

likelihood of encountering this species during the cruise. Under section 7 of the ESA, NSF has initiated formal consultation with the NMFS, Office of Protected Resources, Endangered Species Act Interagency Cooperation Division, on this proposed seismic survey. NMFS's Office of Protected Resources, Permits and Conservation Division, has initiated formal consultation under section 7 of the ESA with NMFS's Office of Protected Resources, Endangered Species Act Interagency Cooperation Division, to obtain a Biological Opinion evaluating the effects of issuing the IHA on threatened and endangered marine mammals and, if appropriate, authorizing incidental take. NMFS will conclude formal section 7 consultation prior to making a determination on whether or not to issue the IHA. If the IHA is issued, NSF and L-DEO, in addition to the mitigation and monitoring requirements included in the IHA, will be required to comply with the Terms and Conditions of the Incidental Take Statement corresponding to NMFS's Biological Opinion issued to both NSF and NMFS's Office of Protected Resources.

#### National Environmental Policy Act

With L-DEO's complete application, NSF and L-DEO provided NMFS a draft "Environmental Analysis of a Marine Geophysical Survey by the R/V *Marcus G. Langseth* in the Northeast Atlantic Ocean, June-July 2013," prepared by LGL Ltd., Environmental Research Associates, on behalf of NSF and L-DEO. The EA analyzes the direct, indirect, and cumulative environmental impacts of the proposed specified activities on marine mammals including those listed as threatened or endangered under the ESA. Prior to making a final decision on the IHA application, NMFS, after review and evaluation of the NSF EA for consistency with the regulations published by the Council of Environmental Quality (CEQ) and NOAA Administrative Order 216-6, Environmental Review Procedures for Implementing the National Environmental Policy Act, will prepare an independent EA and make a decision of whether or not to issue a Finding of No Significant Impact (FONSI).

#### Proposed Authorization

NMFS proposes to issue an IHA to L-DEO for conducting a marine seismic survey in the northeast Atlantic Ocean, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. The duration of the IHA would not exceed one year from the date of its issuance.

#### Information Solicited

NMFS requests interested persons to submit comments and information concerning this proposed project and NMFS's preliminary determination of issuing an IHA (see **ADDRESSES**). Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: March 18, 2013.

**Helen M. Golde**,

*Acting Director, Office of Protected Resources, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

#### DEPARTMENT OF DEFENSE

##### Office of the Secretary

[Docket ID DoD-2013-OS-0055]

#### Notice of Availability of Environmental Assessment and Draft Finding of No Significant Impact Regarding DLA Energy's Mobility Fuel Purchasing Programs

**AGENCY:** Defense Logistics Agency Energy (DLA Energy), DoD.

**ACTION:** Finding of no significant impact.

**SUMMARY:** As required under the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.), an environmental assessment (EA) has been prepared to assess the potential environmental impacts associated with the proposed action to continue DLA Energy's current domestic mobility fuel purchase programs. DLA Energy currently operates two programs for mobility fuel contracts, Direct Delivery Fuels (DDF) and Bulk Petroleum, which were considered as part of the EA. The EA also analyzed the no-action alternative. Based on the analysis in the EA, DLA Energy has determined that the proposed action is not a major federal action significantly affecting the quality of the human environment within the context of NEPA. Therefore, the preparation of an environmental impact statement (EIS) is not required.

**DATES:** Comments on the Draft Finding of No Significant Impact must be postmarked or emailed by April 22, 2013.

**ADDRESSES:** You may submit comments, identified by the docket ID and title, by any of the following methods:

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

- *Email:* [NEPA@dla.mil](mailto:NEPA@dla.mil). Include the docket ID in the subject line of the message.

- *Mail:* Project Manager for NEPA, DLA Installation Support for Energy, 8725 John J. Kingman Road, Suite 2828, Fort Belvoir, VA 22060.

**Note:** Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

#### FOR FURTHER INFORMATION CONTACT:

Copies of this FONSI, the accompanying EA, and further information concerning the proposed action are available from: Project Manager for NEPA, DLA Installation Support for Energy, 8725 John J. Kingman Road, Suite 2828, Fort Belvoir, VA 22060, (703) 767-8312, [NEPA@dla.mil](mailto:NEPA@dla.mil). Additional information about the NEPA process can be obtained from the Council on Environmental Quality at <http://ceq.hss.doe.gov/>.

**SUPPLEMENTARY INFORMATION:** Need for the Proposed Action: DLA Energy is proposing to continue purchases of mobility fuels on behalf of the U.S. Department of Defense (DOD) and other government agencies. The purpose of the proposed action is to fulfill DLA Energy's mission to provide DOD and other government agencies with energy solutions in the most effective and efficient manner possible. The program is needed to fulfill the mobility fuel requirements of the military services and the federal civilian agencies.

*Proposed Action:* As authorized by federal regulation (10 U.S.C. chapter 137, and DOD Directives 4140.25, 5101.8, and 4140.26-M), DLA Energy acquires and distributes nearly all of the refined petroleum, oil, and lubricants used by the U.S. military through contracting programs that follow the policies defined in the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement. DLA Energy currently operates two programs for mobility fuel contracts, DDF and Bulk Petroleum, which were considered as part of the EA.

*Alternatives Considered:* The EA for DLA Energy's Mobility Fuel Purchase Programs, November 2012, evaluates the proposed action and the no-action alternative. Other alternatives were reviewed during the EA development process under the requirements of NEPA but were eliminated from further detailed analysis in the EA because they

did not meet the stated purpose and need for the action or were not practicable, for the reasons stated in the EA. The only practicable alternative is described in the "Proposed Action" section. The no-action alternative is the same as the proposed action; discontinuing DLA Energy's mobility fuel purchase programs is not reasonable.

**Potential Environmental Impacts:** The attached EA presents assessments of potential impacts to human health and the human environment. DLA Energy evaluated the following resources for potential impacts associated with the proposed action, as described below: Energy; transportation and infrastructure; air quality, including greenhouse gas (GHG) emissions; safety and human health; aquatic and terrestrial resources; and cultural resources.

**Energy—**With DLA Energy mobility fuel procurements representing 2 percent of the domestic mobility fuels market, and DLA Energy's continued efforts to procure, certify, and approve alternative fuels, the proposed action would have a negligible effect on the national energy market. The proposed action would have a negligible effect on the acquisition, handling, and processing of any crude oil feedstock including heavy crudes.

**Transportation and Infrastructure—**Under the proposed action, DLA would continue using existing transport systems and does not propose any specific structural changes to the national transportation infrastructure; any future structural modifications would undergo NEPA review on a case-by-case basis. In compliance with established regulations, the proposed action would have a negligible effect on transportation and infrastructure.

**Air Quality—**Unlike emissions from specific DOD services, emissions associated with the proposed action would not be attributable to a particular installation; emissions associated with the distribution of fuel to DLA Energy customers would be transient and distributed nationally. Forty-nine percent of DLA domestic fuel transport, by volume, occurs through pipelines, which have negligible GHG emissions in comparison to other transportation modes. The other 51 percent of DLA domestic fuel, by volume, is transported using mobile sources (truck, rail, and marine). DLA Energy's implementation of a systemic change to the use of commercial standard Jet A aviation fuel in most aircraft could significantly reduce fuel transport distances and associated emissions. Within the project scope and in compliance with federal,

state, and local regulations, criteria air pollutant and GHG emissions would be negligible.

**Safety and Human Health—**Risks to health and safety are minimal if the operations comply with applicable regulations, release detection is properly planned, and response actions are undertaken swiftly. Under the proposed action, DLA would continue to use existing and highly regulated methods of fuel transportation and storage, including the current safety policies. The proposed action would have a negligible impact on human health and safety.

**Aquatic, Terrestrial, and Cultural Resources—**Transport and storage of fuel products is highly regulated. DLA Energy's customers are military installations and federal agencies that comply separately with biological and cultural resource protection requirements. Under the proposed action, DLA would continue using existing commercial methods for fuel distribution; any future structural modifications would undergo NEPA review on a case-by-case basis. Within the project scope and in compliance with established regulations, the proposed action would have no effects on aquatic and terrestrial resources, including threatened and endangered species. The proposed action would have no effects on cultural resources, including historic properties. Based on the analysis of the potential impacts to the human environment, the EA concludes that the proposed action would produce no significant adverse impacts.

**Determination:** Based on the results of the analyses performed during the preparation of the EA, I conclude that the proposed action does not constitute a major federal action significantly affecting the quality of the human environment within the context of NEPA. Therefore, an EIS for the proposed action is not required.

Dated: March 18, 2013.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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**BILLING CODE 5001-06-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID DoD-2013-OS-0049]

### Privacy Act of 1974; System of Records

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice to alter a System of Records.

**SUMMARY:** The Defense Logistics Agency proposes to alter a system of records in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**DATES:** This proposed action will be effective on April 22, 2013 unless comments are received which result in a contrary determination. Comments will be accepted on or before April 22, 2013.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

\* *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

\* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350-3100.

*Instructions:* All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jody Sinkler, DLA/FOIA/Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060-6221, or by phone at (703) 767-5045.

**SUPPLEMENTARY INFORMATION:** The Office of the Secretary of Defense notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT**. The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on March 5, 2013, to the House Committee on Oversight and Government Reform, the Senate Committee on Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996 (February 20, 1996, 61 FR 6427).