

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

*Contact Person:* Eduardo A Montalvo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5108, MSC 7852, Bethesda, MD 20892, (301) 435-1168, [montalve@csr.nih.gov](mailto:montalve@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: March 5, 2013.

**Michelle Trout,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2013-05510 Filed 3-8-13; 8:45 am]

**BILLING CODE 4140-01-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5447-C-01]

### Notice of Formula Allocations and Program Requirements for Neighborhood Stabilization Program Formula Grants; Correction

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice of Formula Allocations and Program Requirements for Neighborhood Stabilization Program Formula Grants; Correction.

**SUMMARY:** On October 19, 2010, HUD published the "Notice of Formula Allocations and Program Requirements for Neighborhood Stabilization Program Formula Grants" (Unified NSP Notice) in the **Federal Register**, at 75 FR 64322. That notice provided unified program requirements for the NSP1 grantees and NSP3 grantees. The allocation formula, application process and program requirements for NSP1 grantees were originally published in an October 6, 2008 **Federal Register** Notice at 73 FR 58330 and amended by a June 19, 2009, April 9, 2010, and an August 27, 2010 **Federal Register** Notice at 74 FR 29223, 75 FR 18228 and 75 FR 52772, respectively. This notice is revising the Unified NSP Notice to include the provision of corrective action(s) or sanctions among HUD's remedial actions for failure of NSP1 grantees to meet the four year expenditure requirement.

**FOR FURTHER INFORMATION CONTACT:** Stanley Gimont, Director, Office of Block Grant Assistance, Office of Community Planning and Development, Department of Housing and Urban

Development, 451 Seventh Street SW., Room 7286, Washington, DC 20410, telephone number 202-708-3587 (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Relay Service at 800-877-8339. FAX inquiries may be sent to Mr. Gimont at 202-401-2044.

#### SUPPLEMENTARY INFORMATION:

#### Program Background and Purpose

The Neighborhood Stabilization Program (or NSP) was established by the Housing and Economic Recovery Act of 2008 (HERA) (Pub. L. 110-289, approved July 30, 2008), specifically Division B, Title III of HERA, for the purpose of stabilizing communities that have suffered from foreclosures and abandonment. HERA appropriated \$3.92 billion to be made available to all states and selected local governments on a formula basis, commonly referred to as NSP1.

The purpose of the funds awarded under NSP is to target the stabilization of neighborhoods negatively affected by properties that have been foreclosed upon and abandoned. The Unified NSP Notice provides further background for the program, the program principles, and the objectives and outcomes of the NSP program.

NSP is a component of the CDBG program, authorized under Housing and Community Development Act of 1974 (HCD Act) (42 U.S.C. 5301 et seq.).

#### Summary of Corrections

##### *M. Timeliness of Use and Expenditure of NSP Funds*

##### Background

This notice is revising section II.M of the Unified NSP Notice to include providing for corrective action(s) or sanctions among HUD's remedial actions for failure of NSP1 grantees to meet the 4 year expenditure requirement. As provided in the "Background" of section M of the Unified NSP Notice, HUD intended that recapture, corrective actions or sanctions be among the available remedies for all NSP grantees. However, two of these remedies were inadvertently omitted from the requirement. This revision adds the omitted language.

##### Revised Requirement

Section II.M.2 of the Unified NSP Notice is revised to read:

Timely expenditure of NSP1 funds. The timely distribution or expenditure requirements of sections 24 CFR 570.494 and 570.902 are waived to the extent necessary to allow the following

alternative requirement: All NSP1 grantees must expend on eligible NSP activities an amount equal to or greater than the initial allocation of NSP1 funds within 4 years of receipt of those funds or HUD will recapture and reallocate the amount of funds not expended or provide for other corrective action(s) or sanction.

Dated: March 1, 2013.

**Mark Johnston,**

*Deputy Assistant Secretary for Special Needs.*

[FR Doc. 2013-05526 Filed 3-8-13; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R3-ES-2013-N051;  
FXES11130300000-134-FF03E00000]

### Notice of Availability of Draft Habitat Conservation Plan; Receipt of Application for Incidental Take Permit; Enbridge Pipelines (Lakehead), L.L.C.

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service, USFWS), have received an application from Enbridge Pipelines (Lakehead) L.L.C. (applicant), for an incidental take permit (ITP) under the Endangered Species Act of 1973 (ESA). If approved, the ITP would authorize incidental take of the federally endangered Hine's Emerald Dragonfly (hereafter "HED"). The applicant has prepared a low-effect habitat conservation plan (HCP) to cover activities associated with pipeline maintenance work in Garfield Township, Mackinac County, Michigan. We invite comments from the public on the application, which includes the low-effect HCP, which has been determined to be eligible for a Categorical Exclusion under the National Environmental Policy Act of 1969, as amended (NEPA).

**DATES:** To ensure consideration, please send your written comments on or before April 10, 2013.

**ADDRESSES:** Send written comments via U.S. mail to the Field Supervisor, Attn: Barbara Hosler, U.S. Fish and Wildlife Service, 2651 Coolidge Road East, Ste. 101, Lansing, MI 48823. Phone: 517-351-2555. Fax: 517-351-1443. TTY: 1-800-877-8339, or by electronic mail to [Barbara\\_Hosler@fws.gov](mailto:Barbara_Hosler@fws.gov).

**FOR FURTHER INFORMATION CONTACT:** Barb Hosler, (517) 351-6326

**SUPPLEMENTARY INFORMATION:** We have received an application from Enbridge

Pipelines (Lakehead) L.L.C., Inc., for an incidental take permit (ITP) under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.; ESA). If approved, the ITP would authorize incidental take of the Hine's Emerald Dragonfly (hereafter "HED"; *Somatochlora hineana*).

Under the ESA, we announce that we have gathered the information necessary to evaluate the application for permit issuance, including the HCP, which provides measures to minimize and mitigate the effects of the proposed incidental take of the HED.

### Background

Pipeline maintenance work is planned by Enbridge Pipelines (Lakehead) L.L.C. (Enbridge) in Garfield Township, Mackinac County, Michigan. The purpose of the planned work is to inspect and, if necessary, repair three sections of Enbridge's Line 5 (30-inch diameter) pipeline located in and adjacent to a tributary to O'Neil Creek and associated wetlands. The sections of pipe require excavation in order to complete. The proposed excavation is estimated to be 30 ft wide, 140 ft long, and up to 10 ft deep.

The maintenance of the pipeline at the identified locations is being completed as required by the Department of Transportation (DOT) regulations in the Code of Federal Regulations (CFR) at 49 CFR Part 195.452 on Integrity Management. The proposed work is expected to take approximately 14 to 21 days to complete during winter months in early 2013, and will be initiated after the required permits are obtained. The permits will cover all activities associated with accessing the work site during winter, including excavation, pipeline inspection and repair, dewatering, temporary work area and spoil pile stock, backfilling excavation, and site restoration. The area included is 2.64 acres. The extent of direct impact by the project is 0.97 acres within the HCP boundary.

Surveys have not been conducted for Hine's Emerald Dragonfly at the project site. An Incidental Take Permit is being sought because potential habitat is present and will be impacted by the proposed project. Temporary impacts will result from winter excavation, dewatering, and backfilling, which may destroy overwintering dragonfly larvae. No impacts to adults, or adult foraging and breeding habitat, are anticipated.

Based on population estimates of known populations within Michigan, the number of larvae within the 4,200 ft<sup>2</sup> (390 m<sup>2</sup>) excavation footprint could be within the range of 156–328 larvae.

Assuming the worst-case impact using highest larval densities reported for Michigan, direct impact could be mortality of 328 larvae from winter-time excavation. The impact area of the excavation represents approximately 3.5 percent of the potential habitat at this site. If number of larvae in the habitat is proportional to the habitat area, the density estimate of 0.84 larvae/m<sup>2</sup> yields an overall population estimate of over 9,300 larvae. The maximum estimated impact of 328 larvae represents 3.5 percent of this total.

Upon completion of the work, the site will be restored and mulched. The stream bank will be reinforced with a biolog consisting of coconut fibers that have been compressed and stuffed into a netting. Biolog anchorage shall be in accordance with the manufacturer's recommendations. The excavation will be mulched with weed-free mulch or an erosion control mat. The excavation area will be revegetated after soil thaw (May 1–June 1) with a wet meadow seed mixture comprised of regionally appropriate native species. Seeding will be done by hand or with a hand-held seeder.

Compensatory mitigation will consist of a one-time payment of \$12,000 to the National Fish and Wildlife Foundation (NFWF). The payment will be made at the time the incidental take permit is issued and will be earmarked for conservation programs to benefit Hine's emerald dragonfly.

Monitoring will be conducted during and after pipeline maintenance to document the extent of actual excavation and site restoration. No surveys are proposed for adult or larval dragonflies.

### Proposed Action

Section 9 of the ESA prohibits the "taking" of threatened and endangered species. However, provided certain criteria are met, we are authorized to issue permits under section 10(a)(1)(B) of the ESA for take of federally listed species, when, among other things, such a taking is incidental to, and not the purpose of, otherwise lawful activities. Under the ESA, the term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect endangered and threatened species, or to attempt to engage in any such conduct. Our implementing regulations define "harm" as significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). Harass, as defined, means "an intentional or negligent act or omission

which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering" (50 CFR 17.3). However, under specified circumstances, the Service may issue permits that allow the take of federally listed species, provided that the take that occurs is incidental to, but not the purpose of, an otherwise lawful activity.

Regulations governing permits for endangered and threatened species are at 50 CFR 17.22 and 17.32, respectively. Section 10(a)(1)(B) of the Act contains provisions for issuing such incidental take permits to non-Federal entities for the take of endangered and threatened species, provided the following criteria are met: (1) The taking will be incidental; (2) The applicant will, to the maximum extent practicable, minimize and mitigate the impact of such taking; (3) The applicant will develop a proposed HCP and ensure that adequate funding for the HCP will be provided; (4) The taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and (5) The applicant will carry out any other measures that the Service may require as being necessary or appropriate for the purposes of the HCP.

The applicant seeks an incidental take permit for proposed covered activities within a 2.64-acre permit area. The draft HCP analyzes take attributable to the applicant's proposed activities. If issued, the ITP would authorize potential incidental take of HED consistent with the applicant's HCP. To issue the permit, the Service must find that the application, including its HCP, satisfies the criteria of section 10(a)(1)(B) of the ESA and the Service's implementing regulations at 50 CFR Part 13, 17.22, and 17.32.

### Reviewing Documents and Submitting Comments

Please refer to the Enbridge HCP when submitting comments. The permit application and supporting documents (ITP application, HCP, EAS) may be obtained on the Internet at the following address: <http://www.fws.gov/midwest/endangered/permits/hcp/r3hcps.html>.

Persons without access to the Internet may obtain copies of the draft HCP and associated documents by contacting the Service office described under **ADDRESSES**, above. The draft document will also be available for public inspection, by appointment, during normal business hours (8 a.m. to 4 p.m.) at the office described under **ADDRESSES** above.

Written comments will be accepted as described under **ADDRESSES**, above.

### Public Availability of Comments

Written comments we receive become part of the public record associated with this action. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that the entire comment, including your personal identifying information, may be made 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.

### Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22), and NEPA (42 U.S.C. 4371 *et seq.*) and its implementing regulations (40 CFR 1506.6; 43 CFR part 46).

Dated: March 4, 2013.

**Lynn Lewis,**

*Assistant Regional Director, Ecological Services, Midwest Region.*

[FR Doc. 2013-05524 Filed 3-8-13; 8:45 am]

**BILLING CODE 4310-55-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-350 and 731-TA-616 and 618 (Third Review)]

### Determinations: Corrosion-Resistant Carbon Steel Flat Products From Germany and Korea

On the basis of the record<sup>1</sup> developed in the subject five-year reviews, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the countervailing duty order on corrosion-resistant carbon steel flat products from Korea and the antidumping duty orders on corrosion-resistant carbon steel flat products from Germany and Korea would not 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 instituted these reviews on January 3, 2012 (77 FR 301, January 4, 2012) and determined on

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

April 9, 2012 that it would conduct full reviews (77 FR 24221, April 23, 2012). Notice of the scheduling of the Commission's reviews 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 publishing the notice in the **Federal Register** on May 30, 2012 (77 FR 31877) (schedule revised effective November 2, 2012 (77 FR 67395, November 9, 2012)). The hearing was held in Washington, DC, on January 9, 2013, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these reviews to the Secretary of Commerce on March 5, 2013. The views of the Commission are contained in USITC Publication 4388 (March 2013), entitled *Corrosion-Resistant Carbon Steel Flat Products from Germany and Korea: Investigation Nos. 701-TA-350 and 731-TA-616 and 618 (Third Review)*.

Issued: March 5, 2013.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2013-05536 Filed 3-8-13; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Amendment Under the Clean Air Act; the Clean Water Act; the Resource Conservation and Recovery Act; the Emergency Planning and Community Right-To-Know Act; and the Comprehensive Environmental Response, Compensation and Liability Act

On March 4, 2013, the Department of Justice lodged with the United States District Court for the Eastern District of Missouri a proposed First Amendment to the Consent Decree in the lawsuit entitled *United States v. The Doe Run Resources Corporation, et al.*, Civil Action No. 4:10-cv-1895-JCH.

The Consent Decree, entered by the Court on December 21, 2011 (Dkt. Item No. 116), resolved a joint multimedia action by the United States and the State of Missouri against The Doe Run Resources Corporation, The Doe Run Resources Corporation d/b/a The Doe Run Company, and The Buick Resource Recycling Facility, LLC, (collectively "Doe Run") for violations of the Clean Air Act, the Resource Conservation and Recovery Act, the Clean Water Act, the

Emergency Planning and Community Right-to-Know Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and Missouri law at several mining, milling and smelting operations located in Missouri. The Consent Decree required Doe Run to perform injunctive relief and mitigation projects and to pay a \$7 million civil penalty. The Consent Decree also required Doe Run to cease certain operations at the Herculaneum Lead Smelter Facility by December 31, 2013. In the interim, the Consent Decree imposed certain limits on the smelter's operation. The proposed Amendment would temporarily increase the Herculaneum Lead Smelter Facility 12-month rolling average limit for SO<sub>2</sub> emissions and the 12-month rolling average limit for lead production for three months in 2013. To offset this temporary increase, the proposed Amendment requires Doe Run to lower the 12-month rolling SO<sub>2</sub> emission limit for five months in 2013 to ensure an overall net reduction in SO<sub>2</sub> emissions for 2013. The Amendment does not allow Doe Run to produce more lead at the Herculaneum Lead Smelter Facility for calendar year 2013 than it otherwise would under the original Consent Decree. In addition, the Amendment does not change the short-term lead production limit or the short-term SO<sub>2</sub> emission limits for the Herculaneum Lead Smelter Facility set forth in the Consent Decree.

The publication of this notice opens a period for public comment on the First Amendment to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. The Doe Run Resources Corporation, et al.*, Civil Action No. 4:10-cv-1895, D.J. Ref. No. 90-5-2-1-07390/1. All comments must be submitted no later than fifteen (15) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email ...	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the First Amendment to the Consent Decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide