent to which a center operates at full capacity. The measure is reported as a percentage, calculated by the center's actual capacity for student slots divided by the planned capacity to fill those slots (daily number of students that a center is authorized to serve). The national goal for OBS is 100% in order to operate the program at full capacity, maximize program resources, and fulfill the mission of serving the underserved student population.

This factor evaluates each center's end of program year OBS rating for five full program years to derive a five-year average rating. As explained above in the context of OMS data, the closure methodology uses OBS data from the most recent five-year period. As noted in the August 27, 2014, FRN there were anomalies to the OBS data for PY 2012 caused by temporary enrollment suspensions. The January 31, 2013 (PY-COBS) report will be used as the basis for assessing center-level OBS performance for PY 2012. The methodology weights each of the last five program years' OBS data, with more recent years receiving more weight to incorporate performance improvement. Finally, the OBS ratings for each of the five program years were normalized at one hundred percent (100%), so as to be consistent with the OMS and FCI data.

The year-by-year weighted structure is as follows (with the identified years updated annually to reflect the five most recent full program years for which data is available):

| | |
|---------------|------|
| PY 2016 | 30% |
| PY 2015 | 25% |
| PY 2014 | 20% |
| PY 2013 | 15% |
| PY 2012 | 10% |
| Total | 100% |

The calculation formula for five-year OBS for the methodology is as follows:

Center's five-year weighted average cumulative OBS \times 5% = Overall OBS Rating

3. Facility Condition and Physical Plant

Facility quality is critical for a residential educational program that houses its students on-site 24 hours a day, seven days a week, for much of the year. Each Job Corps center is a fully operational complex with academic and career technical training facilities, dining and recreation buildings, administrative offices, and residence halls (with the exception of solely nonresidential facilities), including the surrounding owned or leased property on which the center is located.

To properly manage the program's facility and condition needs, Job Corps uses the FCI and gives each center an annual rating. This rating, which is expressed as a percentage, accounts for the value of a center's construction, rehabilitation, and repair backlog, as compared to the replacement value of the center's facilities. Facility conditions affect the outcomes of the Job Corps program because good outcomes begin with facilities that contribute to a high-quality, safe and productive living and learning environment.

For this factor, the Department evaluated each center's FCI, which takes into account all construction projects completed over the same five-year period as the other two factors.

As with the performance and OBS criteria, the methodology applies weights to each of the five latest program year's FCI data, with more recent years receiving more weight to incorporate any recent improvement. The year-by-year weighted structure is as follows (these years are automatically updated to reflect the five most recent full program years):

| | |
|---------------|------|
| PY 2016 | 30% |
| PY 2015 | 25% |
| PY 2014 | 20% |
| PY 2013 | 15% |
| PY 2012 | 10% |
| Total | 100% |

The calculation formula for FCI for the methodology is as follows:

Center's five-year weighted average FCI rating \times 5% = Overall FCI Rating

Applying the three performance-based factors above yields an overall rating for each center, allowing DOL to rank all centers based on historical performance, with the lowest performing center receiving the lowest rating. The calculation formula for the overall rating is as follows:

| | | | | | | |
|--------------------------------------|---|-------------------------|---|-------------------------|---|--|
| Overall OMS performance rating (90%) | + | Overall OBS rating (5%) | + | Overall FCI rating (5%) | = | Overall rating for primary selection factors |
|--------------------------------------|---|-------------------------|---|-------------------------|---|--|

B. Agreement Between the Secretaries of Labor and Agriculture To Close Civilian Conservation Job Corps Centers (CCCs)

Independent of the other two criteria, the Secretaries of Labor and Agriculture may jointly agree to close a CCC. As with other Job Corps centers, these CCC facilities provide skills training for disadvantaged young people to aid their entry into the American workforce, but with additional focus on conserving the United States' natural resources and providing assistance during natural disasters.

This joint decision to close a center will take into account past efforts to improve the center's deficiencies, the prospect for improving those deficiencies, the impact on the mission and workforce of both departments, and the purpose and goals of the Job Corps program. The rationale behind the Agriculture and Labor Secretaries' decision to close a CCC will be detailed in a notice proposing the action. The Secretaries' decision to propose a CCC for closure under this criterion also will take into account the relevant additional considerations, detailed below. This basis is independent of other performance improvement and restructuring and reform efforts initiated by either Department or mandated by WIOA to address performance challenges at the CCCs. Finally, this criterion does not limit the Department's authority to propose closing a CCC based on the other closure criteria, regardless of whether the Secretaries jointly agree to close the center.

This criterion was not used to propose the closure of Golconda. While Golconda is a CCC, the Department is proposing to close the center based on chronic low performance.

C. Evaluation of Continuing Center Operations

The Department has determined that it may be necessary to close a center for reasons other than chronic low performance or agreement between the Secretary of Labor and the Secretary of Agriculture. Job Corps constantly evaluates the needs of each center it operates. Some centers, for a variety of reasons, face more difficult challenges than others in providing a safe, secure environment where participants can receive high-quality education and training. Some challenges develop over time, while others arise more rapidly. Challenges may involve the condition of

the facility; its proximity to relevant job markets; the ability of the center to attract students; the impact of one-time events; or a host of other factors. Addressing these challenges may require sustained efforts that involve significant programmatic, staff, capital, organizational, and/or other investments and resources. Even with such a commitment, it may be difficult to achieve positive outcomes for students. In such a situation, Job Corps will carefully assess: (1) The ongoing needs of the center against those of the program overall; (2) the effort required to provide and maintain a high-quality, safe and productive living and learning environments; and (3) whether that effort is likely to ultimately produce an outcome that contributes to the program's overall strength and integrity. After reviewing all relevant information the Department may decide to propose a center for closure.

This criterion was not used to propose the closure of Golconda.

D. Additional Considerations for Center Closure

After applying any of the three closure criterion identified above, the Department will consider the four factors below, as appropriate, when deciding whether it should propose a center for closure.

1. Job Corps Services for Residents in All Geographic Areas

The consideration *Job Corps Services for Residents in Each State, Puerto Rico, and the District of Columbia* is being amended to *Job Corps Services for Residents in All Geographic Areas*. While the Department is committed to providing service across a broad geographic area, it will no longer ensure that it maintains at least one Job Corps center in each state, the Commonwealth of Puerto Rico, and the District of Columbia. The Department will continue to ensure adequate training opportunities for eligible individuals in or near the area where they reside. However, the Department has determined that promising to maintain a center in each state unduly restricts its ability to ensure alignment with local and regional labor market opportunities and ensure that supply aligns with demand for the program. Furthermore, it may limit the Department's ability to close centers which on their merits deserve to be closed. Despite this change, Job Corps will continue to be

available to all eligible individuals regardless of where they reside and the program will continue to maintain a nationwide outreach strategy.

Accordingly, when applying this consideration, DOL will take into account whether a center's closure would have a disproportionate impact on the training and post-enrollment opportunities for students in any one geographic area and ensure that it does not too rapidly reduce Job Corps' presence in any one geographic area.

2. Sufficiency of Data Available To Evaluate Center Performance

When proposing closure for chronic low performance, the Department will not consider any center for which it does not have sufficient data to evaluate that center's performance. The centers in Pinellas County, Denison, Wind River, New Hampshire, Cascades, Homestead, Treasure Lake, and Ouachita Centers are not included for consideration for closure. For each of these centers, there is not enough OMS data to evaluate the center's performance over the full five-year performance period. The reasons for the lack of five years' continuous data for these centers include: Two new centers were opened during the five-year performance period (Wind River and New Hampshire); two centers were excluded because of their selection as Center for Excellence (CFE) pilot sites (Pinellas County and Denison); one center was excluded due to its current pilot designation (Cascades); one center was excluded due to suspension of operations (Homestead); and two centers were permanently closed (Treasure Lake and Ouachita).

3. Indication of Significant Recent Performance Improvement

When applying the performance-based methodology, the Department will consider evidence of recent performance improvement. Therefore, a center will be removed from closure consideration based on performance-based closure criteria if it is performing in the top half of centers in the most recent full year of performance data.

4. Job Corps' Commitment to Diversity

Job Corps currently serves a diverse student population and remains committed to serving disadvantaged youth from all backgrounds. In making final closure decisions under any of the three criteria identified in Section A

above, we will consider whether a center's closure would result in a significant reduction in student diversity within the overall Job Corps system.

III. Temporary Closure of the Golconda Job Corps Center

On July 19, 2017, the Department of Labor temporarily closed Golconda. Section III(I)(1) of the Interagency Agreement between DOL and USDA governing the operation of the Forest Service-operated CCCs authorizes DOL, in consultation with USDA, to "temporarily close a Job Corps CCC managed by USDA, based upon a concern for the health, safety and well-being of students, staff, and/or nearby community(ies)."

Golconda has a long history of discipline and safety issues on campus, including an inability to comply with Job Corps' discipline policy; failure to adequately notify the Department of serious incidents; and an inability to ensure that students are provided a safe, healthy, and secure learning environment. Over the past several years, DOL has made numerous attempts to partner with the Forest Service and center leadership to address these issues. However, despite the introduction of multiple new procedures on center and the efforts of numerous different center directors, the operation of the center has not improved and there has been no improvement in the safety of the students at Golconda. After careful assessment, DOL, after consultation with USDA, determined that Golconda's problems were so intractable that the center was temporarily closed to ensure the health and safety of the students and staff currently on center.

IV. Proposal to Permanently Close the Golconda Job Corps Center

Based on the performance-based criteria, and after applying the additional considerations described above, the Department proposes to permanently close the Golconda Job Corps Center.

In applying the performance-based criteria, the Department first calculated the five-year OMS performance level, the five-year OBS, and the five-year FCI and then calculated the Overall Rating for Primary Selection Factors, as described above, using data from PY 2012–2016. Golconda received the lowest Overall Rating for Primary Selection Factors and, therefore, the lowest ranking.

After ranking the centers based on the primary criteria, the Department then applied the additional considerations.

The Department determined that these considerations did not preclude closure of Golconda. The Department is requesting public comments on the selection of Golconda for closure.

V. The Process for Closing Job Corps Centers, as Outlined in the Workforce Innovation and Opportunity Act

The Department's process for closing Job Corps centers will follow the requirements of section 159(j) of the WIOA, which include the following:

- The proposed decision to close a particular center is announced in advance to the general public through publication in the **Federal Register** or other appropriate means;
- A reasonable comment period, not to exceed 30 days, is established for interested individuals to submit written comments to the Secretary; and
- The Member of Congress who represents the district in which such center is located is notified within a reasonable period of time in advance of any final decision to close the center.

This Notice serves as the public announcement of the decision to close the Golconda CCC. The Department is providing a 30-day period—the maximum amount of time allowed for comment under WIOA sec. 159(j)—for interested individuals to submit written comments on the proposed decision to close these centers.

Byron Zuidema,

Deputy Assistant Secretary for Employment and Training.

[FR Doc. 2017–20482 Filed 9–25–17; 8:45 am]

BILLING CODE 4510–FT–P

NUCLEAR REGULATORY COMMISSION

Commission Advisory Committee on Reactor Safeguards; Notice of Meeting

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting October 5–7, 2017, 11545 Rockville Pike, Rockville, Maryland 20852.

Thursday, October 5, 2017, Conference Room T–2B1, 11545 Rockville Pike, Rockville, Maryland 20852

8:30 a.m.–8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–11:30 a.m.: Review of AREVA's Transient Code Suite AURORA–B (Open/Closed)—The Committee will hear briefings by and

discussion with representatives of the NRC staff and AREVA regarding the above code. [Note: A portion of this session may be closed in order to discuss and protect information designated as proprietary, pursuant to 5 U.S.C. 552b(c)(4)].

12:30 p.m.–2:00 p.m.: NuScale Topical Report on use of AREVA Fuel Methodology (Open/Closed)—The Committee will hear briefings by and discussion with representatives of the NRC staff and NuScale regarding the above topical report. [Note: A portion of this session may be closed in order to discuss and protect information designated as proprietary, pursuant to 5 U.S.C. 552b(c)(4)].

2:15 p.m.–3:45 p.m.: RG 1.174, Revision 3 (Open)—The Committee will hear briefings by and discussion with representatives of the NRC staff regarding the above guide.

3:45 p.m.–6:00 p.m.: Preparation of ACRS Reports (Open/Closed)—The Committee will continue its discussion of proposed ACRS reports. [Note: A portion of this session may be closed in order to discuss and protect information designated as proprietary, pursuant to 5 U.S.C. 552b(c)(4)].

Friday, October 6, 2017, Conference Room T–2B1, 11545 Rockville Pike, Rockville, Maryland 20852

8:30 a.m.–9:45 a.m.: Preparation for Meeting with Commission—The Committee will prepare for meeting with the Commission.

10:00 a.m.–12:00 p.m.: Meeting with the Commission—The Committee will have a discussion with the Commission of mutual topics.

1:00 p.m.–2:30 p.m.: Future ACRS Activities/report of the Planning and Procedures Subcommittee and Reconciliation of ACRS comments and Recommendations (Open/Closed)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the Full Committee during future ACRS Meetings, and matters related to the conduct of ACRS business, including anticipated workload and member assignments. The Committee will discuss the responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports and letters. [Note: A portion of this meeting may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of the ACRS, and information the release of which would constitute a

clearly unwarranted invasion of personal privacy.]

2:30 p.m.–6:00 p.m.: Preparation of ACRS Reports/Retreats (Open/Closed)—The Committee will continue its discussion of proposed ACRS reports. [Note: A portion of this session may be closed in order to discuss and protect information designated as proprietary, pursuant to 5 U.S.C. 552b(c)(4).]

Saturday, October 7, 2017, Conference Room T-2B1, 11545 Rockville Pike, Rockville, Maryland 20852

8:30 a.m.–12:00 p.m.: Preparation of ACRS Reports/Retreats (Open/Closed)—The Committee will continue its discussion of proposed ACRS reports. [Note: A portion of this session may be closed in order to discuss and protect information designated as proprietary, pursuant to 5 U.S.C. 552b(c)(4).]

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 17, 2016 (81 FR 71543). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Persons desiring to make oral statements should notify Quynh Nguyen, Cognizant ACRS Staff (Telephone: 301-415-5844, Email: Quynh.Nguyen@nrc.gov), 5 days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the Cognizant ACRS staff if such rescheduling would result in major inconvenience.

Thirty-five hard copies of each presentation or handout should be provided 30 minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the Cognizant ACRS Staff one day before meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Cognizant ACRS Staff with a CD containing each presentation at least 30 minutes before the meeting.

In accordance with Subsection 10(d) of Public Law 92-463 and 5 U.S.C. 552b(c), certain portions of this meeting may be closed, as specifically noted above. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Electronic recordings will be permitted only during the open portions of the meeting.

ACRS meeting agendas, meeting transcripts, and letter reports are available through the NRC Public Document Room at pdr.resource@nrc.gov, or by calling the PDR at 1-800-397-4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> or <http://www.nrc.gov/reading-rm/doc-collections/ACRS/>.

Video teleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service should contact Mr. Theron Brown, ACRS Audio Visual Technician (301-415-8066), between 7:30 a.m. and 3:45 p.m. (ET), at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the video teleconferencing link. The availability of video teleconferencing services is not guaranteed.

Dated at Rockville, Maryland, this 20th day of September 2017.

For the Nuclear Regulatory Commission.
Annette L. Vietti-Cook,
Advisory Committee Management Officer.
[FR Doc. 2017-20542 Filed 9-25-17; 8:45 am]
BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2017-0194]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Atomic Energy Act of 1954 (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 August 29 to September 11, 2017. The last biweekly notice was published on September 12, 2017.

DATES: Comments must be filed by October 26, 2017. A request for a hearing must be filed by November 27, 2017.

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

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0194. 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: TWFN-8-D36M, 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: Kay Goldstein, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-1506; email: Kay.Goldstein@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2017-0194, facility name, unit number(s), plant docket number, application date, and subject 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-2017-0194.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS,

please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC-2017-0194, facility name, unit number(s), plant docket number, 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 will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. 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 persons (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. 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/>. Alternatively, a copy of the regulations is available at the NRC's Public Document Room, located at One White Flint North, Room O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

As required by 10 CFR 2.309(d) the petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements for standing: (1) The name, address, and

telephone number of the petitioner; (2) the nature of the petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the 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 petitioner's interest.

In accordance with 10 CFR 2.309(f), the petition must also set forth the specific contentions which the petitioner seeks to have litigated in 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 petitioner must provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to the specific sources and documents on which the petitioner intends to rely to support its position on the issue. The petition must include sufficient information to show that a genuine dispute exists with the applicant or licensee on a material issue of law or fact. Contentions must be limited to matters within the scope of the proceeding. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to satisfy the requirements at 10 CFR 2.309(f) 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. Parties have the opportunity to participate fully in the conduct of the hearing with respect to resolution of that party's admitted contentions, including the opportunity to present evidence, consistent with the NRC's regulations, policies, and procedures.

Petitions must be filed no later than 60 days from the date of publication of this notice. Petitions and motions for leave to file new or amended contentions that are filed after the 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) through (iii). The petition must be filed in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document.

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final

determination on the issue of no significant hazards consideration. The final determination will serve to establish 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 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 the 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.

A State, local governmental body, Federally-recognized Indian Tribe, or agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h)(1). The petition should state the nature and extent of the petitioner's interest in the proceeding. The petition should be submitted to the Commission no later than 60 days from the date of publication of this notice. The petition must be filed in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document, and should meet the requirements for petitions set forth in this section, except that under 10 CFR 2.309(h)(2) a State, local governmental body, or federally-recognized Indian Tribe, or agency thereof does not need to address the standing requirements in 10 CFR 2.309(d) if the facility is located within its boundaries. Alternatively, a State, local governmental body, Federally-recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

If a hearing is granted, any person who is not a party to the proceeding and is not affiliated with or represented by a party may, at the discretion of the presiding officer, be permitted to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make an oral or written statement of his or her position on the issues but may not otherwise participate in the proceeding. A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to the limits and conditions as may be imposed by the presiding officer. Details regarding the opportunity to make a limited appearance will be provided by the presiding officer if such sessions are scheduled.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing and petition for leave to intervene (petition), 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 that request to participate under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562, August 3, 2012). 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. Detailed guidance on making electronic submissions may be found in the Guidance for Electronic Submissions to the NRC and on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>. 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 (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (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>. Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit adjudicatory documents. Submissions must be in Portable Document Format (PDF). Additional guidance on PDF submissions is available on the NRC's public Web site at <http://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time

the document is 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 document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing 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 Electronic Filing Help Desk is available between 9 a.m. and 6 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 stating why there is good cause for not filing electronically and 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, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing adjudicatory documents 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 <https://adams.nrc.gov/ehd>, unless excluded pursuant to an order of the Commission or the presiding officer. If you do not have an NRC-issued digital ID certificate as described above, click cancel when the link requests certificates and you will be automatically directed to the NRC's electronic hearing dockets where you will be able to access any publicly-available documents in a particular hearing docket. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or personal phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. For example, in some instances, individuals provide home addresses in order to demonstrate proximity to a facility or site. 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.

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 (PVNGS), Maricopa County, Arizona

Date of amendment request: July 19, 2017. A publicly-available version is in ADAMS under Accession No. ML17200D162.

Description of amendment request: The amendments would modify the licensing basis, by the addition of a license condition, to allow the implementation of the provisions of 10 CFR 50.69, "Risk-informed categorization and treatment of structures, systems, and components [SSCs] for nuclear power reactors," for PVNGS. The provisions of 10 CFR 50.69 allow adjustment of the scope of

equipment subject to special treatment controls (e.g., quality assurance, testing, inspection, condition monitoring, assessment, and evaluation). For equipment determined to be of low safety significance, alternative treatment requirements can be implemented in accordance with this regulation. For equipment determined to be of high safety significance, requirements will not be changed or will be enhanced. This allows improved focus on equipment that has high safety significance resulting in improved plant safety.

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 will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The process used to evaluate SSCs for changes to NRC special treatment requirements and the use of alternative requirements ensures the ability of the SSCs to perform their design function(s). The potential change to special treatment requirements does not change the design and operation of the SSCs. As a result, the proposed change does not significantly affect any initiators to accidents previously evaluated or the ability to mitigate any accidents previously evaluated. The consequences of the accidents previously evaluated are not affected because the mitigation functions performed by the SSCs assumed in the safety analysis are not being modified. The SSCs required to safely shut down the reactor and maintain it in a safe shutdown condition following an accident will continue to perform their design functions.

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 will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not change the functional requirements, configuration, or method of operation of any SSC. Under the proposed change, no additional plant equipment will be installed.

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 will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not affect any Safety Limits or operating parameters used to establish the safety margin. The safety margins included in the analyses of accidents are not affected by the proposed change. 10 CFR 50.69 requires that there be no significant effect on plant risk due to any change to the special treatment requirements for SSCs and that the SSCs continue to be capable of performing their design basis functions, as well as to perform any beyond design basis functions consistent with the categorization process and results.

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 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, Arizona 85072-2034.

NRC Branch Chief: Robert J. Pascarelli.

DTE Electric Company, Docket No. 50-341, Fermi 2, Monroe County, Michigan

Date of amendment request: July 17, 2017. A publicly-available version is in ADAMS under Accession No. ML17198C829.

Description of amendment request: The amendment would revise the Technical Specification (TS) 3.7.2 Conditions and Surveillance Requirements to reflect a proposed change to the design of the two redundant cross-tie lines that are part of the ultimate heat sink.

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.

Operability of the Fermi 2 UHS [ultimate heat sink] requires that the two reservoirs either be cross-tied or capable of being cross-

tied. Fermi 2 proposes a change to the design of the reservoirs to remove the cross-tie valves. With the four cross-tie valves removed, the reservoirs are permanently cross-tied and there is no credible failure mode to cause the reservoirs to not be cross-tied during an event. A structural crack in one reservoir would result in both reservoirs being affected when they are permanently cross-connected. However, the consequences are bounded by the UFSAR [updated final safety analysis report] which already includes allowance for a structural crack in both reservoirs.

Therefore, the proposed change 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.

Operability of the Fermi 2 UHS requires that the two reservoirs either be cross-tied or capable of being cross-tied. As these valves are currently maintained normally open and deenergized, the safety limits and safety analysis assumptions associated with the design and operation of the plant will not change. Structural cracks affecting both reservoirs have already been considered as described above. Accordingly, the change to remove the cross-tie valves does not introduce any new accident initiators, nor does it reduce or adversely affect the capabilities of any plant structure, system, or component to perform their safety function.

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 amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes have no adverse effect on plant operation. The plant response to the design basis accidents does not change, with the exception that actions to cross-connect the reservoirs are no longer necessary. The proposed changes do not adversely affect existing plant safety margins or the reliability of the equipment assumed to operate in the safety analyses. There is no change being made to safety analysis assumptions, safety limits or limiting safety system settings that would adversely affect plant safety as a result of the proposed changes.

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: Jon P. Christinidis, DTE Energy, Expert Attorney—Regulatory, 688 WCB, One Energy Plaza, Detroit, MI 48226–1279.

NRC Branch Chief: David J. Wrona.

DTE Electric Company, Docket No. 50–341, Fermi 2, Monroe County, Michigan

Date of amendment request: August 14, 2017. A publicly-available version is in ADAMS under Accession No. ML17226A277.

Description of amendment request: The proposed amendment would revise the Fermi 2 Technical Specification 5.5.7, “Ventilation Filter Testing Program (VFTP)” by adopting the formatting and language of the Standard Technical Specifications (STS) 5.5.8.

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 change aligns the introductory paragraph and testing requirements of Specification 5.5.7, “Ventilation Filter Testing Program (VFTP),” to be consistent with the STS. The Fermi 2 VFTP will implement the required testing of ESF [Emergency Safety Features] filter ventilation systems at the frequencies specified in Regulatory Guide 1.52, Revision 2, and in accordance with Regulatory Guide 1.52, Revision 2 and ASME [American Society of Mechanical Engineers] N510–1980.

Specific frequency requirements to perform testing are retained either as a reference to Regulatory Guide requirements and general requirements in Surveillance Requirement (SR) 3.0.1 or in the licensee-controlled VFTP. Implementation of these requirements will be in the licensee-controlled VFTP. The VFTP will be maintained in accordance with 10 CFR 50.59.

Since SGT [Standby Gas Treatment] and CREF [Control Room Emergency Filtration] are ESF systems and not accident initiators, the probability of an accident evaluated in the UFSAR [updated final safety analysis report] will not be increased. As such, the probability of occurrence for a previously analyzed accident is not significantly increased.

The consequences of a previously analyzed event are dependent on the initial conditions assumed for the analysis and the availability and successful functioning of the equipment assumed to operate in response to the analyzed event. The proposed change does not affect the performance of any credited equipment, and the details of testing do not alter the assumptions made in the safety analysis. As such, the consequences of an accident previously evaluated are not significantly increased.

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 change does not involve a physical alteration to the plant (*i.e.*, no new or different type of equipment will be installed) or a change to the methods governing normal plant operation. The changes do not alter the assumptions made in the safety analysis. 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 amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed change revises TS 5.5.7, “Ventilation Filter Testing Program (VFTP),” to be consistent with the STS. The proposed change will not reduce a margin of safety because it has no effect on any safety analysis assumption. In addition, no regulatory requirements are being removed, but are either being replaced with references to be performed as described in Regulatory Guide 1.52, Revision 2, and the requirements of SR 3.0.1 or are being held in the licensee-controlled VFTP. Therefore, this proposed change does not involve a significant reduction in a margin of safety.

Based on the above, DTE concludes that the proposed amendment does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of “no significant hazards consideration” is justified.

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: Jon P. Christinidis, DTE Energy, Expert Attorney—Regulatory, 688 WCB, One Energy Plaza, Detroit, MI 48226–1279.

NRC Branch Chief: David J. Wrona.

Duke Energy Progress, LLC, Docket No. 50–400, Shearon Harris Nuclear Power Plant, Unit 1, Wake and Chatham Counties, North Carolina

Date of amendment request: June 5, 2017. A publicly-available version is in ADAMS under Accession No. ML17156A216.

Description of amendment request: The amendment would revise the Shearon Harris Nuclear Power Plant (HNP), Unit 1, Technical Specification (TS) Surveillance Requirements (SRs) established for the Emergency Diesel Generators (EDGs). The proposed changes will restrict the steady-state voltage and frequency limits for EDG operation to ensure that accident mitigation equipment can perform as designed. The proposed changes would also increase the voltage limit for the EDG full load rejection test.

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?

The LAR [license amendment request] proposes to provide voltage and frequency limits that are more restrictive for the steady-state operation of the EDGs than the current TS limits and proposes a change in the voltage limit following a load rejection. The current steady-state voltage limit is plus or minus 10% of the nominal EDG voltage (6900 \pm 690 volts) and the current steady-state frequency limit is plus or minus 2% of the nominal frequency (60 \pm 1.2 hertz). The proposed voltage limit is plus or minus 4% of the nominal EDG voltage (6900 \pm 276 volts) and the proposed frequency limit is plus or minus 0.8% of the nominal frequency (60 \pm 0.48 hertz). The voltage limit following a load rejection is being changed from 110% of the EDG voltage at the start of the test to 8,280 volts at any time during the test, which is 120% of the EDG nominal voltage rating.

More restrictive voltage and frequency limits for the output of the EDG restores design margin and provides assurance that the equipment supplied by the EDG will operate correctly and within the assumed timeframe to perform their mitigating functions. Testing results have been reviewed to verify that the proposed voltage and frequency limits are reasonable for the performance characteristics of the EDGs.

The technical analysis performed to support the change in the voltage limit following a load rejection has demonstrated that the EDGs can withstand voltages at the new proposed maximum voltage limit without a loss of protection. The proposed higher limit will continue to provide assurance that the EDGs are protected, and the safety function of the EDGs will be unaffected by the proposed change.

The EDGs are safety-related components that function to mitigate the impact of an accident with a concurrent loss of offsite power. A loss of offsite power is typically a significant contributor to postulated plant risk and, as such, onsite alternating current (AC) EDGs have to be maintained available and reliable in the event of a loss of offsite power event. The EDGs are not initiators for any analyzed accident; therefore, the probability for an accident that was previously evaluated is not increased by the proposed changes. The proposed voltage and frequency limits will ensure the EDGs will remain capable of performing their design function.

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?

The LAR proposes to provide voltage and frequency limits that are more restrictive for the steady-state operation of the EDGs than the current TS limits and proposes a change in the voltage limit following a load rejection.

The voltage and frequency limits were established for the steady-state operation voltage and frequency limits, using verified design calculations and the guidance of NRC Administrative Letter 98-10 (Nuclear Document System (NUDOCS) [ADAMS Legacy Library] Accession Number 9812280273). These limits will ensure the EDGs will perform as designed. No new configuration is established by this change.

The proposed higher limit for the EDG voltage limit following a load rejection will continue to provide assurance that the EDGs are protected, and the safety function of the EDGs will be unaffected by the proposed change. The proposed increase in the TS SR limit does not affect the interaction of the EDGs with any system whose failure or malfunction can initiate an accident.

The change does not involve a physical modification of the plant. There are no alterations to the parameters within which the plant is normally operated. No changes are being proposed to the procedures relied upon to mitigate a design basis event. The change does not have a detrimental impact on the manner in which plant equipment operates or responds to an actuation signal.

Therefore, no new or different kind of accident from any previously evaluated can be created.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

The LAR proposes to provide voltage and frequency limits that are more restrictive for the steady-state operation of the EDGs than the current TS limits and proposes a change in the voltage limit following a load rejection. The proposed TS limits on voltage and frequency will ensure that the EDG will be able to perform all design functions assumed in the accident analyses. The change in the acceptance criteria for specific surveillance testing provides assurance that the EDGs will be capable of performing their design function. Previous test history has shown that the proposed limits are well within the capability of the EDGs.

There will be no effect on those plant systems necessary to assure the accomplishment of protection functions associated with reactor operation or the reactor coolant system. There will be no impact on safety limits and the associated margin of safety.

The proposed changes do not eliminate any surveillance or alter the frequency of surveillance required by HNP TS. The more restrictive EDG voltage and frequency limits for steady-state operation and the increase in the TS SR voltage limit for the EDGs following a load rejection will not affect the ability of the EDGs to perform their safety function.

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: Kathryn B. Nolan, Deputy General Counsel, Duke Energy Corporation, 550 South Tryon St., M/C DEC45A, Charlotte, NC 28202.

NRC Branch Chief: Undine Shoop.

Entergy Nuclear Operations, Inc., Docket No. 50-271, Vermont Yankee Nuclear Power Station, Vernon, Vermont

Date of amendment request: July 13, 2017. A publicly-available version is in ADAMS under Accession No. ML17198A020.

Description of amendment request: The proposed amendment would delete the cyber security plan license condition for the Vermont Yankee Nuclear Power Station (VY).

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.

Spent fuel at VY is stored in the spent fuel pool (SFP) and in the independent spent fuel storage installation (ISFSI). In this configuration, the spectrum of possible accidents transients and accidents is significantly reduced compared to an operating nuclear power reactor. The design basis accident evaluated in Section 6 of the VY Defueled Safety Analysis Report (DSAR) is the fuel handling accident (FHA), which is predicated on spent fuel being stored in the SFP. Due to fuel decay since permanent cessation of reactor operations, the risk of an offsite radiological release is also significantly lower.

This proposed change does not alter the FHA analysis assumptions, introduce or alter any initiators, or affect the function of facility structures, systems, and components (SSCs) relied upon to prevent or mitigate any previously evaluated accident or the manner in which these SSCs are operated, maintained, modified, tested, or inspected. The proposed change does not involve any facility modifications which affect the performance capability of any SSCs relied upon to prevent or mitigate the consequences of any previously evaluated accidents.

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.

This proposed change does not alter accident analysis assumptions, introduce or alter any initiators, or affect the function of facility SSCs relied upon to prevent or mitigate any previously evaluated accident, or the manner in which these SSCs are operated, maintained, modified, tested, or inspected. The proposed change does not involve any facility modifications which affect the performance capability of any SSCs relied upon to mitigate the consequences of previously evaluated accidents and does not create the possibility of a new or different kind of accident from any accident previously evaluated.

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.

Plant safety margins are established through limiting conditions for operation, limiting safety system settings, and safety limits specified in the Technical Specifications, and as described in the Defueled Safety Analysis Report (DSAR). The proposed change does not involve any changes to the initial conditions that establish safety margins, and does not involve modifications to any SSCs which are relied upon to provide a margin of safety. Because there is no change to established safety margins as a result of this proposed change, no significant reduction in a margin of safety is involved.

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: Ms. Susan Raimo, Senior Counsel, Entergy Services, Inc., 101 Constitution Ave. NW., Suite 200 East, Washington, DC 20001.

NRC Branch Chief: Bruce Watson.

Entergy Nuclear Operations, Inc., Docket No. 50-271, Vermont Yankee Nuclear Power Station, Vernon, Vermont

Date of amendment request: July 20, 2017. A publicly-available version is in ADAMS under Accession No. ML17206A200.

Description of amendment request: The proposed amendment would revise the Operating License and the Permanently Defueled Technical Specifications (PDTs) to reflect removal of all spent nuclear fuel from the spent fuel pool (SFP) and its transfer to dry cask storage within an Independent Spent Fuel Storage Installation (ISFSI).

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 amendment would modify the VY Renewed Facility Operating License (Operating License) and Permanently Defueled Technical Specifications (PDTs), or Technical Specifications (TS), by deleting the portions of the Operating License and PDTs that are no longer applicable to a facility with no spent nuclear fuel stored in the SFP, while modifying the remaining portions to correspond to all nuclear fuel stored within an ISFSI. This amendment will be implemented within 60 days following ENO's notification to the NRC that all spent fuel assemblies have been transferred out of the SFP and placed in dry storage within the ISFSI.

The definition of safety-related structures, systems, and components (SSCs) in 10 CFR 50.2 states that safety-related SSCs are those relied on to remain functional during and following design basis events to assure:

(1) The integrity of the reactor coolant boundary;

(2) The capability to shutdown the reactor and maintain it in a safe shutdown condition; or

(3) The capability to prevent or mitigate the consequences of accidents which could result in potential offsite exposures comparable to the applicable guideline exposures set forth in 10 CFR 50.34(a)(1) or 100.11.

The first two criteria (integrity of the reactor coolant pressure boundary and safe shutdown of the reactor) are not applicable to a plant in a permanently defueled condition. The third criterion is related to preventing or mitigating the consequences of accidents that could result in potential offsite exposures exceeding limits. However, after all nuclear spent fuel assemblies have been transferred to dry cask storage within an ISFSI, none of the SSCs at VY are required to be relied on for accident mitigation. Therefore, none of the SSCs at VY meet the definition of a safety-related SSC stated in 10 CFR 50.2. The proposed deletion of requirements in the PDTs does not affect systems credited in any accident analysis at VY.

Section 6 of the VY Defueled Safety Analysis Report (DSAR) described the design basis accidents (DBAs) related to the SFP. These postulated accidents are predicated on spent fuel being stored in the SFP. With the removal of the spent fuel from the SFP, there are no remaining spent fuel assemblies to be monitored and there are no credible accidents that require the actions of a Certified Fuel Handler, Shift Manager, or a Non-certified Operator to prevent occurrence or mitigate the consequences of an accident.

The proposed changes do not have an adverse impact on the remaining

decommissioning activities or any of their postulated consequences. The proposed changes related to the relocation of certain administrative requirements do not affect operating procedures or administrative controls that have the function of preventing or mitigating any accidents applicable to the safe management of irradiated fuel or decommissioning of the facility.

Therefore, the proposed amendment 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 changes eliminate the operational requirements and certain design requirements associated with the storage of the spent fuel in the SFP, and relocate certain administrative controls to the Quality Assurance Program Manual or other licensee-controlled process.

After the removal of the spent fuel from the SFP and transfer to the ISFSI, there are no spent fuel assemblies that remain in the SFP. Coupled with a prohibition against storage of fuel in the SFP, the potential for fuel related accidents is removed. The proposed changes do not introduce any new failure modes.

Therefore, the proposed amendment 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 removal of all spent nuclear fuel from the SFP into storage in casks within an ISFSI, coupled with a prohibition against future storage of fuel within the SFP, removes the potential for fuel related accidents.

The design basis and accident assumptions within the VY DSAR and the PDTs relating to safe management and safety of spent fuel in the SFP are no longer applicable. The proposed changes do not affect remaining plant operations, systems, or components supporting decommissioning activities.

The requirements for systems, structures, and components (SSCs) that have been removed from the VY PDTs are not credited in the existing accident analysis for any applicable postulated accident; and as such, do not contribute to the margin of safety associated with the accident analysis.

Therefore, the proposed amendment 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: Ms. Susan Raimo, Senior Counsel, Entergy Services, Inc., 101 Constitution Avenue NW., Suite 200 East, Washington, DC 20001.

NRC Branch Chief: Bruce Watson.

*Exelon Generation Company, LLC,
Docket No. 50–333, James A. FitzPatrick
Nuclear Power Plant, Oswego County,
New York*

Date of amendment request: July 31, 2017. A publicly-available version is in ADAMS under Accession No. ML17213A049.

Description of amendment request: The amendment would revise the description for the Emergency Response Organization (ERO) requalification training frequency in the Emergency Plan from annually to “once per calendar year not to exceed 18 months between training sessions.”

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 change only affects the administrative aspects of the annual ERO requalification training frequency requirements and not the content of the training. The proposed change does not involve the modification of any plant equipment or affect plan operation. The proposed change will have no impact on any safety-related Structures, Systems, or Components (SSC).

The proposed change would revise the ERO requalification frequency from an annual basis to once per calendar year not to exceed 18 months between training sessions as defined in the FitzPatrick Emergency Plan. The proposed change will support aligning the FitzPatrick training with the rest of the Exelon fleet under one standard regarding the annual requalification training frequency of personnel assigned Exelon ERO positions.

Therefore, the proposed change to the Emergency Plan requalification training frequency for the affected site 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 change has no impact on the design, function, or operation of any plant SSC. The proposed change does not affect plant equipment or accident analyses. The proposed change only affects the administrative aspects related to the annual ERO requalification training frequency requirements. There are no changes in the content of the training being proposed under this submittal. The proposed change will support aligning the FitzPatrick training with the rest of the Exelon fleet under one

standard regarding the annual requalification training frequency of personnel assigned Exelon ERO positions.

Therefore, the proposed change to the Emergency Plan requalification training frequency for the affected site 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.

The proposed change only affects the administrative aspects of the annual ERO requalification training frequency requirements and does not change the training content. The proposed change does not adversely affect existing plant safety margins or the reliability of the equipment assumed to operate in the safety analyses. There is no change being made to safety analysis assumptions, safety limits, or limiting safety system settings that would adversely affect plant safety as a result of the proposed change. Margins of safety are unaffected by the proposed change to the frequency in the ERO requalification training requirements.

Therefore, the proposed change to the Emergency Plan requalification training frequency for the affected site 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: Donald P. Ferraro, Assistant General Counsel, Exelon Generation Company, LLC, 200 Exelon Way, Suite 305, Kennett Square, PA 19348.

NRC Branch Chief: James G. Danna.

*Exelon Generation Company, LLC,
Docket Nos. 50–352 and 50–353,
Limerick Generating Station, Units 1
and 2, Montgomery County,
Pennsylvania*

Date of amendment request: June 28, 2017. A publicly-available version is in ADAMS under Accession No. ML17179A161.

Description of amendment request: The amendments would revise the licensing basis by adding a license condition to allow for the implementation of the provisions of 10 CFR 50.69.

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 will permit the use of a risk-informed categorization process to modify the scope of SSCs [structures, systems, and components] subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The process used to evaluate SSCs for changes to NRC special treatment requirements and the use of alternative requirements ensures the ability of the SSCs to perform their design function. The potential change to special treatment requirements does not change the design and operation of the SSCs. As a result, the proposed change does not significantly affect any initiators to accidents previously evaluated or the ability to mitigate any accidents previously evaluated. The consequences of the accidents previously evaluated are not affected because the mitigation functions performed by the SSCs assumed in the safety analysis are not being modified. The SSCs required to safely shut down the reactor and maintain it in a safe shutdown condition following an accident will continue to perform their design functions.

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 will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not change the functional requirements, configuration, or method of operation of any SSC. Under the proposed change, no additional plant equipment will be installed.

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 will permit the use of a risk-informed categorization process to modify the scope of SSCs subject to NRC special treatment requirements and to implement alternative treatments per the regulations. The proposed change does not affect any Safety Limits or operating parameters used to establish the safety margin. The safety margins included in analyses of accidents are not affected by the proposed change. The regulation requires that there be no significant effect on plant risk due to any change to the special treatment requirements for SSCs and that the SSCs continue to be capable of performing their design basis functions, as well as to perform any beyond design basis functions consistent with the categorization process and results.

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: James G. Danna.

Northern States Power Company—Minnesota, Docket Nos. 50–282 and 50–306, Prairie Island Nuclear Generating Plant, Units 1 and 2, Goodhue County, Minnesota

Date of amendment request: August 4, 2017. A publicly-available version is in ADAMS under Accession No. ML17216A236.

Brief description of amendment request: The proposed amendments would modify the non-destructive examination (NDE) inspection interval for Special Lifting Devices from annually or prior to each use, typically at each refueling outage, to a 10-year interval.

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 change does not impact the consequences of an accident previously evaluated as it only modifies an already existing NDE inspection interval and does not change the manner in which heavy loads are handled using these devices.

The proposed change also does not significantly increase the probability of a previously evaluated accident as significant structural margins and high strength materials were used in excess of those specified in ANSI [American National Standards Institute] N14.6–1978. Additionally, the use of each device is infrequent and concerns of degradation due to fatigue are negligible, especially when compared to what is possible for the type of devices for which ANSI N14.6–1978 and its corresponding NDE inspection interval were originally intended. Continued visual inspections and dimensional testing consistent with ANSI N14.6–1978 on a periodicity of annually or prior to each use, typically at each outage, will continue to provide a high degree of probability that any flaws will be detected and addressed.

Therefore, the proposed change 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 previously evaluated?

Response: No.

The proposed change impacts the frequency of NDE inspections on the Special Lifting Devices. The proposed change, by its nature, does not alter the manner in which the devices are used and does not involve a physical change to the devices. It also does not change the manner in which heavy loads are handled using these devices.

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 amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed change does not impact the designs or usage of the devices in any manner and, therefore, has no impact on the margins of safety for those designs. It modifies the frequency at which NDE inspections on major load carrying welds and other critical members are performed. However, given the evaluation of available past NDE inspection results, use of sufficient design margins and high strength materials, infrequent use and continued visual inspection and dimensional testing consistent with ANSI N14.6–1978, the proposed change will not result in any appreciable reduction in the reliability of the Special Lifting Devices load handling capabilities when contrasted with the frequency stipulated by ANSI N14.6–1978.

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 requests involve no significant hazards consideration.

Attorney for licensee: Peter M. Glass, Assistant General Counsel, Xcel Energy Services, Inc., 414 Nicollet Mall, Minneapolis, MN 55401.

NRC Branch Chief: David J. Wrona.

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 Progress, LLC, Docket Nos. 50–325 and 50–324, Brunswick Steam Electric Plant, Units 1 and 2, Brunswick County, North Carolina

Date of amendment request: September 28, 2016, as supplemented by letters dated March 25, 2017, and May 24, 2017.

Brief description of amendments: The amendments modified the Technical Specification-required action end states consistent with the NRC-approved Technical Specifications Task Force (TSTF) Traveler TSTF-423-A, Revision 1, "Technical Specifications End States, NEDC 32988-A," dated December 22, 2009 (ADAMS Accession No. ML093570241), as described in the Notice of Availability published in the **Federal Register** on February 18, 2011 (76 FR 9614). Changes to the Brunswick Steam Electric Plant, Units 1 and 2, Technical Specifications for selected required action end states allow entry into hot shutdown rather than cold shutdown to repair equipment if risk is assessed and managed consistent with the program in place for complying with the requirements of 10 CFR 50.65(a)(4).

Date of issuance: August 29, 2017.

Effective date: As of date of issuance and shall be implemented within 120 days of issuance.

Amendment Nos.: 280 (Unit 1) and 308 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML17180A596; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License Nos. DPR-71 and DPR-62: Amendments revised the Facility Operating Licenses and Technical Specifications.

*Date of initial notice in **Federal Register**:* December 6, 2016 (81 FR 87968). The supplemental letters dated March 25 and May 24, 2017, 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 August 29, 2017.

No significant hazards consideration comments received: No.

Duke Energy Progress, LLC, Docket Nos. 50-325 and 50-324, Brunswick Steam Electric Plant, Units 1 and 2, Brunswick County, North Carolina

Date of amendment request: October 27, 2016.

Brief description of amendments: The amendments revised the technical specifications (TSs) Sections 1.3, "Completion Times," and 3.0, "Limiting Condition for Operation (LCO) Applicability" and "Surveillance Requirement (SR) Applicability." The changes clarify and expand the use and application of the plant's TS usage rules. The changes are consistent with the NRC-approved Technical Specifications Task Force (TSTF) Traveler TSTF-529, Revision 4, "Clarify Use and Application Rules" dated February 29, 2016.

Date of issuance: September 6, 2017.

Effective date: As of date of issuance and shall be implemented within 90 days of issuance.

Amendment Nos.: 281 (Unit 1) and 309 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML17186A219; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR-71 and DPR-62: Amendments revised the Renewed Facility Operating Licenses and TSs.

*Date of initial notice in **Federal Register**:* March 14, 2017 (82 FR 13665).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 6, 2017.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. 50-317 and 50-318, Calvert Cliffs Nuclear Power Plant, Units 1 and 2, Calvert County, Maryland

Date of amendment request: September 22, 2016, as supplemented by letters dated November 10, 2016, and March 22, 2017. Publicly-available versions are in ADAMS under Accession Nos. ML16266A086, ML16315A112, and ML17081A303, respectively.

Brief description of amendments: The amendments revised the Calvert Cliffs Nuclear Power Plant, Units 1 and 2, Technical Specification (TS) 3.3.8, "Control Room Recirculation Signal (CRRS)," and TS 3.7.8, "Control Room Emergency Ventilation System (CREVS)," to remove certain CREVS components and their associated testing, which no longer serve the purpose of establishing and isolating the control room boundary.

Date of issuance: August 30, 2017.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment Nos.: 321 (Unit 1) and 299 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML17209A620; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR-53 and DPR-69: Amendments revised the Renewed Facility Operating Licenses and TSs.

*Date of initial notice in **Federal Register**:* January 31, 2017 (82 FR 8870). The supplemental letter dated March 22, 2017, 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 August 30, 2017.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. 50-254 and 50-265, Quad Cities Nuclear Power Station, Units 1 and 2, Rock Island County, Illinois

Date of amendment request: September 12, 2016, as supplemented by letters dated November 21, 2016, and April 24, 2017.

Brief description of amendments: The amendments revised the allowable value for detecting a loss of voltage on the 4160 volt essential service system buses.

Date of issuance: September 11, 2017.

Effective date: As of the date of issuance and shall be implemented prior to entering Mode 4 following the spring 2018 refueling outage for Unit 2, and prior to entering Mode 4 following the spring 2019 refueling outage for Unit 1.

Amendment Nos.: 268 (Unit 1) and 263 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML17208A297; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR-29 and DPR-30: Amendments revised the Technical Specifications and Licenses.

*Date of initial notice in **Federal Register**:* December 20, 2016 (81 FR 92867). The supplemental letters dated November 21, 2016, and April 24, 2017, 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 September 11, 2017.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. STN 50-456 and STN 50-457, Braidwood Station, Units 1 and 2, Will County, Illinois

Exelon Generation Company, LLC, Docket Nos. STN 50-454 and STN 50-455, Byron Station, Unit Nos. 1 and 2, Ogle County, Illinois

Exelon Generation Company, LLC, Docket Nos. 50-317 and 50-318, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland

Exelon Generation Company, LLC, Docket No. 50-461, Clinton Power Station, Unit No. 1, DeWitt County, Illinois

Exelon Generation Company, LLC, Docket Nos. 50-237 and 50-249,

Dresden Nuclear Power Station, Units 2 and 3, Grundy County, Illinois

Exelon Generation Company, LLC, Docket Nos. 50–373 and 50–374, LaSalle County Station, Units 1 and 2, LaSalle County, Illinois

Exelon Generation Company, LLC, Docket Nos. 50–352 and No. 50–353, Limerick Generating Station, Units 1 and 2, Montgomery County, Pennsylvania

Exelon Generation Company, LLC, Docket Nos. 50–220 and 50–410, Nine Mile Point Nuclear Station, Units 1 and 2, Oswego County, New York

Exelon Generation Company, LLC, and PSEG Nuclear LLC, Docket Nos. 50–277 and 50–278, Peach Bottom Atomic Power Station, Units 2 and 3, York and Lancaster Counties, Pennsylvania

Exelon Generation Company, LLC, Docket Nos. 50–254 and 50–265, Quad Cities Nuclear Power Station, Units 1 and 2, Rock Island County, Illinois

Exelon Generation Company, LLC, Docket No. 50–244, R.E. Ginna Nuclear Power Plant, Wayne County, New York

Exelon Generation Company, LLC, Docket No. 50–289, Three Mile Island Nuclear Station, Unit 1, Dauphin County, Pennsylvania

Date of amendment request: March 28, 2017.

Brief description of amendments: The amendments revise and clarify the technical specification usage rules for completion times, limiting conditions for operation, and surveillance requirements.

Date of issuance: August 31, 2017.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment Nos.: 194/194; 200/200; 322/300; 213; 255/248; 224/210; 226/189; 229/163; 314/318; 267/262; 126; and 292. A publicly-available version is in ADAMS under Accession No. ML17163A355. Documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License Nos. NPF–72, NPF–77, NPF–37, NPF–66, DPR–53, DPR–69, NPF–62, DPR–19, DPR–25, NPF–11, NPF–18, NPF–39, NPF–85, DPR–63, NPF–69, DPR–44, DPR–56, DPR–29, DPR–30, DPR–18, and DPR–50: Amendments revised the Facility Operating Licenses and Technical Specifications.

Date of initial notice in Federal Register: May 9, 2017 (82 FR 21558).

The Commission's related evaluation of the amendments is contained in a safety evaluation dated August 31, 2017.

No significant hazards consideration comments received: No.

Southern Nuclear Operating Company, Inc., Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket Nos. 50–321 and 50–366, Edwin I. Hatch Nuclear Plant, Unit Nos. 1 and 2, Appling County, Georgia

Date of amendment request: August 11, 2015, as supplemented by letters dated October 27, 2015; March 16, April 4, June 17, August 12, September 20, and November 16, 2016; and February 6, April 4, and May 11, 2017.

Brief description of amendments: The amendments revised the Technical Specification (TS) requirements related to direct current (DC) electrical systems in TS Limiting Condition for Operation (LCO) 3.8.4, “DC Sources—Operating,” LCO 3.8.5, “DC Sources—Shutdown,” and LCO 3.8.6, “Battery Cell Parameters.” The amendments also added a new requirement, TS 5.5.15, “Battery Monitoring and Maintenance Program,” to TS 5.5, “Administrative Controls—Programs and Manuals.”

Date of issuance: August 29, 2017.

Effective date: As of the date of issuance and shall be implemented within 120 days of issuance.

Amendment Nos.: 287 (Unit 1) and 232 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML17208A231; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–57 and NPF–5: Amendments revised the Renewed Facility Operating Licenses and Technical Specifications.

Date of initial notice in Federal Register: June 7, 2016 (81 FR 36623). The supplemental letters dated June 17, August 12, September 20, and November 16, 2016; and February 6, April 4, and May 11, 2017, 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 August 29, 2017.

No significant hazards consideration comments received: No.

Southern Nuclear Operating Company, Inc., Docket Nos. 50–424 and 50–425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia

Date of amendment request:

November 15, 2016, as supplemented by letter dated January 13, 2017.

Brief description of amendments: The amendments revised the TS requirements to operate ventilation systems with charcoal filters from 10 hours to 15 minutes each month in accordance with TSTF–522, Revision 0, “Revise Ventilation System Surveillance Requirements to Operate for 10 hours per Month.”

Date of issuance: August 31, 2017.

Effective date: As of the date of issuance and shall be implemented within 90 days of issuance.

Amendment Nos.: 189 and 172. A publicly-available version is in ADAMS under Accession No. ML17186A276; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License No. NPF–68 and NPF–81: Amendments revised the Facility Operating Licenses and Technical Specifications.

Date of initial notice in Federal Register: February 28, 2017 (82 FR 12135).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated August 31, 2017.

No significant hazards consideration comments received: No.

Southern Nuclear Operating Company, Inc., Docket Nos. 50–424 and 50–425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia

Date of amendment request:

November 15, 2016.

Brief description of amendments: The amendments revised the technical specifications by relocating references to specific American Society for Testing and Materials standards for fuel oil testing to licensee-controlled documents and adding alternate criteria to the “clear and bright” acceptance test for new fuel oil. The change is in accordance with Technical Specification Task Force Traveler 374, Revision 0, “Revision to TS 5.5.13 and Associated TS Bases for Diesel Fuel Oil.”

Date of issuance: August 31, 2017.

Effective date: As of the date of issuance and shall be implemented within [licensee requested number] days of issuance.

Amendment Nos.: 190 and 173. A publicly-available version is in ADAMS under Accession No. ML17208B018;

documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License No. NPF-68 and NPF-81: Amendments revised the Facility Operating Licenses and Technical Specifications.

Date of initial notice in Federal Register: February 28, 2017 (82 FR 12136).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated August 31, 2017.

No significant hazards consideration comments received: No.

Southern Nuclear Operating Company, Inc., Docket Nos. 50-424 and 50-425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia

Date of amendment request: November 15, 2016.

Brief description of amendments: The amendments add technical specifications requirements for unavailable barriers by adding Limiting Condition for Operation (LCO) 3.0.10 as described as LCO 3.0.9 in TSTF-427, Revision 2, "Allowance for Non Technical Specification Barrier Degradation on Supported System OPERABILITY."

Date of issuance: September 5, 2017.

Effective date: As of the date of issuance and shall be implemented within 90 days of issuance.

Amendment Nos.: 191 and 174. A publicly-available version is in ADAMS under Accession No. ML17198B633; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License No. NPF-68 and NPF-81: Amendments revised the Facility Operating Licenses and Technical Specifications.

Date of initial notice in Federal Register: February 28, 2017 (82 FR 12137).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 5, 2017.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 15th day of September 2017.

For the Nuclear Regulatory Commission.

Kathryn Brock,

Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2017-20475 Filed 9-25-17; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2017-0153]

Draft Fiscal Years 2018-2022 Strategic Plan

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft NUREG; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is requesting comment on draft NUREG-1614, Volume 7, "Draft Strategic Plan: Fiscal Years 2018-2022." The draft Strategic Plan provides the agency's strategic goals and objectives and proposed strategies for achieving them. The NRC encourages and welcomes public comments that can help it respond to challenges and shape its strategic direction over the next four years, particularly comments on the plan's goals, objectives, and strategies.

DATES: Submit comments by October 26, 2017. Comments received after this date will be considered if it is practical to do so, but the NRC is only able to ensure consideration of comments received on or before this date.

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

- *Federal rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0153. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; email: Carol.Gallagher@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: TWFN-08-D36M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on accessing information and submitting comments, see "Accessing Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: June Cai, Office of the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1771; email: June.Cai@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC-2017-0153 when contacting the NRC about

the availability of information for this draft Strategic Plan. You may access publicly-available information related to this action by the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0153.

- *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 WBA 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 draft Strategic Plan is available in ADAMS under Accession No. ML17254A104.

- *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.

- *NRC's Public Web site:* The NRC's draft Strategic Plan may be viewed online on the NRC's Public Web site on the Documents for Comment Web page at <https://www.nrc.gov/public-involve/doc-comment.html>, under "Draft NUREG-Series Publications."

B. Submitting Comments

Please include Docket ID NRC-2017-0153 in the subject line of your comment submission in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

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 accordance with the Government Performance and Results (GPRA) Modernization Act of 2010, agencies are required to submit their strategic plans to Congress the year following the start of a Presidential term. The Commission has approved a draft Strategic Plan and is now seeking comments from the public so that the agency may benefit from a wide range of stakeholder input to help shape the NRC's strategic direction for the upcoming planning period.

III. Draft Strategic Plan

The NRC is an independent agency established by the Energy Reorganization Act of 1974 that began operations in 1975 as a successor to the Atomic Energy Commission. The NRC's mission is to license and regulate the Nation's civilian use of radioactive materials to provide reasonable assurance of adequate protection of public health and safety and to promote the common defense and security and to protect the environment. The draft Strategic Plan, covering the period Fiscal Years 2018–2022, describes how the NRC plans to achieve its two strategic goals: (1) Ensure the safe use of radioactive materials, and (2) ensure the secure use of radioactive materials. The draft Strategic Plan provides an overview of the NRC's responsibilities and lays out the objectives, strategies, and key activities that will be used to achieve the agency's strategic goals.

The NRC encourages all interested parties to comment on the draft Strategic Plan, particularly on the plan's goals, objectives, and strategies. Stakeholder feedback will be valuable in helping the Commission develop a final Strategic Plan that has the benefit of the many views of the public and the regulated civilian nuclear industry. The NRC will consider the comments submitted and may use them, as appropriate, in the preparation of the final Strategic Plan; however, the NRC does not anticipate preparing explicit responses to each comment.

Dated at Rockville, Maryland, this 20th day of September 2017.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 2017–20538 Filed 9–25–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0195]

Service Contract Inventory

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is publishing this notice to advise the public of the availability of its Fiscal Year (FY) 2016 Service Contract Inventory and FY 2015 Service Contract Inventory Analysis. The NRC's FY 2016 Service Contract Inventory is included as part of a Government-wide service contract inventory. The inventory includes covered service contracts that were awarded in FY 2016. The FY 2015 Inventory Analysis provides information on specific contract actions that were analyzed as part of the NRC's FY 2015 Service Contract Inventory.

DATES: September 26, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0195 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–2017–0195. 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 is available in ADAMS) is provided the first time that a document is referenced. The FY 2015 Service Contract Inventory Analysis can be accessed in ADAMS under Accession No. ML17039A659. The FY 2015 Service Contract Inventory Analysis was published on the NRC's Web site at the following location: <http://www.nrc.gov/about-nrc/contracting.html>.

- *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.

- *Availability of the Service Contract Inventory:* The NRC's FY 2016 Service Contract Inventory data is included in a Government-wide service contract inventory that was published at the following location: <https://www.acquisition.gov/service-contract-inventory>.

FOR FURTHER INFORMATION CONTACT: Lori Konovitz, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0039 or email: Lori.Konovitz@nrc.gov.

SUPPLEMENTARY INFORMATION: In accordance with Section 743 of Division C of the FY 2010 Consolidated Appropriations Act, Public Law 111–117, the NRC is publishing this notice to advise the public of the availability of its FY 2016 Service Contract Inventory and FY 2015 Service Contract Inventory Analysis.

The inventory provides information on service contracts with a value of \$150,000 or more that were awarded in FY 2016. The inventory includes the following:

1. A description of the services purchased;
2. The role the contracted services played in achieving agency objectives;
3. The dollar amount obligated for the services under the contract, and the funding source for the contract;
4. The contract type and date of the award;
5. The name of the contractor and place of performance;
6. The dollar amount invoiced for services under the contract;
7. The number and work location of contractor and first-tier subcontractor employees, expressed as full-time equivalents for direct labor, compensated under the contract;
8. Whether the contract is a personal services contract; and
9. Whether the contract was awarded on a non-competitive basis.

The FY 2015 Inventory Analysis provides information on specific service contract actions that were analyzed as part of the NRC's FY 2015 Service Contract Inventory.

The purpose of the analysis is to determine if contract labor is being used in an effective and appropriate manner and if the mix of federal employees and contractors in the agency is effectively balanced.

Dated at Rockville, Maryland, this 18th day of September 2017.

For the Nuclear Regulatory Commission.
James C. Corbett,
 Director, Acquisition Management Division,
 Office of Administration.

[FR Doc. 2017-20473 Filed 9-25-17; 8:45 am]

BILLING CODE 7590-01-P

OVERSEAS PRIVATE INVESTMENT CORPORATION

Submission for OMB Review

AGENCY: Overseas Private Investment Corporation (OPIC).

ACTION: Notice and request for comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act, agencies are required to publish a Notice in the **Federal Register** notifying the public that the agency has prepared an information collection for OMB review and approval and has requested public review and comment on the submission. Comments are being solicited on the need for the information; the accuracy of the Agency's burden estimate; the quality, practical utility, and clarity of the information to be collected; and ways to minimize the reporting burden, including automated collected techniques and uses of other forms of technology.

Minor revisions are being made to the legal disclosures and notices on the first page of the form. There are no revisions to the information being collected.

DATES: Comments must be received within 60 calendar-days of publication of this Notice.

ADDRESSES: Direct comments and requests for copies of the subject form to the Agency Submitting Officer: James Bobbitt, Records Manager, Overseas Private Investment Corporation, 1100 New York Avenue NW., Washington, DC 20527.

FOR FURTHER INFORMATION CONTACT: Agency Submitting Officer: James Bobbitt, Records Manager, (202) 336-8558.

SUMMARY FORM UNDER REVIEW:

Type of Request: Renewal of currently approved information collection.

Title: Personal Financial Statement.

Form Number: OPIC-254.

Frequency of Use: Up front—one per individual investor/guarantor per project.

Type of Respondents: Individuals.
Standard Industrial Classification Codes: N/A.

Description of Affected Public: U.S. and foreign citizens investing in projects overseas.

Reporting Hours: 75 hours (1 hour per response).

Number of Responses: 75 per year.

Federal Cost: \$4,026.

Authority for Information Collection: Sections 231, 234(a), 239(d), and 240A of the Foreign Assistance Act of 1961, as amended.

Abstract (Needs and Uses): The personal financial statement is supporting documentation to the OPIC application for financing (OPIC-115). The information provided is used by OPIC to determine if individuals who are providing equity investment in or credit support to a project have sufficient financial wherewithal to meet their expected obligations under the proposed terms of the OPIC financing.

Dated: September 20, 2017.

Nichole Skoyles,

Administrative Counsel, Administrative Affairs, Department of Legal Affairs.

[FR Doc. 2017-20506 Filed 9-25-17; 8:45 am]

BILLING CODE P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2017-204 and CP2017-312; MC2017-205 and CP2017-313; MC2017-206 and CP2017-314]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* September 28, 2017.

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. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The

request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's Web site (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.40.

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s):* MC2017-204 and CP2017-312; *Filing Title:* Request of the United States Postal Service to Add Priority Mail Contract 358 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data; *Filing Acceptance Date:* September 20, 2017; *Filing Authority:* 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*, *Public Representative:* Christopher C. Mohr; *Comments Due:* September 28, 2017.

2. *Docket No(s):* MC2017-205 and CP2017-313; *Filing Title:* Request of the United States Postal Service to Add Priority Mail Contract 359 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and

Supporting Data; *Filing Acceptance Date*: September 20, 2017; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*, *Public Representative*: Christopher C. Mohr; *Comments Due*: September 28, 2017.

3. *Docket No(s)*: MC2017–206 and CP2017–314; *Filing Title*: Request of the United States Postal Service to Add Priority Mail Contract 360 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data; *Filing Acceptance Date*: September 20, 2017; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*, *Public Representative*: Christopher C. Mohr; *Comments Due*: September 28, 2017.

This notice will be published in the **Federal Register**.

Stacy L. Ruble,
Secretary.

[FR Doc. 2017–20528 Filed 9–25–17; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81662; File No. SR–IEX–2017–31]

Self-Regulatory Organizations: Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Clarify the Manner in Which the Order Collar and Router Constraint Apply to Auctions and the Opening Process

September 20, 2017.

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 September 6, 2017, the Investors Exchange LLC (“IEX” or the “Exchange”) 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 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

Pursuant to the provisions of Section 19(b)(1) under the Securities Exchange Act of 1934 (“Act”),⁴ and Rule 19b–4

thereunder,⁵ Investors Exchange LLC (“IEX” or “Exchange”) is filing with the Commission a proposed rule change to clarify the inapplicability of the Exchange's Order Collar⁶ and Router Constraint⁷ to certain orders that are eligible for participation in the opening process for non-IEX-listed securities pursuant to Rule 11.231, or for auctions in IEX-listed securities pursuant to Rule 11.350. The Exchange has designated this rule change as “non-controversial” under Section 19(b)(3)(A) of the Act⁸ and provided the Commission with the notice required by Rule 19b–4(f)(6) thereunder.⁹

The text of the proposed rule change is available at the Exchange's Web site at www.iextrading.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 the 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 these statements may be examined at the places specified in Item IV below. The self-regulatory organization 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 the Statutory Basis for, the Proposed Rule Change

1. Purpose Background

The purpose of this proposed rule change is to clarify the inapplicability of the Exchange's Order Collar and Router Constraint to certain orders that are eligible for participation in the opening process for non-IEX-listed securities pursuant to Rule 11.231, or for auctions in IEX-listed securities pursuant to Rule 11.350. On July 24th 2017, the Commission approved a proposed rule change filed by the Exchange to amend IEX Rule 11.231 to modify the manner in which the Exchange opens trading for non-IEX-listed securities beginning at the start of Regular Market Hours (the “Opening Process”).¹⁰ On August 4,

2017, the Commission approved a proposed rule change filed by the Exchange to adopt rules governing auctions in IEX-listed securities, provide for the dissemination of auction related market data, and establish rules relating to trading halts and pauses (“IEX Auctions”).¹¹

Opening Process for Non-IEX-Listed Securities

Pursuant to Rule 11.231, the Exchange attempts to perform the Opening Process in each non-IEX-listed security, in which all eligible interest resting on the Order Book in the Pre-Market Session available for continuous trading (*i.e.*, orders on the “Continuous Book”) as well as all eligible interest queued for execution in the Regular Market Session (*i.e.*, orders on the “Cross Book”) are executed at a single price. Prior to the beginning of Regular Market Hours, Users who wish to participate in the Opening Process may enter limit, market, and pegged orders designated with a time-in-force of DAY and limit orders designated with a time-in-force of GTX, which shall queue in the System and are eligible for execution in the Opening Process (orders on the Cross Book); interest resting on the Order Book in the Pre-Market Session available for continuous trading (*i.e.*, orders on the Continuous Book) are also eligible for execution in the Opening Process (collectively, “Cross Eligible Orders”).

Cross Eligible Orders resting on the Continuous Book are ranked by the price at which they are resting on the Continuous Book and Cross Eligible Orders resting on the Cross Book are ranked by the limit price defined by the User, if any, except in the case of pegged orders, which are ranked by their current book price (in each case, the order's “resting price”). Specifically, pursuant to Rule 11.220(a)(2), Cross Eligible Orders are ranked and eligible for execution in the Opening Process in price-display-time priority as follows:

- Midpoint peg orders, as defined in IEX Rule 11.190(b)(9), on the Cross Book are ranked and eligible for execution in the Opening Process at the less aggressive of the Midpoint Price or the order's limit price, if any.

- Primary peg orders, as defined in IEX Rule 11.190(b)(8), on the Cross Book are ranked and eligible for execution in the Opening Process at the less aggressive of one (1) MPV below (above) the NBB (NBO) for buy (sell) orders or the order's limit price, if any, but may exercise price discretion up (down) to

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b–4.

⁴ 15 U.S.C. 78s(b)(1).

⁵ 17 CFR 240.19b–4.

⁶ See Rule 11.190(f)(1).

⁷ See Rule 11.190(f)(2).

⁸ 15 U.S.C. 78s(b)(3)(A).

⁹ 17 CFR 240.19b–4.

¹⁰ See Securities Exchange Act Release No. 81195 (July 24, 2017), 82 FR 35250 (July 28, 2017).

¹¹ See Securities Exchange Act Release No. 81316 (August 4, 2017), 82 FR 37474 (August 10, 2017).

the Opening Match Price, subject to the less aggressive of the NBB (NBO) or the order's limit price, if any, except during periods of quote instability, as defined in IEX Rule 11.190(g). When exercising price discretion, primary peg orders are ranked behind any non-displayed interest at the Opening Match Price¹² for the duration of the Opening Process. If multiple primary peg orders are exercising price discretion during the Opening Process, they maintain their relative time priority at the Opening Match Price.

- Discretionary Peg orders, as defined in IEX Rule 11.190(b)(10), on the Cross Book are ranked and eligible for execution in the Opening Process at the less aggressive of the NBB (NBO) for buy (sell) orders or the order's limit price, if any, but may exercise price discretion up (down) to the Opening Match Price, subject to the less aggressive of the Midpoint Price or the order's limit price, if any, except during periods of quote instability, as defined in IEX Rule 11.190(g). When exercising price discretion, Discretionary Peg orders are ranked behind any non-displayed interest at the Opening Match Price for the duration of the Opening Process. If multiple Discretionary Peg orders are exercising price discretion during the Opening Process, they maintain their relative time priority at the Opening Match Price.

- Limit orders on the Cross Book are ranked and eligible for execution in the Opening Process at their limit price.

- Non-displayed limit orders and non-displayed portions of reserve orders on the Continuous Book are ranked and eligible for execution in the Opening Process at the less aggressive of the Midpoint Price or the order's limit price.

- Displayed limit orders on the Continuous Book are ranked and eligible for execution in the Opening Process at their resting price.

IEX Auctions for IEX-Listed Securities

Pursuant to Rule 11.350, once IEX begins a listing program, IEX Auctions will enable Members to participate in electronic price discovery mechanisms that match all eligible orders resting on the Order Book that are eligible for continuous trading (*i.e.*, orders on the "Continuous Book"), as well as all eligible orders queued for execution in the applicable auction (*i.e.*, orders on the "Auction Book") in each IEX-listed security at a single price using a double auction process. Members who wish to participate in an IEX Auction can send Auction Eligible Orders (*i.e.*, orders on

Continuous Book or Auction Book that are not Auction Ineligible Orders¹³) prior to the auction. The IEX Auction process is designed to efficiently maximize the number of shares executed at a single price during the auctions. IEX Auctions will apply to all IEX-listed securities at the open ("Opening Auction") and close ("Closing Auction") of the Regular Market Session, for the start of trading for an IPO or launch of a new issue ("IPO Auction"), and upon the resumption of trading in a security following a trading halt ("Halt Auction") or a trading pause pursuant to the LULD Plan ("Volatility Auction").¹⁴

Auction Eligible Orders resting on the Continuous Book are ranked by the price at which they are resting on the Continuous Book; Auction Eligible Orders resting on the Auction Book are ranked by the limit price defined by the User, if any, (in each case, the order's "resting price"). Specifically, pursuant to Rule 11.350(b)(1)(A)(i), Auction Eligible Orders are ranked and eligible for execution in IEX Auctions in price-display-time priority as follows:

- Midpoint peg orders are ranked and eligible for execution in the Closing Auction at the less aggressive of the Midpoint Price or the order's limit price, if any.

- Primary peg orders are ranked and eligible for execution in the Closing Auction at the less aggressive of one (1) MPV below (above) the NBB (NBO) for buy (sell) orders or the order's limit price, if any, but may exercise price discretion up (down) to the auction match price, subject to the less aggressive of the NBB (NBO) or the order's limit price, if any, except during periods of quote instability, as defined in IEX Rule 11.190(g). When exercising price discretion, primary peg orders are ranked behind any non-displayed interest at the auction match price for the duration of the Closing Auction. If multiple primary peg orders are exercising price discretion during the Closing Auction, they maintain their relative time priority at the auction match price.

- Discretionary Peg orders are ranked and eligible for execution in the Closing Auction at the less aggressive of the NBB (NBO) for buy (sell) orders or the order's limit price, if any, but may exercise price discretion up (down) to the auction match price, subject to the less aggressive of the Midpoint Price or the order's limit price, if any, except during periods of quote instability, as

defined in IEX Rule 11.190(g). When exercising price discretion, Discretionary Peg orders are ranked behind any non-displayed interest at the auction match price for the duration of the Closing Auction. If multiple Discretionary Peg orders are exercising price discretion during the Closing Auction, they maintain their relative time priority at the auction match price.

- Non-displayed limit orders and non-displayed portions of reserve orders on the Continuous Book are ranked and eligible for execution in the Opening or Closing Auction at the less aggressive of the Midpoint Price or the order's limit price.

- Displayed limit orders on the Continuous Book are ranked and eligible for execution in the Opening or Closing Auction at the order's resting price.

- Limit orders, including LOO and LOC orders, on the Auction Book are ranked and eligible for execution in an auction at the order's limit price.

IEX Order Collar and Router Constraint

Rule 11.190(f)(1) sets forth the operation of the IEX Order Collar, which prevents any incoming order, or order resting on the Order Book including those marked ISO, from executing at prices outside of the Order Collar price range. Similarly, Rule 11.190(f)(2) sets forth the operation of the IEX Router Constraint, which prevents an order from routing at prices more aggressive than the Router Constraint price range. The Order Collar and Router Constraint price ranges are calculated by applying the numerical guidelines for clearly erroneous executions to the Order Collar Reference Price and Router Constraint Reference Price, respectively.¹⁵ The Order Collar Reference Price and Router Constraint Reference Price are each defined as the most current of the following:

- The last sale price disseminated during the Regular Market Session on the current trade date;

- Last trade price disseminated outside of the Regular Market Session (Form T, as communicated by the relevant SIP) on trade date which other than for the Form T designation would have been considered a valid last sale price; or

- If neither of the prices above are available, the prior days Official Closing Price from the listing exchange, adjusted

¹³ See Rule 11.350(a)(3).

¹⁴ See Rule 11.280(e)(1)(A) and Supplementary Material .01(c) to Rule 14.207.

¹² See IEX Rule 11.231(b)(1).

¹⁵ The upper (lower) Order Collar price range and the upper (lower) Router Constraint Price range are calculated by adding (subtracting) the appropriate percentage (consistent with the numerical guidelines for clearly erroneous executions) to the Order Collar Reference Price and the Router Constraint Reference Price, respectively.

to account for corporate actions, news events, etc.

In the event there is no valid Order Collar Reference Price or Router Constraint Reference Price, the Exchange generally rejects orders for the security.¹⁶

Proposed Clarifications

During development and testing of the functionality for the Opening Process and IEX Auctions, the Exchange identified a minor ambiguity between the Order Collar and Router Constraint rule provisions, and the rule provisions governing the priority of ranking and execution for orders eligible for execution in the Opening Process or IEX Auctions. Specifically, as described above, the priority of ranking and execution rule provisions for the Opening Process and for IEX Auctions contemplate that the IEX Order Collar would not apply to orders eligible for the Cross Book or the Auction Book, and that the Router Constraint functionality would not apply to orders eligible for the Cross Book or the Opening Auction Book.¹⁷ As set forth above, the rules governing priority of ranking and execution for the Opening Process and IEX Auctions specify in relevant part that orders queued on the Cross Book or the Auction Book rest at the order's limit price defined by the User (if any), and that market orders have precedence over limit orders. Accordingly, and as discussed more fully below, application of the Order Collar or Router Constraint to such orders would be inconsistent with the provisions governing their priority of ranking and execution.

The Exchange believes that the application of the Order Collar to orders eligible for the Cross Book or the Auction Book, or the Router Constraint to orders eligible for the Cross Book or the Opening Auction Book, would be inconsistent with the existing provisions governing their priority of ranking and execution, because a collared or constrained limit order

could rest at a less aggressive price than its user-defined limit price, and a collared or constrained market order would, by definition, have a limit applied by the System (which is inconsistent with the user-instructed terms of the order), and could cede priority. For example, if the Order Collar were to apply, a market order to buy (sell) entered for the Opening Process or for an IEX Auction would effectively be converted into a limit order with a limit price equal to the upper (lower) Order Collar price range. Moreover, a limit order to buy (sell) with a limit price more aggressive than the upper (lower) Order Collar price range would be entered onto the Cross Book or the Auction Book with a limit price equal to the upper (lower) Order Collar price range, which is a less aggressive price than the orders' user-defined limit price. Similarly, if the Router Constraint were to apply to routable orders that are eligible for the Cross Book or the Opening Auction Book, a routable limit order to buy (sell) with a limit price more aggressive than the upper (lower) Router Constraint price range would be entered onto the Cross Book or the Opening Auction Book, respectively, with a limit price equal to the upper (lower) Router Constraint price range, which is a less aggressive price than the user-defined limit price on such orders. Lastly, in addition to the inconsistencies that arise from applying the Router Constraint as described above, its application to a buy (sell) order entered onto the Opening Auction Book early in the Pre-Market Session based on the price of the current last trade could unnecessarily constrain the order from participating in the auction and impact the price discovery process if the market for the security has moved up (down) by the time of the Opening Auction.

In addition to the foregoing, the Exchange believes that applying the Order Collar or Router Constraint to orders entered for a Halt or Volatility Auction could disrupt the price discovery process, and would be inconsistent with the protection of investors and the public interest.¹⁸ Applying the Order Collar or Router Constraint to orders entered for a Halt Auction or Volatility Auction would require using the price of the last trade immediately before the halt or pause as the Order Collar Reference Price and Router Constraint Reference Price,

respectively. In the event of a trading halt, the market is in the process of reestablishing the value of a security, and therefore calculating the Order Collar price range and Router Constraint price range using a last sale reference price that may not reflect adjustments in valuation resulting from additional information regarding the security during the halt could result in auction pricing that is not reflective of the current value of the security. Similarly, in the event of a trading pause, the security has just experienced sharp price volatility and the market is in the process of reestablishing the value of a security, and therefore calculating the Order Collar price range and the Router Constraint price range using a reference price that may not reflect adjustments in valuation during the pause could potentially result in auction pricing that is not reflective of the current value of the security. Accordingly, the Exchange is proposing to also clarify that in the event a security is subject to a trading halt or trading pause, the Router Constraint Reference Price is invalid. Pursuant to Rule 11.190(f)(2)(B), in the absence of a valid Router Constraint Reference Price, the Exchange will reject any routable orders for the security.

In sum, consistent with the foregoing, the Exchange is proposing to:

- Clarify in Rule 11.190(f)(1) that the Order Collar does not apply to orders that are eligible for the Cross Book pursuant to Rule 11.231 during the Opening Process for non-IEX-listed securities or the Auction Book pursuant to Rule 11.350(a)(1) during the auction process for IEX-listed securities;
- Clarify in Rule 11.190(f)(2) that the Router Constraint does not apply to orders that are eligible for the Cross Book pursuant to Rule 11.231 during the Opening Process for non-IEX-listed securities or the Auction Book pursuant to Rule 11.350(a)(1)(A)(ii) during the auction process for IEX-listed securities; and
- Clarify in Rule 11.190(f)(2)(A) that the Router Constraint Reference Price during a trading halt or pause is invalid.

Lastly, as recently announced by IEX Trading Alert #2017-027, on August 23, 2017 the Exchange began a multi-phase deployment of the Opening Process for non-IEX-listed securities.¹⁹ The production deployment is scheduled to be completed on August 30, 2017. Moreover, as announced by IEX Trading Alert #2017-015, the Exchange intends to become a primary listing exchange and support its first IEX-listed security

¹⁶ See Rules 11.190(f)(1)–(2).

¹⁷ The Exchange notes that the Router Constraint does not apply to orders on the Closing Auction Book, because such orders are comprised of On-Close orders (*i.e.*, Limit-On-Close and Market-On-Close orders), which are only accepted if they are appropriately designated as "IEX-only". See the IEX Auction Specification at 15, which describes valid FIX tag combinations for On-Close orders. See also Rules 11.350(a)(20) and (24). Similarly, the Router Constraint does not apply to market orders with a time-in-force of DAY that are entered during the Pre-Market Session and are eligible for the Opening Auction Book, because such orders are rejected if they are designated to route pursuant to Rule 11.230(c). See Rule 11.190(a)(2)(E)(iii). Accordingly, the proposed rule change is narrowly tailored to cover limit orders eligible for the Opening Auction Book.

¹⁸ The Exchange notes that securities that are the subject of an IPO Auction pursuant to Rule 11.350(e) will be subject to a trading halt pursuant to Rule 11.280(g)(7), and would therefore not have a valid Router Constraint Reference Price pursuant to Rule 11.190(f)(2)(A).

¹⁹ See IEX Trading Alert #2017-027 (Deployment Schedule for New Opening Process for Non-IEX-Listed Securities), August 3, 2017.

in October of 2017.²⁰ In addition, as part of the listings initiative, the Exchange is providing a series of industry wide weekend tests for the Exchange and its Members to exercise the various technology changes required to support IEX Auctions and listings functionality.²¹ Accordingly, in order to provide clarity to Members and other market participants regarding the Opening Process and IEX Auctions, and specifically to avoid potential confusion regarding the inapplicability of the IEX Order Collar and Router Constraint to their operation, the Exchange is proposing to make the clarifying changes to Rule 11.190(f)(1) and (2) described above.

2. Statutory Basis

IEX believes that the proposed rule change is consistent with the provisions of Section 6(b)²² of the Act in general, and furthers the objectives of Section 6(b)(5) of the Act²³ 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 a national market system, and, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule clarifications do not alter the substantive functionality of the Opening Process or IEX Auctions, but instead clarify the applicability of the IEX Order Collar and Router Constraint so as to be consistent with the existing rules approved by the Commission. The Exchange further believes that the proposed clarifying rule change is consistent with the protection of investors and the public interest because the proposed clarifications are designed to avoid any potential confusion regarding the Opening Process and IEX Auction functionality as IEX completes the production deployment of the Opening Process for non-IEX-listed securities, and begins industry wide testing to exercise the technology changes being made by the Exchange and its Members, and make the Exchange's rules more clear and complete. Additionally, the Exchange believes it is consistent with the Act to clarify the rule provisions regarding the Opening Process and IEX Auctions so that IEX's rules are accurate and

descriptive of the System's functionality as approved by the Commission, and to avoid any potential confusion among Members and market participants regarding such functionality. Lastly, the Exchange believes that it is consistent with the Act to provide that the Router Constraint Reference Price is invalid in the event a security is subject to a trading halt or trading pause, and thus routable orders in such security will be rejected, to further clarify the inapplicability of the Router Constraint to such orders. As discussed in the Purpose section, when a security is subject to a trading halt or trading pause, the Router Constraint Reference Price may not reflect adjustments in valuation and therefore could result in auction pricing that is not reflective of the current value of the security.

B. Self-Regulatory Organization's Statement on Burden on Competition

IEX 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. The Exchange believes that the proposed correction does not impact competition in any respect since it is designed to clarify the inapplicability of the IEX Order Collar and Router Constraint to orders eligible for execution in the Opening Process for non-IEX-listed securities and in IEX Auctions for IEX-listed securities, without substantively changing the Rules as separately approved. In addition, the Exchange does not believe that clarifying that the Router Constraint Reference Price is invalid in the event a security is subject to a trading halt or trading pause will impose any burden on competition, since this proposed change is designed to further clarify the inapplicability of the Router Constraint to such orders. The proposed changes will apply equally to all Members and therefore no new burdens are being proposed.

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 Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A)²⁴ of the Act and Rule 19b-4(f)(6)²⁵ thereunder. Because

the 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 and Rule 19b-4(f)(6) thereunder.

A proposed rule change filed under Rule 19b-4(f)(6)²⁶ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),²⁷ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has filed the proposed rule change for immediate effectiveness and has requested that the Commission waive the requirement that the proposed rule change not become operative for 30 days after the date of the filing, so that it may become operative on the date the filing was received.

The purpose of the proposed rule change is to state clearly in IEX Rule 11.190 the inapplicability of the IEX Order Collar and Router Constraint to orders eligible for execution in the Opening Process for non-IEX-listed securities and in IEX Auctions for IEX-listed securities. Additionally, the proposed rule change clearly states in IEX Rule 11.190 that the IEX Router Constraint is inapplicable when a security is subject to a trading halt or trading pause and such orders will be rejected. These clarifications resolve potential ambiguity and ensure consistency between IEX Rule 11.190 and the opening auction rules previously approved by the Commission. Further, the proposed rule change does not raise any novel issues. The waiver of the operative delay is, therefore, consistent with the protection of investors and the public interest because it will help to avoid potential confusion among market participants regarding the inapplicability of the IEX Order Collar and Router Constraint to orders eligible for the Cross Book for non-IEX-listed securities and the Auction Book for IEX-listed securities. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.²⁸

²⁰ See IEX Trading Alert #2017-015 (Listings Specifications, Testing Opportunities, and Timelines), May 31, 2017.

²¹ See IEX Trading Alert #2017-028 (First Listings Functionality Industry Test on Saturday, August 26), August 17, 2017.

²² 15 U.S.C. 78f.

²³ 15 U.S.C. 78f(b)(5).

²⁴ 15 U.S.C. 78s(b)(3)(A).

²⁵ 17 CFR 240.19b-4(f)(6).

²⁶ 17 CFR 240.19b-4(f)(6).

²⁷ 17 CFR 240.19b-4(f)(6)(iii).

²⁸ For purposes only of waiving the operative delay for this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

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 shall institute proceedings under Section 19(b)(2)(B) ²⁹ 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-IEX-2017-31 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090.
- All submissions should refer to File Number SR-IEX-2017-31. This file number should be included in 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 Section, 100 F Street NE., Washington, DC 20549-1090. Copies of the filing will also be available for inspection and copying at the IEX's principal office and on its Internet Web

site at www.iextrading.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-IEX-2017-31 and should be submitted on or before October 17, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁰

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017-20500 Filed 9-25-17; 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, September 28, 2017 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 his designee, has certified that, in his 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), (a)(5), (a)(7), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Stein, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matters of the closed meeting will be:

- Institution and settlement of injunctive actions;
- Institution and settlement of administrative proceedings;
- Adjudicatory matters; 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 Brent J. Fields from the Office of the Secretary at (202) 551-5400.

Dated: September 21, 2017.

Brent J. Fields,

Secretary.

[FR Doc. 2017-20633 Filed 9-22-17; 11:15 am]

BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION

Information Collection Activities: Proposed Collection; Comment Request; Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: Small Business Administration.

ACTION: 60-Day notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burden on the public the Small Business Administration (SBA), announces its intent to submit a new generic collection of information: "Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery" to the Office of Management and Budget for approval. The Paperwork Reduction Act (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before November 27, 2017.

ADDRESSES: Send all comments to Small Business Administration, 409 3rd Street, 7th Floor, Washington, DC 20416. (202) 205-6981.

FOR FURTHER INFORMATION CONTACT:

Amber Chaudhry, Presidential Management Fellow, Office of the Chief Operating Office, amber.chaudhry@sba.gov, 202-657-9722, or Curtis B. Rich, Management Analyst, 202-205-7030, curtis.rich@sba.gov.

SUPPLEMENTARY INFORMATION:

Title: Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Control Number: TBD (New Collection).

Needs and Uses: The proposed information collection will provide a means to gather qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with SBA's commitment to improving service delivery. Qualitative feedback means information that provides useful insights on perceptions and opinions, but is not statistical surveys that yield quantitative results that can be generalized to the population being

²⁹ 15 U.S.C. 78s(b)(2)(B).

³⁰ 17 CFR 200.30-3(a)(12).

studied. The type of feedback being solicited will provide insights into customer or stakeholder perceptions, experiences and expectations, and to contribute directly to the improvement of program management, provide an early warning of service issues, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services.

SBA expects to use various methods (e.g., focus groups, customer satisfaction surveys, comment cards), to solicit public feedback and will target areas such as: Timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, and resolution of issues with service delivery. Responses will be assessed to plan and inform efforts to improve or maintain the quality of service offered to the public. If this information is not collected, vital feedback from customers and stakeholders on the Agency's services will be unavailable.

The Agency will only submit a collection for approval under this generic clearance if it meets the following conditions:

The collection is voluntary;

The collection is low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and is low-cost for both the respondents and the Federal Government;

The collection is non-controversial and does not raise issues of concern to other Federal agencies;

The collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future;

Personally identifiable information (PII) is collected only to the extent necessary and is not retained;

Information gathered will be used only internally for general service improvement and program management purposes and is not intended for release outside of the agency;

Information gathered will not be used for the purpose of substantially informing influential policy decisions; Information gathered will yield qualitative information;

This type of generic clearance for qualitative information 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, the

sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to undertaking 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.

As a general matter, the generic information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Affected Public: Individuals; Business or Other For-Profit; Not-For-Profit Institutions; State, Local, or Tribal Government.

Estimated Annual Number of Respondents: 7,500.

Projected average burden estimates for the next three years:

Average Annual Number of Collection Activities: 8.

Responses per Respondent: 1.

Total Annual Responses: 7,500.

Average Minutes per Response: 38 minutes.

Annual Burden Hours: 4,750.

Frequency: On occasion.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information 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.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology

and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Curtis B. Rich,

Management Analyst.

[FR Doc. 2017-20579 Filed 9-25-17; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Public Notice: 10124]

60-Day Notice of Proposed Information Collection: FLO Professional Development Fellowship (PDF) Application

AGENCY: Department of State.

ACTION: Notice of request for public comment.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department will accept comments from the public up to November 27, 2017.

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

- *Web:* Persons with access to the Internet may comment on this notice by going to www.Regulations.gov. You can search for the document by entering "Docket Number: DOS-2017-0038" in the Search field. Then click the "Comment Now" button and complete the comment form.

- *Email:* FLOAskEmployment@state.gov.

- *Regular Mail:* Send written comments to: Bureau of Human Resources, Family Liaison Office, 2201 C Street NW., Washington, DC 20520.

- *Fax:* (202) 647-1670.

You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional

information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Ramona Sandoval, 2201 C Street NW., Washington, DC, who may be reached on 202-647-1076 or at sandovalrm@state.gov.

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* FLO Professional Development Fellowship (PDF) Application.

- *OMB Control Number:* None.
- *Type of Request:* New Collection.
- *Originating Office:* Bureau of Human Resources, Family Liaison Office (HR/FLO).

- *Form Number:* DS-4297.

- *Respondents:* The PDF program is open to spouses and partners of direct-hire U.S. government employees from all agencies serving overseas under Chief of Mission authority at U.S. embassies and consulates overseas.

- *Estimated Number of Respondents:* 260.

- *Estimated Number of Responses:* 260.

- *Average Time per Response:* 2.75 hours.

- *Total Estimated Burden Time:* 715 annual hours.

- *Frequency:* Annually.

- *Obligation to Respond:* Required to Obtain a Benefit.

- We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.

- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of proposed collection: FLO needs the information collected in the PDF application to determine who will receive a Professional Development Fellowship. The information is provided to selection committees that use a set of criteria to score the applications. Respondents are spouses

and partners of direct-hire U.S. government employees from all agencies serving overseas under Chief of Mission who want to maintain, enhance, and/or develop professional skills while overseas. The information is sought pursuant to 22 U.S.C. 2651a—Organization of the Department of State, 22 U.S.C. 3921—Management of the Foreign Service.

Methodology: Applicants will email the completed application to FLO's PDF program manager.

Susan Frost,

Director, Family Liaison Office, Bureau of Human Resources, Department of State.

[FR Doc. 2017-20513 Filed 9-25-17; 8:45 am]

BILLING CODE 4710-15-P

SURFACE TRANSPORTATION BOARD

[STB Docket No. EP 670 (Sub-No. 1)]

Notice of Rail Energy Transportation Advisory Committee Meeting

AGENCY: Surface Transportation Board.

ACTION: Notice of Rail Energy Transportation Advisory Committee meeting.

SUMMARY: Notice is hereby given of a meeting of the Rail Energy Transportation Advisory Committee (RETAC), pursuant to the Federal Advisory Committee Act (FACA). **DATES:** The meeting will be held on Thursday, October 19, 2017, at 9:00 a.m. E.D.T.

ADDRESSES: The meeting will be held in the Hearing Room on the first floor of the Board's headquarters at 395 E Street SW., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Michael Higgins (202) 245-0284; Michael.Higgins@stb.gov. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.]

SUPPLEMENTARY INFORMATION: RETAC was formed in 2007 to provide advice and guidance to the Board, and to serve as a forum for discussion of emerging issues related to the transportation of energy resources by rail, including coal, ethanol, and other biofuels. *Establishment of a Rail Energy Transportation Advisory Committee*, Docket No. EP 670. The purpose of this meeting is to continue discussions regarding issues such as rail performance, capacity constraints, infrastructure planning and development, and effective coordination among suppliers, carriers, and users of energy resources. Potential agenda items for this meeting include a performance

measures review, industry segment updates by RETAC members, a presentation on energy transportation logistics, and a roundtable discussion.

The meeting, which is open to the public, will be conducted in accordance with the Federal Advisory Committee Act, 5 U.S.C. app. 2; Federal Advisory Committee Management regulations, 41 CFR pt. 102-3; RETAC's charter; and Board procedures. Further communications about this meeting may be announced through the Board's Web site at www.stb.gov.

Written Comments: Members of the public may submit written comments to RETAC at any time. Comments should be addressed to RETAC, c/o Michael Higgins, Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001 or Michael.Higgins@stb.gov.

Authority: 49 U.S.C. 1321, 49 U.S.C. 11101; 49 U.S.C. 11121.

Decided: September 20, 2017.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Rena Laws-Byrum,

Clearance Clerk.

[FR Doc. 2017-20505 Filed 9-25-17; 8:45 am]

BILLING CODE 4915-01-P

TRADE AND DEVELOPMENT AGENCY

Notice of Request for Extension of a Currently Approved Information Collection

AGENCY: United States Trade and Development.

ACTION: Request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the U.S. Trade and Development Agency has submitted a request to the Office of Management and Budget (OMB) to review and approve an extension for a currently approved information collection for Evaluation of USTDA Performance. USTDA published its first **Federal Register** Notice on this information request extension on July 12, 2017, at 82 FR 32223, at which time a 60-day comment period was announced. No comments were received in response to this notice at the end of the comment period.

DATES: Comments must be received by OMB by October 26, 2017 to be assured of consideration.

ADDRESSES: Copies of the subject form and the request for extension prepared for submission to OMB may be obtained from the Agency Submitting Officer. Comments should be addressed as follows: Desk Officer for USTDA, Office

of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Contact Carolyn Hum, Administrative Officer, Attn: PRA, U.S. Trade and Development Agency, 1000 Wilson Blvd., Suite 1600, Arlington, VA 22209-3901; Tel.: (703) 875-4357, Fax: (703) 875-4009; Email: chum@ustda.gov.

SUPPLEMENTARY INFORMATION: Comments are again being solicited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Summary Collection Under Review

Type of Request: Extension of a currently approved information collection.

Expiration Date of Previous Approval: 11/30/2017.

Title: Evaluation of USTDA Performance.

Form Number: USTDA 1000E-2011a.

Frequency of Use: Annually for duration of project.

Type of Respondents: Business or other for profit; Not-for-profit institutions; Farms; Federal Government.

Estimated Number of Responses: 1,440 to 1,800 per year.

Estimated Total Annual Burden on Respondents: 480 to 600 hours per year. Federal Cost: \$324,453.

Authority for Information Collection: Government Performance and Results Act of 1993 103 Pub. L. 62; 107 Stat. 285.

Abstract: USTDA and contractors will collect information from various stakeholders on USTDA-funded activities regarding development impact and/or commercial objectives as well as evaluate success regarding GPRA objectives. This information collection enables USTDA to assess the impacts that its program investments have on U.S. commercial interests and economic development abroad. The goal of this information collection is to gather evidence and stakeholder feedback in

order to continually improve program performance and deliver better results to U.S. taxpayers. As a matter of good management practice, such information is necessary to responsibly carry out the Agency's mission of monitoring current and recently completed activities.

Dated: September 19, 2017.

Carolyn Hum,
Administrative Officer.

[FR Doc. 2017-20464 Filed 9-25-17; 8:45 am]

BILLING CODE 8040-01-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[DOCKET NUMBER USTR-2017-0013]

Request for Comments Concerning an Environmental Review of the Proposed Renegotiation of the North American Free Trade Agreement

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The Office of the United States Trade Representative (USTR), through the Trade Policy Staff Committee (TPSC), is initiating an environmental review relating to the renegotiation of the North American Free Trade Agreement (NAFTA), a free trade agreement between the United States, Canada, and Mexico. The TPSC invites written comments on the topics that should be included in the scope of the environmental review, including potential positive or negative environmental effects that might result from the trade agreement and potential implications for U.S. environmental laws and regulations. The TPSC also welcomes comments on appropriate methodologies and sources of data for conducting the review. We will take comments on environmental issues we received in response to the notice published in the **Federal Register** on May 23, 2017, requesting comments on NAFTA negotiating objectives into account in preparing the environmental review and you do not need to resubmit these comments.

DATES: We must receive your comments by November 27, 2017.

ADDRESSES: We strongly prefer electronic submissions made through the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments in section 3 below. The docket number is USTR-2017-0013. For alternatives to on-line submissions, please contact Yvonne Jamison, Trade Policy Staff Committee, at (202) 395-3475.

FOR FURTHER INFORMATION CONTACT:

Direct questions about submission of comments to Yvonne Jamison at (202) 395-3475. Direct substantive questions to Sarah Stewart at (202) 395-7320.

SUPPLEMENTARY INFORMATION:

1. Background

On May 18, 2017, following consultations with relevant Congressional committees, USTR informed Congress that the President was entering into negotiations with Canada and Mexico with respect to the NAFTA. Through a notice in the **Federal Register** (82 FR 23699) and a public hearing held on June 27-29, 2017, in Washington, DC, the TPSC invited the public to provide comments and testimony to assist USTR in assessing U.S. objectives for the proposed agreement. You can find a description of the U.S. negotiating objectives for the NAFTA on the USTR Web site: <https://ustr.gov/sites/default/files/files/Press/Releases/NAFTAObjectives.pdf>.

2. Environmental Review

Section 105(d)(1)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, 19 U.S.C. 4201, requires environmental reviews of trade agreements consistent with Executive Order 13141 (64 FR 63169, Nov. 18, 1999) and the implementing guidelines (65 FR 79442, Dec. 19, 2000). The purpose of environmental reviews is to ensure that policymakers and the public are informed about reasonably foreseeable environmental impacts of trade agreements (both positive and negative), to identify complementarities between trade and environmental objectives, and to help shape appropriate responses if environmental impacts are identified. Reviews are one of the tools we use to integrate environmental information and analysis into the fluid, dynamic process of trade negotiations. USTR and the Council on Environmental Quality jointly oversee implementation of the Executive Order and its implementing guidelines. USTR, through the TPSC, is responsible for conducting the individual reviews. You can find additional background information and examples of prior environmental reviews on the USTR Web site: <https://ustr.gov/issue-areas/environment/environmental-reviews>.

3. Requirements for Submissions

Persons submitting comments must do so in English and must identify (on the first page of the submission) "Comments Regarding the NAFTA Environmental Review." In order to be assured of consideration, you must

submit comments by November 27, 2017. In order to ensure the timely receipt and consideration of comments, USTR strongly encourages commenters to make on-line submissions using the www.regulations.gov.

To submit comments via www.regulations.gov, enter docket number USTR 2017-0013 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 and click on the link entitled "Comment Now!" 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 Regulations.gov" on the bottom of the home page. We will not accept hand-delivered submissions.

The www.regulations.gov Web site allows users to submit comments by filling in a "Type Comment" field or by attaching a document using an "Upload File" field. USTR prefers that you submit comments in an attached document. USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If you use an application other than those two, please indicate the name of the application in the "Type Comment" field.

For any comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters "BC". Any page containing business confidential information must be clearly marked "BUSINESS CONFIDENTIAL" on the top of that page. Filers of submissions containing business confidential information also must submit a public version of their comments that we will place in the docket for public inspection. The file name of the public version should begin with the character "P". The "BC" and "P" should be followed by the name of the person or entity submitting the comments. Filers submitting comments containing no business confidential information should name their file using the name of the person or entity submitting the comments.

Please do not attach separate cover letters to electronic submissions; rather, include any information that might appear in a cover letter in the submission itself. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments in the same file as the submission itself, not as separate files.

As noted, USTR strongly urges submitters to file comments through www.regulations.gov. You must make any alternative arrangements in advance

of transmitting a comment by contacting Yvonne Jamison at (202) 395-3475. General information concerning USTR is available at www.ustr.gov.

We will place comments in the public docket except business confidential information. You can view comments on the www.regulations.gov Web site by entering the relevant docket number in the search field on the home page.

Edward Gresser,

Chair, Trade Policy Staff Committee, Office of the United States Trade Representative.

[FR Doc. 2017-20526 Filed 9-25-17; 8:45 am]

BILLING CODE 3290-F7-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Change in Use of Aeronautical Property at Harnett Regional Jetport, Harnett County, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice

SUMMARY: The Federal Aviation Administration (FAA) is requesting public comment on a request by the County of Harnett of North Carolina, owner of the Harnett Regional Jetport, to change a portion of airport property from aeronautical to non-aeronautical use at the Harnett Regional Jetport. The request consists of approximately 2.49 acres to Piedmont Natural Gas Company, Inc. for use as a permanent utility easement for the installation of a gas line.

DATES: Comments must be received on or before October 26, 2017.

ADDRESSES: Comments on this notice may be mailed or delivered in triplicate to the FAA at the following address: Memphis Airports District Office, Attn: Koty Brown, Program Manager, 2600 Thousand Oaks Boulevard, Suite 2250, Memphis, TN 38118.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Gordon Springle, Chairman of the Harnett County Board of Commissioners at the following address: 540 Tippet Road, Angier, NC 27501.

FOR FURTHER INFORMATION CONTACT: Koty Brown, Program Manager, Federal Aviation Administration, Memphis Airports District Office, 2600 Thousand Oaks Boulevard, Suite 2250, Memphis, TN 38118-2482.

The application may be reviewed in person at this same location, by appointment.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the request to release property for non-aeronautical purposes at Harnett Regional Jetport, Harnett County, NC under the provisions of 49 U.S.C. 47107(h)(2). The FAA determined that the request to release property at Harnett Regional Jetport (HRJ) submitted by the County of Harnett meets the procedural requirements of the FAA and the release of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice.

The following is a brief overview of the request:

The County of Harnett is proposing the release of approximately 2.49 acres to Piedmont Natural Gas Company, Inc. for use as a permanent utility easement for the installation of a gas line. This property is located along US Highway 421 South on the existing airport northeastern property line. This property is separated from the majority of airport property by US Highway 421 South. The proposed use of this property is compatible with airport operations.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

Issued in Memphis, TN on September 19, 2017.

Phillip J. Braden,

Manager, Memphis Airports District Office, Southern Region.

[FR Doc. 2017-20574 Filed 9-25-17; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. 2017-67]

Petition for Exemption; Summary of Petition Received; BNSF Railway Company

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

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion or omission of information in

the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before October 16, 2017.

ADDRESSES: Send comments identified by docket number FAA-2017-0761 using any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- **Mail:** Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- **Hand Delivery or Courier:** Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** Fax comments to Docket Operations at (202) 493-2251.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

Docket: Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jake Troutman (202) 683-7788, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Lirio Liu,
Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA-2017-0761

Petitioner: BNSF Railway Company

Section(s) of 14 CFR Affected: Part 21; §§ 45.23(b), 61.113(a) and (b), 91.7(a),

91.103(b), 91.119, 91.121, 91.151, 91.215, 91.203(a) and (b), 91.405(a), 91.407(a), 91.409(a), 91.417(a) and (b) of 14 Code of Federal Regulations (14 CFR).

Description of Relief Sought: The petitioner, a Class I freight railroad, is seeking an exemption pursuant to Section 2210 of the FAA Extension, Safety, and Security Act of 2016, to commercially operate small unmanned aircraft systems (UAS) beyond visual line of sight (BVLOS) over BNSF owned or controlled land in support of activities described in Section 2210, paragraph (b). The inspection of railroad infrastructure and operations involving repair, construction, maintenance, or protection of covered facilities will occur during both day and night.

[FR Doc. 2017-20498 Filed 9-25-17; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2014-0386]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of renewal of exemptions; request for comments.

SUMMARY: FMCSA announces its decision to renew exemptions for two individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individual to continue to operate CMVs in interstate commerce.

DATES: The renewed exemptions were applicable on September 12, 2017. The exemptions expire on September 12, 2019. Comments must be received on or before October 26, 2017.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, 202-366-4001, fmcamedical@dot.gov, FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

ADDRESSES: You may submit comments bearing the Federal Docket Management

System (FDMS) Docket No. FMCSA-2014-0386 using any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Mail:** Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- **Hand Delivery:** West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays.

- **Fax:** 1-202-493-2251.

Instructions: Each submission must include the Agency name and the docket number(s) for this notice. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments online.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for five years if it finds "such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption." The statute also allows the Agency to renew exemptions at the end of the five-year period. FMCSA grants exemptions from the FMCSRs for a two-year period to align with the maximum

duration of a driver's medical certification.

The physical qualification standard for drivers regarding hearing found in 49 CFR 391.41(b)(11) states that a person is physically qualified to driver a CMV if that person:

First perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5–1951.

49 CFR 391.41(b)(11) was adopted in 1970, with a revision in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid, 35 FR 6458, 6463 (April 22, 1970) and 36 FR 12857 (July 3, 1971).

The two individuals listed in this notice have requested renewal of their exemptions from the hearing standard in 49 CFR 391.41(b)(11), in accordance with FMCSA procedures. Accordingly, FMCSA has evaluated these applications for renewal on their merits and decided to extend each exemption for a renewable two-year period.

II. Request for Comments

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

III. Basis for Renewing Exemptions

In accordance with 49 U.S.C. 31136(e) and 31315, each of the two applicants have satisfied the renewal conditions for obtaining an exemption from the hearing requirement (80 FR 48394). In addition, for Commercial Driver's License (CDL) holders, the Commercial Driver's License Information System (CDLIS) and the Motor Carrier Management Information System (MCMIS) are searched for crash and violation data. For non-CDL holders, the Agency reviews the driving records from the State Driver's Licensing Agency (SDLA). These factors provide an adequate basis for predicting each driver's ability to continue to safely operate a CMV in interstate commerce. Therefore, FMCSA concludes that

extending the exemption for each of these drivers for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

As of September 12, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following two individuals, have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (80 FR 48394): Casey Wayne Patrick (WA) and Eduwin Pineiro (NJ).

The drivers were included in docket number FMCSA–2014–0386. The exemptions were applicable on September 12, 2017, and will expire on September 12, 2019.

IV. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must report any crashes or accidents as defined in 49 CFR 390.5; (2) report all citations and convictions for disqualifying offenses under 49 CFR part 383 and 49 CFR 391 to FMCSA, and (3) each driver prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. In addition, the exemption does not exempt the individual from meeting the applicable CDL testing requirements. Each exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315.

V. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VI. Conclusion

Based upon its evaluation of the two exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the hearing requirement in 49 CFR 391.41 (b)(11). In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for two years unless revoked earlier by FMCSA.

Issued on: September 19, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–20524 Filed 9–25–17; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2017–0270]

Hours of Service of Drivers: National Tank Truck Carriers; Application for Exemption

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of application for exemption; request for comments.

SUMMARY: FMCSA announces that it has received an application from the National Tank Truck Carriers, Inc. (NTTC) requesting exemption from the requirement that drivers of commercial motor vehicles (CMVs) obtain a 30-minute rest break. The exemption would enable drivers engaged in the transportation of petroleum-based fuels to use 30 minutes of time attending the load to satisfy the 30-minute rest break requirement. FMCSA requests public comment on NTTC's application for exemption.

DATES: Comments must be received on or before October 26, 2017.

ADDRESSES: You may submit comments identified by Federal Docket Management System Number FMCSA–2017–0270 by any of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. See the *Public Participation and Request for Comments* section below for further information.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

- *Fax:* 1–202–493–2251.

Each submission must include the Agency name and the docket number for this notice. DOT posts all comments received without change to www.regulations.gov. This includes any personal information contained in a comment. Please see the *Privacy Act* heading below.

Docket: For access to the docket to read background documents or

comments, go to www.regulations.gov at any time or visit Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line FDMS is available 24 hours each day, 365 days each year.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. 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.

FOR FURTHER INFORMATION CONTACT: For information concerning this notice, please contact Mr. Tom Yager, Chief, FMCSA Driver and Carrier Operations Division; Telephone: (614) 942-6477; Email: MCPSD@dot.gov. If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA-2017-0270), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to www.regulations.gov and put the docket number, "FMCSA-2017-0270" in the "Keyword" box, and click "Search." When the new screen appears, click on "Comment Now!" button and type your comment into the text box in the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would

like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. FMCSA will consider all comments and material received during the comment period and may grant or not grant this application based on your comments.

Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

Background

The HOS rules require most interstate drivers to maintain a record of duty status (RODS) on board the CMV at all times. This record, or log, must reflect the driver's duty status on that date and for the preceding 7 (or in some cases, 8) days. However, the HOS rules provide an exception to this rule—the 100 air-mile radius exception (49 CFR 395.1(e)(1)). This provision relieves CMV drivers of the duty to maintain a log if they remain within a 100 air-mile radius of the normal work reporting location during the duty day and return to the work-reporting location and quit work within 12 hours. The motor carrier must maintain at the principal place of business a record of the time the driver came on duty, the time the driver was released from duty, and the total number of hours the driver was on duty. The HOS rules include a requirement that drivers of property-carrying CMVs take a rest break of at least 30 minutes if 8 hours have passed since the end of

the driver's last off-duty or sleeper-berth period of at least 30 minutes. However, the requirement to take a minimum 30 minute rest break does not apply to drivers operating within the 100 air-mile radius "short haul" exemption area.

Request for Exemption

Applicant NTTC seeks exemption from the 30-minute rest break provision on behalf of motor carriers and drivers engaged in the transportation of petroleum-based products. While it estimates that 38,000 tractors perform these operations daily, the number that would require the exemption would be much smaller. NTTC explains that most drivers engaged in the transportation of petroleum products by CMV qualify for the 100 air-mile exception and thus are not required to observe a 30-minute break. However, on rare occasions, a driver does not qualify for the 100 air-mile exception, usually because unexpected interruptions to the workday stretch the driver's duty day beyond the 12-hour limit of that exception. When this occurs, the driver is required to go off duty for at least 30 minutes. However, even if the driver parks the CMV, he or she must attend it because it is an HM load, and a driver who is attending a load is not considered off duty. NTTC seeks exemption for these drivers to allow them to proceed without observing a 30-minute off-duty break. It asks that these drivers be able to designate a period of on-duty waiting time of at least 30 minutes duration to satisfy the rest-break requirement, provided the only work performed during that time is attending the HM load. NTTC indicates that the typical workday of these drivers consists of loading petroleum fuel at one location and then delivering it to 3 or 4 service stations. Some, if not all, of these stops exceed 30 minutes, during which the driver is often only attending the load. NTTC describes this waiting time as restful because the driver is otherwise free to engage in activities such as eating and making personal phone calls.

NTTC asserts that exemption for these drivers will result in a level of safety that is equivalent to that achieved without the exemption. It asserts that considerable time is required to locate a suitably secure location for parking an HM load so that the driver can go off duty. NTTC believes that the considerable, additional movement of the CMV for this purpose increases the risk of a crash. It also asserts that the safest approach is to keep the CMV moving toward its destination and cites two authorities for its position. It first

cites the Transportation Security Administration's warning to truckers that vehicles transporting HM are "targets of choice" for terrorists and thus should not be parked en route. Second, NTTC cites a regulation of the Pipeline and Hazardous Materials Safety Administration (US DOT) stating that "[a]ll shipments of hazardous materials must be transported without unnecessary delay, from and including the time of commencement of the loading of the hazardous material until its final unloading at destination" (49 CFR 177.800(d)). For these reasons, NTTC believes that its drivers should not be required to take a rest break when they discover that they are no longer eligible for the short-haul exemption.

NTTC seeks exemption for the maximum period of 5 years. A copy of NTTC's application for exemption is available in the docket of this matter.

Issued on: September 18, 2017

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017-20525 Filed 9-25-17; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Revisions; Comment Request; Regulation C; Fair Housing Home Loan Data System Regulation

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

ACTION: Notice and request for comment.

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

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

The OCC is soliciting comment concerning the revisions of information collections titled "Regulation C" and "Fair Housing Home Loan Data System Regulation."

DATES: Comments must be submitted on or before November 27, 2017.

ADDRESSES: Because paper mail in the Washington, DC area and at the OCC is

subject to delay, commenters are encouraged to submit comments by email, if possible. Comments may be sent to: Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557-0176; 1557-0159, 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11, Washington, DC 20219. In addition, comments may be sent by fax to (571) 465-4326 or by electronic mail to prainfo@occ.treas.gov. You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700 or, for persons who are deaf or hard of hearing, TTY, (202) 649-5597. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect and photocopy comments.

All comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

FOR FURTHER INFORMATION CONTACT:

Shaquita Merritt, OCC Clearance Officer, (202) 649-5490 or, for persons who are deaf or hard of hearing, TTY, (202) 649-5597, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street SW., Washington, DC 20219.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of title 44 requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing this notice.

Titles: Regulation C; Fair Housing Home Loan Data System Regulation.

OMB Control Nos.: 1557-0176; 1557-0159.

Type of Review: Regular review.

Description: Regulation C,¹ which implements the Home Mortgage Disclosure Act² (HMDA) enacted in 1975, requires certain depository and non-depository institutions that make certain mortgage loans to collect, report, and disclose data about originations and purchases of mortgage loans, as well as loan applications that do not result in originations. HMDA generates loan data that can be used to: (1) Help determine whether financial institutions are serving the housing needs of their communities; (2) assist public officials in distributing public-sector investments so as to attract private investment to areas where it is needed; and (3) assist in identifying possible discriminatory lending patterns and enforcing anti-discrimination statutes.

The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010³ (the Dodd-Frank Act) transferred HMDA and its rulemaking authority from the Board of Governors of the Federal Reserve System (Board) to the Consumer Financial Protection Bureau (CFPB), and transferred supervisory and enforcement authority for HMDA for depository institutions over \$10 billion in consolidated assets from the Board, Federal Deposit Insurance Corporation, OCC, and National Credit Union Administration to the CFPB.

The CFPB published a final rule on October 28, 2015, that expanded the data collected and reported under HMDA, as implemented by Regulation C, and published a final rule on September 13, 2017, with additional corrections and clarifications (final rules). The final rules also modified the types of lenders and loans covered under Regulation C. First, for data collected in 2017, and reported in 2018, the rule simply reduces the number of institutions covered under Regulation C because only depositories originating more than 25 closed end loans must report. Then, starting January 1, 2018, an institution will collect expanded data under HMDA if it either originates 25 or more closed-end mortgage loans or 500 or more open-end lines of credit secured by a dwelling in each of the two preceding years, in addition to meeting other criteria. These institutions will begin reporting the expanded HMDA data in 2019. Starting in 2020, an institution will collect data on open-end lines of credit if it originates more than 100 open-end lines of credit secured by a dwelling in each of the two preceding years (and report that open-end lines of credit data beginning in 2021). An

¹ 12 CFR part 1003.

² 12 U.S.C. 2801-2811.

³ Public Law 111-203, July 21, 2010.

institution also will collect and report covered loans and applications quarterly if it received a total of at least 60,000 covered loans and applications in the preceding calendar year. An institution must report a covered loan if it has met the loan origination threshold for that loan category (open-end or closed-end); an institution that is not required to report data may voluntarily do so.

In addition, the types of loans covered under Regulation C will change under the final rules beginning in 2018. Covered institutions will be required to collect and report any mortgage loan secured by a dwelling, including open-end lines of credit, regardless of the loan's purpose. Dwelling-secured loans that are made principally for a commercial or business purpose, as well as agricultural—purpose loans and other specified loans will be excluded.

HMDA requires covered institutions to collect, record, report, and disclose information about their mortgage lending activity. Currently, Regulation C requires a covered institution to collect and report data about:

- Each application or loan, including the application date; the action taken and the date of that action; the loan amount; the loan type (for example, government guaranteed or not) and purpose (for example, home purchase); and, if the loan is sold, the type of purchaser;
- Each applicant or borrower, including ethnicity, race, sex, and income; and
- Each property, including location and occupancy status.

Beginning in 2018, the final rules will require collection of additional data, which covered institutions will report in 2019:

- Additional information about the applicant or borrower, such as age and credit score;
- Information about the loan pricing, such as the borrower's total cost to obtain a mortgage, temporary introductory rates, and borrower-paid origination charges;
- Information about loan features, such as the loan term, prepayment penalties, or non-amortizing features (such as interest only or balloon payments); and
- Additional information about property securing the loan, such as property value and property type.

In addition, existing requirements, including the requirements for collection and reporting of information regarding an applicant's or borrower's ethnicity, race and sex are being amended.

The Fair Housing Act⁴ prohibits discrimination in the financing of housing on the basis of race, color, religion, sex, national origin, familial status, or handicap. The Equal Credit Opportunity Act⁵ (ECOA) prohibits discrimination in any aspect of a credit transaction on the basis of race, color, religion, national origin, sex, marital status, age, receipt of income from public assistance, or exercise of any right under the Consumer Credit Protection Act⁶ (CCPA). The OCC is responsible for ensuring that national banks and federal savings associations comply with those laws. This information collection is needed to promote compliance and for the OCC to fulfill its statutory responsibilities.

The OCC uses the data collected pursuant to part 27 to determine whether an institution treated applicants consistently and made credit decisions commensurate with the applicants' qualifications and in compliance with the ECOA and the Fair Housing Act.

The information collection requirements in part 27 are as follows:

- 12 CFR 27.3(a) requires national banks that are required to collect data on home loans under Regulation C⁷ to present the data on Form FR HMDA-LAR,⁸ or in automated format in accordance with the HMDA-LAR instructions. Section 27.3(a) also lists exceptions to the HMDA-LAR recordkeeping requirements. Federal savings associations are also required to report this information to the OCC pursuant to 12 CFR 128.6 and Regulation C.
- 12 CFR 27.3(b) lists the information national banks shall attempt to obtain from an applicant as part of a home loan application and sets forth the information that banks must disclose to an applicant.
- 12 CFR 27.3(c) sets forth additional information national banks must maintain in the loan file.
- 12 CFR 27.4 states that the OCC may require a national bank to maintain a Fair Housing Inquiry/Application Log found in Appendix III to part 27 if there is reason to believe that the bank is engaging in discriminatory practices or if analysis of the data compiled by the bank under the Home Mortgage Disclosure Act (12 U.S.C. 2801 *et seq.*) and Regulation C indicates a pattern of significant variation in the number of

home loans between census tracts with similar incomes and home ownership levels differentiated only by race or national origin. Section 27.4(a)(2) also requires a log if complaints filed with the Comptroller or letters in the Community Reinvestment Act file are found to be substantive in nature, indicating that the bank's home lending practices are, or may be, discriminatory.

- 12 CFR 27.5 requires a national bank to maintain the information required by § 27.3 for 25 months after the bank notifies the applicant of action taken on an application or after withdrawal of an application.
- 12 CFR 27.7 requires a national bank to submit the information required by §§ 27.3(a) and 27.4 to the OCC upon its request prior to a scheduled examination using the Monthly Home Loan Activity Format form in Appendix I to part 27 and the Home Loan Data Form in Appendix IV to part 27. Section 27.7(c)(3) states that a bank with fewer than 75 home loan applications in the preceding year will not be required to submit such forms unless the home loan activity is concentrated in the few months preceding the request for data, indicating the likelihood of increased activity over the subsequent year, or there is cause to believe that a bank is not in compliance with the fair housing laws based on prior examinations and/or complaints, among other factors.

- § 27.7(d) provides that if there is cause to believe that a bank is in noncompliance with fair housing laws, the Comptroller may require submission of additional Home Loan Data Submission Forms. The Comptroller may also require submission of the information maintained under § 27.3(a) and Home Loan Data Submission Forms at more frequent intervals.

OCC-regulated institutions have access to a CFPB-developed web-based data submission and edit-check system (the HMDA Platform) that may be used to process HMDA data. Some institutions, typically those with small volumes of reported loans or those that do not use a vendor or other software to prepare their HMDA data for submission, still need to use a software solution for integrating HMDA data from paper records or electronic systems. Therefore, the CFPB created a prototype "LAR Formatting Tool" which will allow financial institutions with small volumes of reported loans, or those that do not use a vendor or other software to prepare their HMDA data for submission, to enter HMDA data and to create a pipe delimited text file to upload to the HMDA Platform. The institution can then proceed through the

⁴ 42 U.S.C. 3605.

⁵ 15 U.S.C. 1691 *et seq.*

⁶ 15 U.S.C. 1601 *et seq.*

⁷ This regulation has been transferred to the CFPB (12 CFR part 1003).

⁸ Loan Application Register, <http://www.ffiec.gov/hmda/pdf/hmdalar2011.pdf>.

interactive Web pages of the HMDA Platform to process HMDA data.

Affected Public: Businesses or other for-profit.

Burden Estimates:

Regulation C:

2017:

Estimated Number of Respondents: 702.

Estimated Annual Burden: 3,384,342 hours.

2018:

Estimated Number of Respondents: 702.

Estimated Annual Burden: 959,232 hours.

2019:

Estimated Number of Respondents: 702.

Estimated Annual Burden: 959,232 hours.

Fair Housing Home Loan Data System Regulation:

Estimated Number of Respondents: 956.

Estimated Annual Burden: 19,864 hours.

Frequency of Response: On occasion.

Comments: Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on:

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

(b) The accuracy of the OCC's estimates of the information collection burden;

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

(d) Ways to minimize the burden of the 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.

Dated: September 20, 2017.

Karen Solomon,

Deputy Chief Counsel, Office of the Comptroller of the Currency.

[FR Doc. 2017-20530 Filed 9-25-17; 8:45 am]

BILLING CODE 4810-33-P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Requirements: Information Collection Renewal; Comment Request; Debt Cancellation Contracts and Debt Suspension Agreements

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

ACTION: Notice and request for comment.

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

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

Currently, the OCC is soliciting comment concerning the renewal of an information collection titled "Debt Cancellation Contracts and Debt Suspension Agreements."

DATES: You should submit written comments by: November 27, 2017.

Because paper mail in the Washington, DC area and at the OCC is subject to delay, commenters are encouraged to submit comments by email, if possible. Comments may be sent to: Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557-0224, 400 7th Street SW., Suite 3E-218, Washington, DC 20219. In addition, comments may be sent by fax to (571) 465-4326 or by electronic mail to prainfo@occ.treas.gov. You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700 or, for persons who are deaf or hard of hearing, TTY, (202) 649-5597. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect and photocopy comments.

All comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that

you consider confidential or inappropriate for public disclosure.

FOR FURTHER INFORMATION CONTACT:

Shaquita Merritt, OCC Clearance Officer, (202) 649-5490 or, for persons who are deaf or hard of hearing, TTY, (202) 649-5597, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street SW., Suite 3E-218, Washington, DC 20219.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501-3520), federal agencies must obtain approval from 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(c) to include 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 title 44 (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, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the renewal of the information collection set forth in this document.

Title: Debt Cancellation Contracts and Debt Suspension Agreements.

OMB Control No.: 1557-0224.

Description: Twelve U.S.C.

24(Seventh) authorizes a national bank (bank) to enter into Debt Cancellation Contracts (DCCs) and Debt Suspension Agreements (DSAs). Part 37 requires banks to disclose information about a DCC or a DSA using either a short or long form disclosure. The short form disclosure usually is made orally and issued at the time a bank first solicits the purchase of a contract. The long form disclosure usually is made in writing and issued before the customer completes the purchase of the contract. There are special rules for transactions by telephone, solicitations using written mail inserts or "take one" applications, and electronic transactions. Part 37 provides two forms of disclosure that serve as models for satisfying the requirements of the rule. Use of the forms is not mandatory, and the regulation permits a bank to adjust the form and wording of its disclosures so long as it meets the applicable requirements. The requirements of part 37 enhance consumer protections for customers who purchase DCCs and DSAs from banks and ensure that banks offer these products in a safe and sound

manner by requiring them to effectively manage their risk exposure.

Section 37.6

Section 37.6 requires the form of the disclosures to be readily understandable and meaningful. The content of the short and long form may vary, depending on whether a bank elects to provide a summary of the conditions and exclusions in the long form disclosures or refer the customer to the pertinent paragraphs in the contract. For example, the short form disclosure requires a bank to instruct the customer to read carefully both the long form disclosures and the contract for a full explanation of the contract terms, while the long form gives a bank the option of either: (i) Summarizing the limitations; or (ii) advising the customer that a complete explanation of the eligibility requirements, conditions, and exclusions is available in the contract and identifying the paragraphs where the customer may find that information.

Section 37.6 and appendices A and B to part 37 require a bank to provide the following disclosures (summarized below), as appropriate:

- **Anti-tying (short and long form)**—A bank must inform the customer that purchase of the product is optional and that neither the bank's decision whether to approve the loan nor the terms and conditions of the loan are conditioned on the purchase of a DCC or DSA.

- **Explanation of debt suspension agreement (long form)**—A bank must disclose that if a customer activates the agreement, the customer's duty to pay the loan principal and interest is only suspended and the customer must fully repay the loan after the period of suspension has expired.

- **Amount of the fee (long form)**—A bank must make disclosures regarding the amount of the fee. The content of the disclosure depends on whether the credit is open-end or closed-end. In the case of closed-end credit, the bank must disclose the total fee. In the case of open-end credit, the bank must either: (i) Disclose that the periodic fee is based on the account balance multiplied by a unit cost and provide the unit cost; or (ii) disclose the formula used to compute the fee.

- **Lump sum payment of fee (short and long form)**—A bank must disclose, where appropriate, that a customer has the option to pay the fee in a single payment or in periodic payments and adding the fee to the amount borrowed will increase the cost of the contract. This disclosure is not appropriate in the case of a DCC or DSA provided in connection with a home mortgage loan because the option to pay the fee in a

single payment is not available in that case.

- **Lump sum payment of fee with no refund (short and long form)**—A bank must disclose that the customer has the option to choose a contract with or without a refund provision. This disclosure must also state that the prices of refund and no-refund products are likely to differ.

- **Refund of fee paid in lump sum (short and long form)**—If a bank permits a customer to pay the fee in a single payment and add the fee to the amount borrowed, the bank must disclose its cancellation policy. The disclosure informs the customer of the bank's refund policy, as applicable, *i.e.*, that the DCC or DSA may be: (i) Canceled at any time for a refund; (ii) cancelled within a specified number of days for a full refund; or (iii) cancelled at any time with no refund.

- **Whether use of credit line is restricted (long form)**—A bank must inform a customer if the customer's activation of the contract would prohibit the customer from incurring additional charges or using the credit line.

- **Termination of a DCC or DSA (long form)**—If termination is permitted during the life of the loan, a bank must include an explanation of the circumstances under which a customer or the bank may terminate the contract.

- **Additional disclosures (short form)**—A bank must inform consumers that it will provide additional information before the customer is required to pay for the product.

- **Eligibility requirements, conditions, and exclusions (short and long form)**—A bank must describe any material limitations relating to the DCC or DSA.

Section 37.7

Section 37.7 requires a bank to obtain a customer's written affirmative election to purchase a contract and written acknowledgment of receipt of the disclosures required by § 37.6. The section further provides that the election and acknowledgment must be conspicuous, simple, direct, readily understandable, and designed to call attention to their significance. Pursuant to § 37.7(b), if the sale of the contract occurs by telephone, the customer's affirmative election to purchase and acknowledgment of receipt of the required short form may be made orally, provided the bank: (i) Maintains sufficient documentation to show that the customer received the short form disclosures and then affirmatively elected to purchase the contract; (ii) mails the affirmative written election and written acknowledgment, together with the long form disclosures required

by § 37.6, to the customer within 3 business days after the telephone solicitation and maintains sufficient documentation to show it made reasonable efforts to obtain the documents from the customer; and (iii) permits the customer to cancel the purchase of the contract without penalty within 30 days after the bank has mailed the long form disclosures to the customer.

Pursuant to § 37.7(c), if the DCC or DSA is solicited through written materials such as mail inserts or "take one" applications and the bank provides only the short form disclosures in the written materials, then the bank shall mail the acknowledgment, together with the long form disclosures, to the customer. The bank may not obligate the customer to pay for the contract until after the bank has received the customer's written acknowledgment of receipt of disclosures, unless the bank takes certain steps, maintains certain documentation, and permits the customer to cancel the purchase within 30 days after mailing the long form disclosures to the customer. Section 37.6(d) permits the customer's affirmative election and acknowledgment to be made electronically.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Number of Respondents: 1,300.

Total Annual Burden Hours: 31,200 hours.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information shall have practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

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

(d) Ways to minimize the burden of the 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.

Dated: September 20, 2017.

Karen Solomon,

*Deputy Chief Counsel, Office of the
Comptroller of the Currency.*

[FR Doc. 2017-20529 Filed 9-25-17; 8:45 am]

BILLING CODE 4810-33-P

DEPARTMENT OF VETERANS AFFAIRS

Research Advisory Committee on Gulf War Veterans' Illnesses; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act that the Research Advisory Committee on Gulf War Veterans' Illnesses will meet on October 30, 2017, in Room 230 at 810 Vermont Avenue NW., Washington, DC, from 8:00 a.m. until 3:30 p.m. (Eastern). All sessions will be open to the public, and for interested parties who cannot attend in person, there is a toll-free

telephone number (800) 767-1750; access code 56978#.

The purpose of the Committee is to provide advice and make recommendations to the Secretary of Veterans Affairs on proposed research studies, research plans, and research strategies relating to the health consequences of military service in the Southwest Asia theater of operations during the Gulf War in 1990-1991.

The Committee will review VA program activities related to Gulf War Veterans' illnesses, and updates on relevant scientific research published since the last Committee meeting. Presentations will include updates on the VA Gulf War research program, descriptions of new areas of research in gastrointestinal disorders, and phenotyping research that can be applied to the health problems of Gulf War Veterans. Also, there will be a discussion of Committee business and activities.

The meeting will include time reserved for public comments in the

afternoon. A sign-up sheet for 5-minute comments will be available at the meeting. Individuals who wish to address the Committee may submit a 1-2 page summary of their comments for inclusion in the official meeting record. Members of the public may also submit written statements for the Committee's review to Dr. Victor Kalasinsky via email at victor.kalasinsky@va.gov.

Because the meeting is being held in a government building, a photo I.D. must be presented as part of the clearance process. Therefore, any person attending should allow an additional 15 minutes before the meeting begins. Any member of the public seeking additional information should contact Dr. Kalasinsky, Designated Federal Officer, at (202) 443-5600.

Dated: September 21, 2017.

LaTonya L. Small,

*Federal Advisory Committee Management
Officer.*

[FR Doc. 2017-20580 Filed 9-25-17; 8:45 am]

BILLING CODE 8320-01-P

Reader Aids

Federal Register

Vol. 82, No. 185

Tuesday, September 26, 2017

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations

General Information, indexes and other finding aids **202-741-6000****Laws** **741-6000**

Presidential Documents

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Other Services

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